



# Norfolk County Official Plan

Consolidated to January 1, 2023

# Official Plan of Norfolk County

## Office Consolidation

Council Adopted May 9, 2006

Ministry of Municipal Affairs and Housing Approved December 23, 2008

Five Year Review Council Adopted January 31, 2018

Five Year Review Ministry of Municipal Affairs and Housing Approved October 5, 2018

Ontario Municipal Board Approval of Appealed Policies:

- OMB Decision/Order No 201000005 dated February 5, 2010
- OMB Decision/Order No 201000007 dated April 7, 2010

As amended by the following amendments:

<b>Amendment Number</b>	<b>By-Law Number Name</b>	<b>Type of Amendment</b>	<b>Council Approved Date</b>	<b>Declaration Date</b>
1	11-OP-2006 Dover Coast	Map and Text (7.7.3.13 & 7.10.3.4)	Aug 29, 2006	OMB Decision/ Order No 2638  Oct 2, 2007
2	13-OP-2006 Douglas & Sharon Williams	Map	Oct 24/2006	Nov 16, 2006
3	15-OP-2006 1573380 Ontario Inc.(H. H. Misner)	Map and Text (7.11.3.4)	Oct 24/2006	Nov 16, 2006

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4	17-OP-2006 1119616 Ontario Inc. (Al's Shoes)	Map and Text (7.10.3.5)	Dec. 19, 2006	Jan 12, 2007 repealed by 2- OP-2012
5	2-OP-2007 1246643 Ontario Inc.	Map	Mar 27, 2007	Apr 23, 2007
6	4-OP-2007 SkyPower Corp.	Map and Text (7.2.5.18)	May 22, 2007	OMB Decision/ Order No.2586 Aug 7, 2008
7	6-OP-2007 Tilroe (Goud)	Map and Text (7.11.3.9)		OMB Decision – not approved, Nov 13, 2008
8	11-OP-2007 Tong & Mei Yin (commercial)	Map and Text (7.11.3.11)	Nov 27, 2007	Dec 21/2007
9	9-OP-2007 Yerex & Westelmajer – T. Sartor	Map and Text (7.7.3.11)	Nov 27, 2007	Dec 21/2007
10	10-OP-2007 Bentley & Doleman – The Point Campground	Map and Text (7.2.5.17)	Nov 27, 2007	Dec 21/2007
11	2-OP-2008 Norfolk County (Vittoria Fire Hall)	Map and Text (7.2.5.20)	Jan 8, 2008	Jan 31, 2008

<b>Amendment Number</b>	<b>By-Law Number Name</b>	<b>Type of Amendment</b>	<b>Council Approved Date</b>	<b>Declaration Date</b>
12	6-OP-2008 Canadian Commercial Inc	Map and Text (7.11.3.6)	Mar 11, 2008	Apr 2, 2008 MMAH mod Dec 23, 2008
13	4-OP-2008 John Kooi	Map and Text (7.2.5.21)	Feb 26, 2008	Mar 20, 2008 MMAH mod Dec 23, 2008
14	7-OP-2008 Peter & Catherine Hellyer	Map	Mar 25, 2008	MMAH mod Dec 23, 2008
15	11-OP-2008 Reid & Deleye	Map and Text (7.7.3.12)	May 27, 2008	Jun 19, 2008 MMAH mod Dec 23, 2008
16	9-OP-2008 First Ontario Credit Union Ltd.	Map and Text (7.11.3.7)	May 20, 2008	Jun 13, 2008 MMAH mod Dec 23, 2008
17	13-OP-2008 Waterford Villages (Strittmatter)	Map	May 27, 2008	Appealed to OMB Application withdrawn
18	15-OP-2008 W-W Airview Farms Limited & Arvane Farms Limited	Map	Jul 15, 2008	Aug 7, 2008 MMAH mod Dec 23, 2008

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19	17-OP-2008 McArthur and Pond, Turkey Point Winery and Eco-tours	Map and Text (7.2.5.22) (7.3.3.3)	Jul 15, 2008	Aug 7, 2008 MMAH mod Dec 23, 2008
20	19-OP-2008 SkyPower Corp.	Map and Text (7.2.5.23)	Oct 28, 2008	Nov 20/2008 MMAH mod Dec 23, 2008
21	1-OP-2009 Great Lakes Solar	Map and Text (7.2.5.24)	Jan 13, 2009	Feb 5, 2009
22	21-OP-2008 Westwood Trail	Map	Nov 25,2008	Dec 18, 2008
23	6-OP-2009 Axio Power Canada Inc.	Map and Text (7.2.5.25)	Apr 14, 2009	May 7, 2009
24	Sittler Environmental (Windham)	Map and Text (7.2.5.26)	Refused July 14, 2008	Appealed to OMB  Appeal withdrawn
25	4-OP-2009 Todd & Christie Mark	Map and Text (7.2.5.27)		OMB Decision # 20090022  – not approved, Mar 2, 2010
26	8-OP-2009 George Campbell	Map and text (7.2.5.28)	July 14, 2009	Aug 6, 2009

<b>Amendment Number</b>	<b>By-Law Number Name</b>	<b>Type of Amendment</b>	<b>Council Approved Date</b>	<b>Declaration Date</b>
27	7-OP-2009 Robert Everest	Map and Text (7.3.3.4)	June 23, 2009	July 20, 2009
28	9-OP-2009 Lakeshore Special Policy Area Secondary Plan	Map and Text (Section 11, appendixes, various text)	Oct 13, 2009	OMB decision/ Order No 20100006  April 6, 2010
29	10-OP-2009 Neptune Water	Map and Text (7.11.3.3)	Oct 13, 2009	Nov 6, 2009
30	11-OP-2009 At Play Adventures	Map and Text (7.6.3.1)	Nov 24, 2009	OMB refused May 11, 2011
31	1-OP-2010 1186813 Ontario Limited	Map and Text (7.9.3.5)	Jan 26, 2010	Feb 18, 2010
32	2-OP-2010 Leighton & Betty Brown	Map	Aug 24, 2010	OMB refused Nov 29, 2011
33	3-OP-2010 R D Cookson Ltd.	Map and Text (7.2.5.29)	Sept 28, 2010	Oct 21, 2010
34	4-OP-2010 Bellworth House	Text (7.7.3.6)	Sept 28, 2010	Oct 21, 2010
35	5-OP-2010 Gary DePauw	Map and Text (7.2.5.30)	Nov 16, 2010	Dec 10, 2010

<b>Amendment Number</b>	<b>By-Law Number Name</b>	<b>Type of Amendment</b>	<b>Council Approved Date</b>	<b>Declaration Date</b>
36	6-OP-2010 Sittler Environmental (Middleton – OPNPL2010090)	Map and Text (7.2.5.26)	Dec 21, 2010	Jan 13, 2011
37	7-OP-2010 Canadian Commercial (Simcoe) Inc.	Map and Text (7.11.3.8)	Nov 30, 2010	Dec 23, 2010
38	1-OP-2011 Activa Holdings	Map	Feb 8, 2011	Mar 3, 2011
39	8-OP-2017 ROI Group (Spadafora) Inc.	Map	June 13, 2017	July 14, 2017
40	Number Not Used			
41	4-OP-2011 2177545 Ontario Inc., 2177546 Ontario Inc.(Zitia)	Map	June 14, 2011	July 14, 2011
42	2-OP-2011 Remax Erie Shores	Map and Text (7.11.3.9)	Apr 12, 2011	May 5, 2011
43	3-OP-2011 Jim Gates	Map and Text (7.8.3.3)	May 24, 2011	Jun 16, 2011
44	8-OP-2011 RV Woodland	Text (7.2.5.33)	Sept 13, 2011	Oct 11, 2011

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45	5-OP-2011 Terry DeVos	Map and Text (7.2.5.34)	June 28, 2011	July 21, 2011
46	6-OP-2011 Terry DeVos	Map and Text (7.2.5.34)	June 28, 2011	July 21, 2011
47	7-OP-2011 Terry DeVos	Map and Text (7.2.5.34)	June 28, 2011	July 21, 2011
48	11-OP-2011 Ryan Rivard	Text (7.7.3.15)	Nov 8, 2011	Dec 1, 2011
49	9-OP-2011 Lawrence Labatt	Map and Text (7.2.5.35)	Sept 27, 2011	OMB decision/ Apr 20, 2012 PL111188
50	10-OP-2011 First Capital Limited (Norfolk Mall)	Text (7.10.3.8(a))	Oct 25, 2011	Nov 17, 2011
51	12-OP-2011 Grand Erie District School Board	Map	Nov 22, 2011	Dec 15, 2011
52	1-OP-2012 Ronald Keba	Map	Jan 10, 2012	Feb 2, 2012
53	2-OP-2012 1119616 Ontario Inc.	Map and Text (7.10.3.6)	May 8, 2012	May 31, 2012



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54	3-OP-2012 Canadian Commercial	Text (7.11.3.6, 7.11.3.8)	July 10, 2012	Aug 3, 2012
55	5-OP-2012 Macintosh Donald G Trustee	Map and Text (7.3.3.5)	Dec 11, 2012	Jan 3, 2013
56	4-OP-2012 Tong & May Yin	Map	Nov 27, 2012	Dec 20, 2012
57	1-OP-2013 Peter & Margaretha Klassen	Map and Text (7.2.5.36)	April 9, 2013	May 2, 2013
58	2-OP-2013 Jack Edward Robillard	Map	April 23, 2013	May 16, 2013
59	3-OP-2013 De Carolis Farms Limited, Kichler Farms Ltd, Robert Kichler and Richard Kichler	Map and Text (7.2.5.37)	May 28, 2013	June 20, 2013  Repealed by 1- OP-2018
60	4-OP-2013 Hidden Valley Resort Part Inc.	Map and Text (7.2.5.38)	Sept 10, 2013	Oct 3, 2013
61	5-OP-2013 Paul Morris	Map and Text (7.2.5.39)	Oct 8, 2013	OMB refused PL131270  Sept 12, 2014

<b>Amendment Number</b>	<b>By-Law Number Name</b>	<b>Type of Amendment</b>	<b>Council Approved Date</b>	<b>Declaration Date</b>
62	6-OP-2013 Woodstock Holdings Inc.	Map and Text (7.7.3.14)	Dec 10, 2013	Jan 6, 2014
63	2-OP-2015 1704365 Ontario Limited	Map & Text (7.16.3.2)	Feb 10, 2015	March 5, 2015
64	1-OP-2014 Jason Van Paassen	Map	Jan 28, 2014	Feb 20, 2014
65	2-OP-2014 Norfolk County	Text (7.3.3.1)	Mar 25, 2014	April 9, 2014
66	3-OP-2014 Wal-Tec Racks Inc.	Map and Text (7.12.3.10)	Mar 25, 2014	April 17, 2014
67	5-OP-2014 Ryan VandenBussche	Map and Text (7.2.5.40)	April 8, 2014	Repealed through By-Law 2-OP-2016 and amendment 80
68	4-OP-2014 William David & Rita Stratford	Map and Text (7.2.5.41)	Mar 25, 2014	April 17, 2014
69	6-OP-2014 Lloyd & Caroline Wood	Map	June 24, 2014	July 17, 2014
70	7-OP-2014 Lloyd & Caroline Wood	Map and Text (7.2.5.42, 7.3.3.6)	June 24, 2014	July 17, 2014

<b>Amendment Number</b>	<b>By-Law Number Name</b>	<b>Type of Amendment</b>	<b>Council Approved Date</b>	<b>Declaration Date</b>
71	8-OP-2014 George Murphy	Map	Nov 25, 2014	Dec 23, 2014
72	1-OP-2015 Steve and Helen Kun	Map and Text (7.5.3.4)	Jan 27, 2015	Feb 19, 2015
73	3-OP-2015 The Local Vegetable Company Inc.	Map and Text (7.12.3.11)	March 24, 2015	April 16, 2015
74	4-OP-2015 Carol Murphy	Map and Text (7.2.5.43)	April 28, 2015	OMB refused PL150465 Feb 2, 2016
75	5-OP-2015 Frederick & Elisabeth Devries	Map	April 28, 2015	May 21, 2015
76	7-OP-2015 Antony Vanderpost	Map and Text (7.2.5.44 & 7.3.3.7)	May 12, 2015	June 5, 2015
77	6-OP-2015 Paul & Marlene Smith	Map		OMB Decision April 30, 2015 & Sept 18, 2015
78	9-OP-2015 1186813 Ontario Limited	Map & Text (7.10.3.7)	Aug 25, 2015	OMB Decision PL150952 April 19, 2016
79	1-OP-2016 Don & Sally Friesen	Map and Text (7.2.5.43)	Feb 23,2016	March 21, 2016

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80	2-OP-2016 Ryan Vandebussche	Map and Text (7.2.5.40)	March 8, 2016	April 1, 2016
81	3-OP-2016 Tracey & Heather Stone	Map and Text (7.11.3.10)	April 12, 2016	May 9, 2016
82	4-OP-2016 7866880 Ontario Inc.	Map	May 24, 2016	June 29, 2016
83	11-OP-2017 Norfolk County	Map and Text (7.1 & 6.3)	Sept 26, 2017	Nov 13, 2017
84	7-OP-2016 Tony Pais	Map	Oct 11, 2016	Nov 4, 2016
85	6-OP-2016 Melanie Doerksen & Tim Wilson	Map and Text (7.2.5.45)	Oct 11, 2016	Nov 4, 2016
86	8-OP-2016 Karen Turkstra	Map	Oct 25, 2016	Nov 21, 2016
87	2-OP-2017 Norfolk County	Text (9.5.3)	April 11, 2017	June 27, 2017
88	1-OP-2017 Jacob Kolomaya	Map	Jan 31, 2017	Feb 27, 2017
89	4-OP-2017 657694 Ontario Ltd.	Map and Text (7.12.3.1)	April 11, 2017	May 17, 2017

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90	3-OP-2017 Norfolk County	Text (9.5.4)	April 11, 2017	June 27, 2017
91	5-OP-2017 Norfolk County	Text (5.3)	May 9, 2017	June 27, 2017
92	7-OP-2017 Paul Murphy	Map	May 23, 2017	June 23, 2017
93	6-OP-2017 Robert Harris	Map and Text (7.3.3.9)	May 23, 2017	June 23, 2017
94	9-OP-2017 2079095 Ontario Ltd.	Map	June 27, 2017	July 20, 2017
95	10-OP-2017 George Eggink	Map and Text (11.8.3.1.1)	October 24, 2017	November 27, 2017
96	12-OP-2017 Norfolk County	Text	October 24, 2017	December 22, 2017
97	13-OP-2017 1033097 Ontario Inc.	Map	December 12, 2017	January 11, 2018
98	1-OP-2018 Norfolk County (Five Year Review)	Map and Text	January 31, 2018	MMAH Approved October 5, 2018
99	2-OP-2018/ Paul Careswell	Map and Text (7.6.3.1)	January 30, 2018	February 26, 2018

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100	3-OP-2018 Norfolk County	Text	January 30, 2018	March 12, 2018
101	5-OP-2018 Dierick Farms Ltd.	Map and Text (7.5.3.5)	March 27, 2018	May 9, 2018
102	4-OP-2018 Diane Smith	Map	March 27, 2018	May 9, 2018
103	6-OP-2018 Samuel Anstee	Map	April 10, 2018	May 17, 2018
104	8-OP-2018 Judith Mattan & John Reid	Map and Text (7.5.3.6)	May 8, 2018	June 21, 2018
105	9-OP-2018 Lisabeth Farms Ltd.	Map and Text (7.5.3.7)	May 22, 2018	June 18, 2018
106	7-OP-2018 P&B Van Heugten Farms Ltd. & Derek Van Heugten Farms Ltd.	Map and Text (7.2.5.46)	April 24, 2018	May 28, 2018
107	10-OP-2018 Geoffrey A. Livingston	Map and Text (7.2.5.47)	June 26, 2018	July 19, 2018
108	11-OP-2018 Antony Vanderpost	Text (7.2.5.44)	July 10, 2018	August 8, 2018
109	12-OP-2018 Whistling Gardens Ltd.	Map and Text (7.2.5.48)	July 10, 2018	August 8, 2018

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110	5-OP-2019 Sunfield Homes (Simcoe) Ltd.	Map and Text (7.7.3.16)	June 11, 2019	July 25, 2019
111	13-OP-2018 Vanderlaan C.S. Ltd.	Map and Text (7.8.3.4)	August 28, 2018	September 21, 2018
112	Number not used			
113	17-OP-2018 Westwood Trails Development	Map and Text (7.2.5.50)	September 25, 2018	October 29, 2018
114	18-OP-2019 Jonathon Jager	Map and Text (7.2.5.49)	Dec 18, 2019	Jan 17, 2019
115	Number not used			
116	2-OP-2019 772520 Ontario Inc.	Map	April 9, 2019	May 13, 2019
117	3-OP-2019 Michael and Tracy Bancroft	Map and Text (7.8.3.5)	May 14, 2019	June 27, 2019
118	4-OP-2019 Ralph Bauer	Map and Text (7.6.3.2)	May 14, 2019	June 27, 2019
119	6-OP-2019 Ray Jennings and Cheryl Mills	Map and Text (7.2.5.51)	June 11, 2019	July 10, 2019

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120	1-OP-2019 Bayvin Ecological Developments Inc.	Map and Text (7.2.5.22)	Feb 26, 2019	April 2, 2019
121	7-OP-2019 Pretty Smart Holdings Inc.	Map and Text (7.7.3.17)	Nov 19, 2019	Dec 18, 2019
122	11-OP-2019 BTL Investments	Map	Dec 17, 2019	Jan 21, 2020
123	9-OP-2019 Brian Grant and Teresa Vecchiarelli	Text and Map	Dec 17, 2019	Jan 21, 2020
124	3-OP-2020 Norfolk County	Text (5.3.3.1, 7.2.1 h), 7.2.3 c), 7.5.1)	Jan 22, 2020	April 6, 2020
125	Application withdrawn Sept 24, 2020			
126	8-OP-2019 Norfolk Cherry Company Ltd.	Map and Text	Nov 19, 2019	LPAT Decision PL200020 Nov 20, 2020
127	1-OP-2020 Christopher Coates	Map and Text (7.8.3.6)	Jan 22, 2020	Feb 19, 2020
128	7-OP-2020 Norfolk County Source Water Protection	Map and Text (3.3.2.2)	Dec 15, 2020	Feb 4, 2020



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129	2-OP-2020 BC Appraisals Inc.	Map and Text (7.2.5.31)	Jan 22, 2020	Feb 19, 2020
130	8-OP-2020 1694468 Ontario Inc. and OBB Properties Inc.	Map	Dec 15, 2020	Jan 21, 2021
131	4-OP-2020 Abel and Emily Kupi			OLT Decision – Amendment Not Approved – PL200555
132	5-OP-2020 Victoria Johnson and Michael Rizzo	Map and Text (7.12.3.12)	July 21, 2020	Aug 25, 2020
133	3-OP-2021 Victoria Johnson and Michael Rizzo	Map and Text (7.3.3.10 & 7.8.3.7)	July 20, 2021	Dec 2, 2021
134	6-OP-2020 Tom and Lisa Leitch	Map and Text (7.3.3.10)	Dec. 15, 2021	Jan. 21, 2021
135	1-OP-2021 Cadman Manufacturing Company	Map and Text (7.12.3.1)	April 20, 2021	July 9, 2021
136	2-OP-2021 Diematic Tooling Solutions Inc.	Text (7.8.3.3)	June 15, 2021	July 9, 2021

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137	4-OP-2021 Jeffery Earl Bouck and Rebecca Jayne Bouck	Map and Text <b>(7.2.5.52)</b>	July 20, 2021	Aug. 23, 2021
138	7-OP-2021 2494574 Ontario Ltd.	Map and Text (7.7.3.18)	Sept. 21, 2021	Oct. 19, 2021
139	6-OP-2021 Canadian Commercial (Simcoe) Inc.	Map and Text (7.11.3.6 & 6.5.1.5)	Sept. 21, 2021	Oct. 19, 2021
140	5-OP-2021 Devos Farms Limited	Map and Text (7.5.3.8)	Sept. 21, 2021	Oct. 19, 2021
141	1-OP-2022 26403023 Ontario Incorporated	Map	Jan. 18, 2022	Feb. 10, 2022
142	2-OP-2022 Shore Developments	Map and Text (7.16.3.3)		OLT Decision – PL210113, Feb. 25, 2022
143	3-OP-2022 Nathan Kew	Map and Text (7.9.3.1)	May 17, 2022	Jun. 20, 2022
144	4-OP-2022 Mary Elgersma & Tony Mendolia	Map and Text (7.7.3.19)	July 19, 2022	Aug. 18, 2022
145	5-OP-2022 Heather-Jo Causyn	Map and Text (7.16.3.4)		OLT Decision – PL190453, Oct. 7, 2021

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146	6-OP-2022 Hendrik Scholten	Map and Text (7.7.3.20)	July 19, 2022	Aug. 18, 2022
147	9-OP-2022 SKYDEV GP (III) INC.	Map and Text (6.5.1.4 & 7.7.3.21)	Sept. 20, 2022	Oct. 31, 2022
148	8-OP-2022 27059973 Ontario Inc.	Map	Nov. 22, 2022	Dec. 17, 2022
149	7-OP-2022 Norfolk County	Text (5.3.3)	Sept. 20, 2022	Nov. 09, 2022
150	10-OP-2022 Norfolk County	Text (9.4.2, 9.4.4, & 9.4.6)	Oct. 05, 2022	Oct. 28, 2022
151	11-OP-2022 Thomas Devin Graham	Map and Text (7.2.5.53)	Dec. 20, 2022	Jan. 11, 2023
152	12-OP-2022 Springflower Ltd.	Map and Text (7.2.5.54)	Jan. 25, 2023	Feb. 20, 2023

# Table of Contents

1.0	Introduction.....	1
1.1	Purpose of the Official Plan .....	1
1.2	Context of Official Plan .....	2
1.3	Basis for the Official Plan.....	3
1.4	Organization .....	6
2.0	Norfolk County in 2036: A Vision.....	9
2.1	The County Planning Vision.....	9
2.2	Goals and Objectives.....	10
2.2.1	Strong and Diversified Economy .....	10
2.2.2	Protecting and Enhancing the Natural Environment.....	11
2.2.3	Maintaining and Enhancing the Rural and Small Town Character.....	12
2.2.4	Maintaining a High Quality of Life .....	13
2.2.5	Upgrading and Expanding Infrastructure .....	14
2.2.6	A Well Governed, Well Planned and Sustainable County.....	15
3.0	Sustainable Natural Heritage.....	17
3.1	Introduction .....	17
3.2	Watershed Management.....	17
3.3	Source Water Protection [7-OP-2020, Amendment 128] .....	19

3.3.1	Vulnerable Areas .....	20
3.3.2	Land Uses in Vulnerable Areas .....	22
3.3.3	Implementation and Interpretation .....	27
3.4	Aquifer Protection .....	28
3.5	Natural Heritage Systems .....	29
3.5.1	Provincially Significant Features .....	30
3.5.2	Natural Heritage Features .....	31
3.5.3	Natural Heritage Systems Strategy .....	37
3.5.4	Long Point Biosphere Reserve .....	38
3.6	Air Quality .....	39
4.0	Ensuring Economic Vitality .....	41
4.1	Introduction .....	41
4.2	Link to Economic Development .....	41
4.3	Locations of Economic Activity .....	42
4.4	Promoting Agriculture .....	43
4.5	Tourism .....	46
4.6	Natural Resources .....	49
4.6.1	Mineral Aggregates .....	49
4.6.2	Petroleum Resources .....	53
4.6.3	Forestry .....	55
4.6.4	Fisheries .....	57
4.7	Employment Activity .....	58
4.8	Potentially Contaminated Sites .....	59
5.0	Maintaining Healthy Communities .....	61
5.1	Introduction .....	61
5.2	Public Services .....	61
5.3	Housing .....	64
5.3.1	Residential Intensification .....	67
5.3.2	Special Needs Housing .....	69
5.3.3	Special Housing Forms .....	70
5.4	Community Design .....	74

5.5	Urban Forests .....	77
5.6	Recreation .....	78
5.6.1	Parks .....	79
5.6.2	Linked to Open Space and Natural Heritage System .....	82
5.7	Cultural Heritage .....	83
5.7.1	General.....	83
5.7.2	Norfolk Heritage Committee .....	85
5.7.3	Heritage Properties and Heritage Conservation Districts .....	86
5.7.4	Archaeological Resources .....	87
5.7.5	Development Policies .....	88
5.8	Access to Healthy Food.....	90
6.0	Managing Growth .....	93
6.1	Introduction .....	93
6.2	Targeting Growth .....	93
6.3	Community Structure and Growth Framework.....	94
6.4	Urban Areas.....	97
6.4.1	Downtown Areas .....	100
6.5	Specific Urban Areas .....	103
6.5.1	Simcoe Urban Area .....	103
6.5.2	Port Dover Urban Area .....	107
6.5.3	Delhi Urban Area .....	112
6.5.4	Waterford Urban Area.....	113
6.5.5	Port Rowan Urban Area.....	114
6.5.6	Courtland Urban Area.....	115
6.6	Hamlet Areas .....	116
6.7	Rural Area.....	119
6.7.1	Agricultural Land.....	120
6.7.2	Industrial Influence Area .....	121
6.7.3	Natural Resources .....	122
6.7.4	Other Uses .....	122
6.8	The Lakeshore .....	123

6.8.1	Lakeshore Special Policy Area .....	125
6.8.2	Normandale Resort Area Special Policy Area .....	126
6.8.3	Long Point and Turkey Point Resort Areas Safe Access.....	127
6.9	Norfolk / Tillsonburg Fringe Area .....	127
7.0	Managing Land Use .....	129
7.1	Introduction .....	129
7.2	Agricultural Designation .....	131
7.2.1	Permitted Uses .....	131
7.2.2	Land Use Policies.....	133
7.2.3	Agricultural Lot Creation and Lot Adjustment Policies .....	141
7.2.4	Agricultural Lot Size Policies .....	143
7.2.5	Site Specific Policies .....	144
7.3	Hazard Land Designation .....	157
7.3.1	Permitted Uses .....	157
7.3.2	Land Use Policies.....	158
7.3.3	Site Specific Policies .....	162
7.4	Provincially Significant Wetland Designation .....	166
7.4.1	Permitted Uses .....	166
7.4.2	Land Use Policies.....	166
7.5	Hamlet Designation.....	168
7.5.1	Permitted Uses .....	168
7.5.2	Land Use Policies.....	169
7.5.3	Site Specific Policies .....	171
7.6	Resort Residential Designation.....	173
7.6.1	Permitted Uses .....	173
7.6.2	Land Use Policies.....	174
7.6.3	Site Specific Policies .....	175
7.7	Urban Residential Designation .....	176
7.7.1	Permitted Uses .....	176
7.7.2	Land Use Policies.....	178
7.7.3	Site Specific Policies .....	181

7.8	Downtown Designation .....	186
7.8.1	Permitted Uses .....	186
7.8.2	Land Use Policies .....	187
7.8.3	Site Specific Policies .....	189
7.9	Mixed Residential/Commercial Designation.....	192
7.9.1	Permitted Uses .....	192
7.9.2	Land Use Policies .....	192
7.9.3	Site Specific Policies .....	193
7.10	Shopping Centre Commercial Designation .....	195
7.10.1	Permitted Uses .....	195
7.10.2	Land Use Policies .....	195
7.10.3	Site Specific Policies .....	198
7.11	Commercial Designation.....	203
7.11.1	Permitted Uses .....	203
7.11.2	Land Use Policies .....	204
7.11.3	Site Specific Policies .....	205
7.12	Protected Industrial Designation .....	208
7.12.1	Permitted Uses .....	208
7.12.2	Land Use Policies .....	209
7.12.3	Site Specific Policies .....	213
7.13	Industrial Designation .....	217
7.13.1	Permitted Uses .....	217
7.13.2	Land Use Policies .....	217
7.13.3	Site Specific Policies .....	218
7.14	Major Institutional Designation.....	220
7.14.1	Permitted Uses .....	220
7.14.2	Land Use Policies .....	221
7.14.3	Site Specific Policies .....	222
7.15	Parks and Open Space Designation .....	223
7.15.1	Permitted Uses .....	223
7.15.2	Land Use Policies .....	223



7.15.3	Site Specific Policy Areas .....	224
7.16	Urban Waterfront Designation .....	225
7.16.1	Permitted Uses .....	225
7.16.2	Land Use Policies .....	227
7.16.3	Site Specific Policy Areas .....	228
7.17	Major Public Infrastructure Designation .....	230
7.17.1	Permitted Uses .....	230
7.17.2	Land Use Policies .....	230
8.0	Networks and Infrastructure .....	233
8.1	Introduction .....	233
8.2	The Transportation Network .....	233
8.2.1	Movement of Goods .....	235
8.2.2	Hierarchy and Classification of Roads .....	236
8.2.3	Parking .....	242
8.2.4	Public Transit .....	243
8.3	Walking, Cycling and Trails .....	244
8.4	Air Transportation .....	245
8.5	Rail Lines .....	246
8.6	Water Transportation .....	246
8.7	Utilities and Telecommunications .....	247
8.8	Noise, Vibration, Odour and Light Emissions .....	248
8.9	Water and Wastewater Services .....	250
8.9.1	Services in Urban Areas .....	250
8.9.2	Services Outside of Urban Areas .....	252
8.9.3	Servicing Allocation and Phasing .....	253
8.9.4	Stormwater Management .....	254
8.10	Waste Management .....	256
8.11	Energy Supply and Transmission .....	258
8.12	Emergency Services .....	259
8.13	Capital and Public Works .....	260
9.0	Implementation and Monitoring .....	261

9.1	Introduction .....	261
9.2	The Planning Period .....	261
9.3	Official Plan Monitoring and Review .....	261
9.4	Zoning By-law and Other By-laws .....	263
9.4.1	Zoning By-law .....	263
9.4.2	Holding Provisions .....	263
9.4.3	Interim Control By-laws.....	264
9.4.4	Temporary Use By-laws .....	265
9.4.5	Property Standards By-law .....	265
9.4.6	Minor Zoning By-laws .....	266
9.5	Planning Tools .....	268
9.5.1	Secondary Plans .....	268
9.5.2	Community Improvement.....	270
9.5.3	Pre-Consultation and Complete Application .....	275
9.6	Development Control .....	276
9.6.1	Official Plan Amendments .....	276
9.6.2	Zoning By-law Amendments.....	278
9.6.3	Activities of the Committee of Adjustment .....	279
9.6.4	Draft Plan of Subdivision and Condominium Approval .....	282
9.6.5	Site Plan Control.....	283
9.6.6	Demolition Control .....	284
9.7	Development Application Supporting Requirements.....	285
9.7.1	Environmental Impact Study.....	285
9.7.2	Retail Market Impact Study.....	291
9.8	Public Consultation and Participation.....	293
9.9	Financial Management.....	295
9.10	Plan Administration .....	296
9.10.1	Existing Uses .....	296
9.10.2	Non-Conforming Uses .....	297
9.10.3	Non-Complying Uses.....	297
9.10.4	Land Acquisition .....	297

9.10.5 Parkland Dedication .....	298
9.11 Interpretation.....	300
10.0 Schedules.....	303
Part I	303
Schedule “A” – Community Structure.....	303
Schedule “B” – Land Use .....	303
Schedule “C” – Natural Heritage .....	304
Schedule “D” – Water Resources.....	304
Schedule “E” – Transportation .....	305
Schedule “I” – Active Transportation .....	305
Schedule “J” – Natural Resources .....	306
Part II – Lakeshore Special Policy Area Secondary Plan .....	306
Schedule “F” – Community Structure .....	306
Schedule “G” – Lakeshore Special Policy Area Natural Heritage System Features and Study Areas.....	306
Schedule “H” – Neighbourhood Planning Areas .....	307

# 1.0 Introduction

The Norfolk County Official Plan (the Plan) provides the essential tool to direct future growth, development and change in the County and to create the community envisioned by Norfolk's residents. This Plan responds to the uncertain nature of the future with clear and resilient principles and policies. It ensures that the planning framework and processes are clearly identified to ensure that Norfolk County remains a healthy, safe and successful community with a rich agricultural base and a strong economy, a diverse natural environment, and a great place to live. The Plan guides Council in the consideration of its responsibilities, and provides direction and certainty to the citizens and businesses of Norfolk County.

## 1.1 Purpose of the Official Plan

The Norfolk County Official Plan is the principal land use planning tool used to manage growth and development within the County to the year 2036. The purpose of the Plan is to provide a policy framework to guide economic, environmental and social decisions that have implications for the use of land. The County Official Plan is also expected to provide a guide to senior levels of government and other public agencies in the preparation of plans having an impact on Norfolk County. Private interests shall also be guided by the land use and development policies of this Plan.

The purpose of the Official Plan is to:

- a) Provide an overall policy framework to guide and manage the maintenance, rehabilitation, growth and development of Norfolk County to ensure a sustainable living environment that meets the needs of the community over a 20-year planning horizon. It is recognized, however, that there are certain very long-term planning goals set out in this Plan that may take longer than 20 years to achieve.
- b) Promote the orderly growth and economic development of Norfolk County through the logical, efficient and cost-effective distribution of land uses that will safeguard the health, convenience and economic well-being of residents, businesses and visitors.
- c) Reduce uncertainty in the public and private sectors regarding future development by establishing clear development principles and policies, and land use designations.

- d) Provide guidance to Council in determining the appropriate future actions relating to physical change, development and improvement within the County.
- e) Recognize the financial position of the County and promote a satisfactory, long-term balance in assessment and, to the extent possible, ensure the financial sustainability of the County.
- f) Establish goals, objectives and policies to: reconcile existing conditions; maintain the ability of the County to provide appropriate services; and respond to local aspirations in consideration of variables such as population and economic change.
- g) Define the measures and means of implementing, monitoring, reviewing and updating the policies and schedules of this Plan, including such matters as amendments to this Plan, secondary plans, community improvement plans, the Zoning By-law, plans of subdivision and condominium, consents to sever land, site plan control, infrastructure and servicing.
- h) In conjunction with adjacent municipalities and other authorities, assist in coordinating and integrating planning activities with cross-jurisdictional implications, such as ecosystem, shoreline and watershed planning; natural heritage planning; management of resources; transportation and infrastructure planning; regional economic development; cultural heritage planning, air and water quality monitoring; and waste management.

## **1.2 Context of Official Plan**

- a) Norfolk County (the County) was established on January 1, 2001, and consists of the western portion of the former Regional Municipality of Haldimand-Norfolk. The creation of Norfolk County brought together the Townships of Norfolk and Delhi, the Town of Simcoe, and the westerly portion of the City of Nanticoke. Norfolk County forms part of the southern coast of Ontario on Lake Erie, and abuts the Six Nations of the Grand River Territory and Haldimand County to the east, Brant and Oxford Counties to the north and Elgin County to the west.
- b) In 2002, Norfolk County began a process to prepare a new Official Plan. The new Official Plan consolidated and replaced the five official plans in effect at the time of the amalgamation of the County, but also incorporated the results of a comprehensive visioning and strategic planning exercise to address issues and challenges facing the County. The Plan was approved by Council on May 9,

2006 (By-law 6-OP-2006) and approved by the Ministry of Municipal Affairs and Housing, with modifications, on December 28, 2008. Section 11, the Lakeshore Special Policy Area Secondary Plan was adopted by Council in 2009 as part of the Official Plan. The Plan has also been amended by Council in response to applications submitted by property owners, to deal with specific planning issues and in response to legislative updates.

- c) In January 2015, Norfolk County began the process of reviewing the Official Plan, in accordance with Section 26 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended. Following an extensive public consultation program as well as the statutory public meeting mandated by the *Planning Act*, review by provincial ministries and agencies, the Plan has been updated to address current community challenges and issues.

### **1.3 Basis for the Official Plan**

The basis for the Official Plan is outlined as follows:

- a) This Plan is based on sustainability principles, which rose out of visioning and strategic planning sessions. The principles of sustainability applied to this Plan ensure an interconnected and balanced approach to public policy, focussing on efforts to ensure continued economic vitality, maintain healthy communities and enhance the County's natural heritage and the relationship of these matters to growth management and land use planning. The goals, objectives, and policies of the Plan, while divided into distinct sections, represent a balanced approach to planning, designed to promote the vital link between community, economy and environment.
- b) This Plan is based on background information and analysis relating to growth management including transportation, housing, community facilities and servicing; land use; agriculture; economic development; commercial and industrial activities; cultural heritage and the natural environment. This information was developed and presented at a visioning workshop which led to the preparation of background reports including the County's vision document entitled *Norfolk County in 2026 – A Scenario*, leading to Council's adoption of the Official Plan in 2006. A Five-Year Review of the Official Plan was completed in 2017. In support of the Five-Year Review, background reports were prepared on population and employment growth, agricultural land, commercial and industrial activities, residential land needs, the County's strategic planning documents, and a review of the Provincial Policy Statement.

- c) This Plan, as originally approved by County Council, was based on the results of a comprehensive visioning, strategic planning and community engagement program involving Norfolk County community members throughout the process. Community Engagement was an integral component of the Five-Year Official Plan Work Program. The engagement opportunities included stakeholder interviews, workshops, surveys, newsletters, social media, website updates, sharing of information, calls for submissions and formal public meetings as required under the *Planning Act*.
- d) This Plan is based on a 20-year planning period to the year 2036. However, in accordance with the requirements of the *Planning Act*, the County will review the Plan at a minimum of 5-year intervals to determine if amendments are required.
- e) As the basis for development and growth policies, County Council has endorsed population and employment forecast of approximately 70,900 residents and 24,900 jobs for 2036, based on the Population Projection Study, 2014. The population and employment forecasts will be reviewed on a regular basis so that the County can respond to changing circumstances and conditions. A conservative approach has been used to assess the financial implications of expected population and employment changes so that the County's financial policies are appropriate and to ensure financial sustainability.
- f) The Plan provides a policy framework to manage the growth and development of the County to ensure a sustainable living environment that meets the needs of the community over a 20-year planning timeframe. It is recognized, in the policies of this Plan, however, that some planning activities require a much longer view than the 20-year horizon permitted by Provincial policy. The Plan promotes the logical, efficient and cost effective distribution of land uses and services to safeguard the health, convenience and economic well-being of residents, businesses and visitors.
- g) Lands designated for development, but currently vacant in the existing Urban Areas and Hamlet Areas, as identified on Schedule "A", Community Structure of this Plan, represent a logical location for new development within the County and is adequate to meet the anticipated demand for future development over the planning period to 2036. The need for additional land to be designated for urban development will be evaluated through a comprehensive review.
- h) This Plan encourages orderly development, redevelopment, infill and intensification and discourages the undue extension of municipal services and expansion of urban boundaries.

- i) This Plan promotes the maintenance, improvement and conservation of the built heritage and cultural heritage landscapes heritage of the Downtown Areas and main streets of Simcoe, Port Dover, Delhi, Waterford and Port Rowan as the predominant social, cultural and community foci of the County. This Plan further promotes these areas as unique mixed commercial, office, residential areas that act as commercial, cultural, recreational and entertainment focal points in the County.
- j) This Plan supports minor infilling within the Hamlet Areas, subject to servicing and environmental appropriateness to maintain and enhance these communities as support centres for rural and agricultural activities.
- k) This Plan promotes and protects the agricultural character and economy of the County by providing for the continued viability of agricultural areas, the agricultural industry, and agricultural communities. This Plan supports agricultural practices and provides opportunities for farmers to supplement their incomes through diverse on-farm activities that are secondary to farm operations. This will be accomplished in part through the minimization of land use conflicts and the prevention of non-agricultural urban uses outside of the Urban Areas. Furthermore, the Plan seeks to minimize the expansion of urban uses, and the establishment of non-agricultural uses in prime agricultural areas.
- l) This Plan provides the basis for the development of secondary plans to address growth and development issues unique to specific areas of the County, such as the lakeshore area and the Urban Areas.
- m) Land subject to environmental hazards and/or physical limitations such as poor drainage, organic soils, flood susceptibility, erosion, and steep slopes are protected in order to preserve and conserve the interconnected features of the natural environment and to avoid the potential for loss of life and economic investment.
- n) This Plan is based on ensuring the protection, enhancement, diversification and connectivity of Norfolk's Natural Heritage Features, natural heritage functions, and species habitat, as well as the protection of water quality and quantity.
- o) This Plan protects Norfolk's cultural heritage through policies designed to maintain and enhance the County's cultural heritage resources including cultural heritage landscapes, scenic views and rural and small-town character.
- p) The policies of this Plan have been developed within the context of the Provincial Policy Statement, and relevant Provincial legislation and guidelines.



## 1.4 Organization

- a) This Plan functions as both a broad growth management and local land use policy plan, dealing with a wide range of environments including Urban Areas, Hamlet Areas, Resort Areas, Rural Areas, the Lake Erie shoreline and natural resources, cultural heritage features and archaeological features.
- b) This Plan is to be read in its entirety and all relevant policies and schedules are to be applied to each situation. When more than one policy is relevant, all of the relevant policies should be considered to understand how they work together. The language of each policy will assist in determining how the policies are to be implemented. There is no implied priority in the order in which the policies appear.
- c) All sections and schedules of the Part I – The Primary Plan and Part II – The Secondary Plans constitute the Official Plan for Norfolk County.
- d) Part I - The Primary Plan is organized into ten sections:

**Section 1: Introduction**, is for information purposes. It contains context to the Plan and provides the basis upon which it was prepared.

**Section 2: Norfolk County in 2036: A Vision**, describes the purpose and long-term goals and objectives for the County, based on the County's strategic directions. The goals and objectives provide the framework within which the policies of the Plan have been prepared. The goals and objectives should be read to understand the intent behind the policies.

**Section 3: Sustainable Natural Heritage**, provides policies on watershed management, water resource policies, natural heritage and air quality.

**Section 4: Ensuring Economic Vitality**, provides policies related to economic development, including tourism, agriculture, natural resources and employment/industrial policies.

**Section 5: Maintaining Healthy Communities**, provides detailed policies related to public services, housing, community design, urban forestry, recreation, cultural heritage and access to healthy food.

**Section 6: Managing Growth**, provides detailed policies related to the community structure, settlement area structure, planned function of the community components of the County, and growth management.

**Section 7: Managing Land Use**, provides the land use designations and related detailed policies.

**Section 8: Networks and Infrastructure**, provides policies regarding networks, corridors and facilities that can be generally described as physical infrastructure. This Section discusses the water and waste water treatment systems, the transportation networks, as well as other networks, corridors and facilities that help define the County's physical structure.

**Section 9: Implementation and Monitoring**, describes the mechanisms and processes to implement the policies in Sections 3 through 8.

**Section 10: Schedules**, contains the schedules that are described in the policies and enhance the understanding of the Plan as follows:

Schedule "A" – Community Structure

Schedule "B" – Land Use

Schedule "C" – Natural Heritage

Schedule "D" – Water Resources

Schedule "E" – Transportation

Schedule "I" – Active Transportation

Schedule "J" – Natural Resources

**Appendix "A": Natural Areas**, contains the names of the Natural Areas, corresponding to the numbered areas on Schedule "C" to the Plan. Appendix "A" is for information purposes and is not an operative part of the Plan because it does not provide policy guidance or direction.

e) Norfolk County may prepare Secondary Plans to provide more detailed growth and development policies for specific areas within the County. These Secondary Plans will form part of the Official Plan and will be contained in Part II – The Secondary Plans.

f) Part II of the Plan is organised into the following sections:

Section 11: Lakeshore Special Policy Area Secondary Plan

Schedule "F" – Community Structure

Schedule "G" – Natural Heritage System Study Areas

Schedule “H” – Neighbourhood Planning Areas

Appendix “B”: Lakeshore Special Policy Area Agricultural Priority;

Appendix “C”: Lakeshore Special Policy Area Natural Heritage System Strategy;  
and

Appendix “D”; Lakeshore Special Policy Area Secondary Plan Community  
Design Guidelines.

The Appendices are for information purposes do not constitute an operative part of the  
Lakeshore Special Policy Area Secondary Plan.

## 2.0 Norfolk County in 2036: A Vision

The planning framework and policies of this Plan are based on the goals and objectives included in this Section which were identified and refined based on the ideas and images collected from hundreds of Norfolk residents. This consultation process included the visioning process, which produced *Norfolk County in 2026 – A Scenario*, and the strategic planning process, which produced the Strategic Plan used to organize the goals and objectives of this Plan.

### 2.1 The County Planning Vision

In August of 2003, County Council adopted “*Norfolk County in 2026 – A Scenario*”, which provides a broad vision for the long-term planning and development of Norfolk County. The document is based on a sophisticated and extensive grass-roots visioning and public consultation process. Additionally, input was sought from the Province, public authorities, stakeholders and non-governmental organizations. The vision document highlights that:

“Norfolk County strives to balance a commitment to the land and emerging opportunities for growth and development.”

The broad vision was followed-up with a detailed Strategic Plan document, which was adopted by County Council in January of 2004. The Strategic Plan prepared in support of this Plan, identifies six strategic themes that form the foundation for public planning policy goals and objectives, as defined in this Plan. These six themes are:

- a) A stronger, more diversified economy;
- b) Protecting and improving the natural environment;
- c) Maintaining and enhancing the rural and small town character;
- d) Maintaining a high quality of life;
- e) Upgrading and expanding crucial infrastructure; and
- f) A well governed, well planned and sustainable County.

Achieving Norfolk County in 2036 – A Vision and the Strategic Plan will require a careful balance amongst progressive economic development objectives, the imperative to conserve and enhance natural heritage, the need to ensure strength in agriculture, and the maintenance of healthy and vibrant communities. Based on the principles of sustainability, the following goals and objectives will help to achieve the strategies outlined in the Strategic Plan prepared in support of this Plan.

## **2.2 Goals and Objectives**

The six strategic goals and associated objectives set out in this Section of the Plan form the basis for the detailed policies that follow and reflect the six themes identified in the Strategic Plan.

### **2.2.1 Strong and Diversified Economy**

#### **2.2.1.1 Goal**

Create a planning framework that promotes a flexible and adaptable economic environment that encourages investment and a broad range of employment opportunities, supports the growth of tourism in the County, protects the vitality and growth of the agricultural industry, and revitalizes Downtown Areas while recognizing retail trends and community needs.

#### **2.2.1.2 Objectives**

- a) Guide the maintenance and growth of economic activity in the County through the development of proactive and flexible land use policies for areas of economic activity.
- b) Promote the development of new businesses and economic activities that are not currently available in the County to help maximize employment opportunities through land use policies that permit and encourage the development of such uses.
- c) Promote employment opportunities that utilize local economic and natural resources.

- d) Support business and industrial employment diversification through flexible land use policies and small business development.
- e) Foster tourism potential along the lakeshore and in other areas of the County through the protection and enhancement of the County's unique characteristics and the development of a wide range of visitor accommodations.
- f) Ensure that lakeshore resources are managed and, where appropriate, developed to promote tourism development and economic growth.
- g) Recognize and preserve the rural context and agricultural heritage as a significant factor contributing to the County's economy.
- h) Ensure the continued economic strength of agriculture and the viability of farm operations by protecting agricultural activities and the agricultural land base from the intrusion of incompatible uses and providing opportunities for small-scale business opportunities that are secondary to farm operations
- i) Recognize aggregate, mineral and petroleum resource potential and establish a framework for the long-term use of these resources.
- j) Provide for emerging retail trends that meet the needs of the County through the establishment of a strong and adaptable commercial structure that is focused on the Downtown Areas of the County.
- k) Focus higher order commercial uses, such as department stores and food stores, in the Downtown Areas and along key transportation corridors in the Urban Areas.
- l) Encourage the improvement and revitalization of the Downtown Areas as healthy and vibrant areas for mixed commercial, residential, cultural, social, tourism and entertainment uses, while recognizing and conserving their built and cultural heritage.

## **2.2.2 Protecting and Enhancing the Natural Environment**

### **2.2.2.1 Goal**

Protect and enhance the quality of the natural environment through a planning framework that conserves and enhances the diversity and connectivity of the natural forms, features and functions of Norfolk's natural heritage, surface water and ground water resources, and that minimizes and mitigates impacts on air quality.

### **2.2.2.2 Objectives**

- a) Establish the policy framework that supports the preparation of a Natural Heritage System Strategy for the County.
- b) Identify, protect and enhance the natural heritage features and functions, including surface and groundwater functions, where possible and appropriate.
- c) Protect Provincially Significant Wetlands and Coastal Wetlands, and the habitat of endangered and threatened species protected by provincial or federal legislation.
- d) Ensure that development proceeds in a manner that recognizes and respects land with inherent environmental hazards such as flood susceptibility, erosion, steep slopes, or any other physical condition that could endanger human life or property.
- e) Ensure that, through redevelopment, existing and potential sources of pollution including contaminated soil are corrected and brought into compliance with acceptable standards as established by the Ministry of the Environment and Climate Change.

### **2.2.3 Maintaining and Enhancing the Rural and Small Town Character**

#### **2.2.3.1 Goal**

Protect the unique character of Norfolk's cultural landscapes, Urban Areas, Hamlet Areas and Agricultural Area through heritage conservation, community design and redevelopment policies that promote community health, safety and broad aesthetic appeal.

#### **2.2.3.2 Objectives**

- a) Preserve and enhance the history and cultural heritage of the County.
- b) Encourage the beautification, improvement and/or redevelopment of the County.
- c) Revitalize and reuse underutilized land in the County.
- d) identify and protect key cultural heritage elements in the County through the appropriate use of available planning tools.

- e) Develop land use patterns in the Urban Areas that are compact and efficient.
- f) Maintain and enhance the rural character of Norfolk's many Hamlet Areas through appropriate infill development.
- g) Protect and improve the significant cultural heritage resources and cultural heritage landscapes, and encourage the conservation of historical buildings, all of which contribute to Norfolk's unique character.
- h) Identify and conserve artefacts of historic, architectural and archaeological interest.
- i) Protect and conserve those natural and cultural landscape features that contribute to the County's unique character.

## **2.2.4 Maintaining a High Quality of Life**

### **2.2.4.1 Goal**

Reinforce Norfolk's strong sense of community through the provision of public services, the development of safe and attractive communities and the celebration of Norfolk's unique cultural and natural heritage, by involving residents in making decisions on planning matters and by promoting a healthy community through active lifestyles.

### **2.2.4.2 Objectives**

- a) Provide for a variety of housing forms, tenures and levels of affordability through development, redevelopment, intensification and infilling projects.
- b) Support the maintenance and development of public service resources, such as education facilities, community-based care facilities and programs, and leisure and recreation opportunities in the County.
- c) Ensure that new development is designed in a manner that provides a safe, aesthetically appropriate, and stimulating environment.
- d) Provide for the development of a multi-purpose trail system through a linked open space system, respecting the needs and privacy of private landowners and the agricultural community.



- e) Provide for a wide variety of recreation opportunities, including active, passive, indoor, outdoor and targeted leisure activities.
- f) Improve accessibility to the lakeshore area and increase the number of access points to the waterfront.
- g) Enhance opportunities for all residents to access healthy food options.
- h) Ensure that all public buildings and facilities and new development are accessible to all members of the public including people with disabilities.

## **2.2.5 Upgrading and Expanding Infrastructure**

### **2.2.5.1 Goal**

Ensure that Norfolk maintains, improves and expands its infrastructure including all modes of transportation, water and waste water infrastructure, stormwater management, waste management, telecommunications and other public utilities in order to better serve existing and future County residents, businesses and visitors.

### **2.2.5.2 Objectives**

- a) Provide adequate and efficient water supply and distribution, waste water collection and treatment, stormwater management and waste management systems.
- b) Ensure the provision of appropriate privately owned water and waste water systems.
- c) Ensure that public and environmental health and safety are priorities.
- d) Ensure appropriate access to, from, and within the County by all modes of transportation.
- e) Give priority to road and servicing improvements that improve the potential for employment-related growth and development.
- f) Provide employment land with access to strategic transportation corridors and other transportation facilities.

- g) Maintain and expand active transportation options for walking, cycling and public transit.
- h) Provide for the development of broadband and telecommunications infrastructure to serve County residents and businesses.

## **2.2.6 A Well Governed, Well Planned and Sustainable County**

### **2.2.6.1 Goal**

Support an open and responsive municipal government that actively builds public and private sector partnerships in the pursuit of the responsible and efficient use of land, resources, and services, while ensuring community and financial sustainability.

### **2.2.6.2 Objectives**

- a) Offer an open and responsive County which provides clear opportunities for public input into the land use planning process.
- b) Communicate and collaborate with other jurisdictions in the planning and development of infrastructure and services, and to support other initiatives such as environmental and air quality projects and programs.
- c) Communicate and cooperate with private sector interests to review development initiatives, and where deemed appropriate, to support those projects that will benefit the County.
- d) Ensure the responsible use of land by encouraging the redevelopment, intensification and infilling of underutilized land and the efficient use of greenfield lands in Urban Areas.
- e) Direct new urban development to Urban Areas and Hamlet Areas, ensuring a compact form, and an appropriate mix of land uses and densities, resulting in the efficient use of land, infrastructure, and public services and facilities.
- f) Reduce conflicts between existing and proposed land uses through buffering, setbacks, landscaping and other measures, as appropriate.
- g) Ensure that all new development in Urban Areas occurs on full municipal services, except in areas specifically provided for in this Plan, to ensure the maintenance of healthy communities and the natural environment.

- h) Ensure that all new development will be a long-term financial benefit to the County.
- i) Utilize the provisions of the *Development Charges Act* and other provincial legislation to reduce growth related capital costs borne by the existing residents of the County.
- j) Encourage the development of a broad, balanced tax base.

## **3.0 Sustainable Natural Heritage**

“Protecting and Improving the Natural Environment”

### **3.1 Introduction**

In partnership with the Long Point Region Conservation Authority (LPRCA), the Grand River Conservation Authority (GRCA) and the Province, the County strives to protect the natural environment. It is a priority of this Plan to protect, enhance and restore significant natural features and functions, and to reduce the risk to public safety and property from natural hazards, such as flooding and unstable slopes.

### **3.2 Watershed Management**

Norfolk County contains many streams, ponds and wetlands, which, among other resources, support the natural environment and the existing community. Water management issues arise from the various forms of human activity contemplated by this Plan. More demands are being placed on water resources; the effects of which contribute to degraded aquatic communities, the loss of well water supply, aquifer contamination, deteriorating water quality, flooding and erosion. Integrating land management and the protection of water allows for the continuance of a healthy environment, solid economic development and healthy communities.

There are important links between land use planning activities and the management of the watersheds. The protection of water resources from contamination and degradation associated with certain land uses and activities is a requirement of the Province and an important element in maintaining the quality of life experienced by both existing residents and businesses, and in supporting future growth. Water resources will be protected throughout the County in accordance with the policies of this Plan.

The County contains two major watershed systems – Big Creek, which drains land in the west and central portions of the County; and the Lynn River draining land along the easterly boundaries. The Long Point Region Conservation Authority manages both watersheds. Additionally, a small portion of the northeastern part of the County is managed by the Grand River Conservation Authority. Schedule “D” to this Plan illustrates the major watersheds and associated subwatersheds in Norfolk County.

The following shall be the policy of the County:

- a) The County shall work cooperatively with the Ministry of Natural Resources and Forestry and Conservation Authorities in dealing with land management issues within the watersheds, including those that extend beyond the County boundary.
- b) The County shall encourage the preparation of both watershed and subwatershed management plans to facilitate water resource and land use planning on an ecosystem basis. Council recognizes that development and land use change within the County will also require consideration of other matters such as economic, social and growth management factors that may not be addressed in a watershed or subwatershed plan.
- c) The County shall support the Conservation Authorities in the preparation and implementation of the subwatershed studies.
- d) The County shall support initiatives of the Conservation Authorities and other agencies in identifying strategies to protect groundwater resources.
- e) The County shall support appropriate flood control management programs of the Conservation Authorities.
- f) The County shall encourage the protection and restoration of Natural Heritage Features to improve water quality and quantity.
- g) The County shall encourage the protection of species at risk, either aquatic or terrestrial, and species recovery strategies. The County shall support the implementation of the relevant findings of recovery strategies. Implementation of species recovery strategies may include amendments to this Plan.
- h) The County shall require the use of stormwater management facilities downstream of new developments, where appropriate, to mitigate development impacts on stormwater quantity and quality. The County shall promote naturalized and unfenced stormwater management facilities, constructed with gentle slopes. Applications for development may be required to be supported by a stormwater management study.
- i) Applications for development requiring dewatering or using significant amounts of groundwater or surface water from streams, ponds or Lake Erie may be subject to a holding provision in the Zoning By-law in accordance with Section 9.4.2 (Holding Provision), subject to the County receiving confirmation that a Permit to Take Water has been granted by the Ministry of the Environment and Climate Change. For the purposes of this policy, significant means water requirements that exceed what would be usually expected to sustain normal farming practices

such as those found within the County. Examples of such significant water users may include, but are not limited to, the following: golf course uses and commercial water bottling operations. Approvals may also be required from relevant agencies.

- j) Applications for development based on a private water source may be required to submit a detailed hydrogeological study to determine the suitability of the land for groundwater extraction. The hydrogeological study shall be prepared to the satisfaction of the County and the Conservation Authority, in consultation with the Province.
- k) The County shall encourage the reduction of water consumption levels through the promotion of the efficient use of water, in cooperation with the private sector and the community, and may specify appropriate water conservation measures within existing and new development.
- l) The County encourages sound management practices for agriculture which promote proper storage, use, and application of fertilizers, herbicides and pesticides, and where possible, the reduction of their use.
- m) The County shall monitor all active and inactive waste management sites in cooperation with the Ministry of the Environment and Climate Change.
- n) The County supports initiatives of agencies to develop standards, regulations and procedures to prevent spillage of toxic materials. It shall support agencies and firms in the development of appropriate methods and capability to deal with spills with due speed and diligence. Additional safety measures for the storage, transportation and use of toxic materials will be encouraged.

### **3.3 Source Water Protection [7-OP-2020, Amendment 128]**

Uncontaminated surface and groundwater resources are essential to Norfolk County. Norfolk's municipal and private water systems are supplied generally by groundwater resources. Municipal wells serving the Town of Tillsonburg in Oxford County are also located in Norfolk, in proximity to the Norfolk North Hamlet Area. Further, groundwater provides baseflow for the numerous creeks and streams in the County, and acts as a water source for many ponds and wetlands.

The protection, conservation and careful management of surface and groundwater resources is necessary in order to meet both present and future needs of residents, businesses and the natural environment. As groundwater contamination is extremely

difficult, costly and sometimes impossible to rectify, prevention of contamination is the most realistic strategy. The *Clean Water Act, 2006*, was enacted to ensure the protection of municipal drinking water supplies by setting out a risk-based process on a watershed basis to identify vulnerable areas and associated prescribed drinking water threats and issues through the development of Assessment Reports, and develop policies and programs to eliminate or reduce the risks posed by identified prescribed drinking water threats and relevant local threats through the preparation of Source Protection Plans. This process is otherwise known as Source Protection Planning.

The science-based Assessment Report is the technical basis upon which a Source Protection Plan is developed. The Source Protection Plan contains policies to address prescribed drinking water threats and relevant local threats identified in the Assessment Report. The policies of this Plan are intended to implement and complement the policies of the Source Protection Plans that apply within the County of Norfolk.

The County of Norfolk is located within two Source Protection Plan Areas – The Grand River Source Protection Plan Area and the Long Point Region Source Protection Plan Area. The Long Point Region Source Protection Plan contains policies for the protection of municipal drinking water sources within Norfolk. The policies of the Grand River Source Protection Plan do not apply within the County of Norfolk.

For the purposes of this subsection, the following terms are defined as follows:

**‘Activity’** includes a land use. (Source: *Clean Water Act, 2006*).

**‘Drinking water threat’** means an activity or condition that adversely affects or has the potential to adversely affect the quality or quantity of any water that is or may be used as a source of drinking water, and includes an activity or condition that is prescribed by the regulations as a drinking water threat. (Source: *Clean Water Act, 2006*)

**‘Significant drinking water threat’** means a drinking water threat that, according to a risk assessment, poses or has the potential to pose a significant risk. (Source: *Clean Water Act, 2006*)

### **3.3.1 Vulnerable Areas**

The County’s wellheads act as the source of groundwater for the County water supply systems. Intakes at the Lehman Dam Reservoir and Port Dover and Port Rowan Water Treatment Plants act as the source of surface water for the County water supply systems. These water supplies must be protected from contamination associated with certain land uses in order to secure the long-term protection of a potable water supply

for existing and future residents and businesses by permitting only those land uses that do not represent a significant risk to municipal drinking water sources within vulnerable areas.

The Long Point Region and Grand River Assessment Reports have identified vulnerable areas within the County and where certain land uses and activities may pose a risk to the quality of municipal water supplies. Identified vulnerable areas within the County include Wellhead Protection Areas (WHPAs), Surface Water Intake Protection Zones (IPZs), Highly Vulnerable Aquifers (HVAs), and Significant Groundwater Recharge Areas (SGRAs). Issue Contributing Areas (ICAs) have also been identified for some of the County's wellheads.

Assessment Reports have also measured the degree to which these areas are vulnerable through the assignment of a 'vulnerability score'. The term "vulnerability" describes how easily a source of water can become contaminated with a hazardous material. The vulnerability score of a vulnerable area can have a value up to 10, with 10 being the most vulnerable. The vulnerability score is used, together with a table of drinking water threats published by the Ministry of Environment and Climate Change, to determine whether a drinking water threat is either significant, moderate, or low.

Vulnerable areas are identified on Schedule "D" and identify the WHPAs and ICAs for the wells servicing County water supplies, the Town of Tillsonburg in Oxford County, and the IPZ for the Lehman Dam Reservoir intake. HVAs and SGRAs are identified on Schedule "D" for information purposes only. Should policies specific to HVAs and SGRAs be added to the Source Protection Plans, this Plan shall be amended to conform to the Source Protection Plans.

A Wellhead Protection Area (WHPA) is the area around a municipal wellhead where land uses and activities have the potential to affect the quality and quantity of water that flows into the well. WHPAs associated with water quality are identified on Schedule "D" as Wellhead Protection Areas A, B and C. Wellhead Protection Area D (WHPA-D) and Wellhead Protection Area E (WHPA-E) for municipal wellheads are also identified on Schedule "D", however the Long Point Region Source Protection Plan does not contain policies that apply to these areas. As a result, the policies of this section do not apply to WHPA-D or WHPA-E. The WHPAs that are considered to be the most vulnerable to surface activities are assigned a vulnerability score of 8 to 10, with the degree of vulnerability generally decreasing the further away from the well. Generally, the WHPAs are modelled based on two factors: the time related capture zones of each well and the vulnerability of the aquifer. The time related capture zones include:

- a 100-metre radius surrounding the well (WHPA-A);
- 2 year travel time for water to enter the well (WHPA-B);



- 5 year travel time for water to enter the well (WHPA-C);
- 25 year travel time for water to enter the well (WHPA-D); and
- 2 hour travel time for surface water to enter a well that is under the direct influence of surface water (WHPA-E).

Water Quantity Wellhead Protection Areas (WHPA-Q1/Q2) are characterized as significant, moderate, or low, and reflect the susceptibility of the aquifer to water use and a reduction in recharge. [7-OP-2020, Amendment 128]

An Intake Protection Zone (IPZ) applies to municipal surface water supply sources and are areas established around municipal intakes within which a spill or leak may enter the intake too quickly prior to implementing measures to prevent pollutants from entering the municipal water system. The most vulnerable Intake Protection Zone related to the Lehman Dam Reservoir is the Intake Protection Zone 1, identified as the IPZ-1 on Schedule “D”. The IPZ-2 for the Lehman Dam Reservoir is also identified on Schedule “D”; however, the Long Point Region Source Protection Plan does not contain policies related to this area. As such, the policies of this section do not apply to the IPZ-2.

An Issue Contributing Area (ICA) is an area within a WHPA where the existing or trending concentration of a parameter (i.e. trichloroethylene (TCE), chloride, nitrate, or sodium) or pathogen at a municipal well would result in the deterioration of the quality of water for use as a source of drinking water. ICAs are not assigned a vulnerability score as they represent an area in which certain activities would pose a significant drinking water threat regardless of the vulnerability of the underlying area. ICAs for nitrate are identified on Schedule “D” and are associated with wellheads serving Simcoe.

### **3.3.2 Land Uses in Vulnerable Areas**

Vulnerable areas identified on Schedule “D” shall be considered special protection areas within which certain land uses involving a significant drinking water threat activity may be prohibited or regulated in accordance with Section 57 and 58 of the Clean Water Act, 2006 and the Long Point Region Source Protection Plan, notwithstanding the uses permitted by the underlying land use designation.

The following policies are intended to prohibit, regulate or restrict land uses involving significant drinking water threat activities from establishing within vulnerable areas in accordance with the Long Point Region Source Protection Plan and to ensure that land

uses that are permitted can be established within an acceptable level of risk to surface and groundwater quality.

### 3.3.2.1 Prescribed Drinking Water Threats

Land uses and activities which may pose a drinking water threat to municipal water supplies are defined by the *Clean Water Act, 2006* as an activity or condition that adversely affects, or has the potential to adversely affect, the quality and quantity of any water that is or may be used as a source of drinking water. Drinking water threats are prescribed by *Ontario Regulation 287/07* of the *Clean Water Act, 2006*, and include the following:

- Waste disposal sites within the meaning of Part V of the *Environmental Protection Act*.
- The establishment, operation or maintenance of a system that collects, stores, transmits, treats or disposes of sewage.
- The application of agricultural source material to land.
- The storage of agricultural source material.
- The management of agricultural source material.
- The application of non-agricultural source material to land.
- The handling and storage of non-agricultural source material.
- The application of commercial fertilizer to land.
- The handling and storage of commercial fertilizer.
- The application of pesticide to land.
- The handling and storage of pesticide.
- The application of road salt.
- The handling and storage of road salt.
- The storage of snow.
- The handling and storage of fuel.
- The handling and storage of a dense non-aqueous phase liquid (DNAPL).

- The handling and storage of an organic solvent.
- The management of runoff that contains chemicals used in the de-icing of aircraft.
- An activity that takes water from an aquifer or surface water body without returning the water to the same aquifer or surface water body.
- An activity that reduces the recharge of an aquifer.
- The use of land as livestock grazing or pasturing land, an outdoor confinement area or farm-animal yard.

### **3.3.2.2 Land Use & Activity Prohibitions, Regulations and Restrictions within Vulnerable Areas**

Significant drinking water threats within vulnerable areas are either prohibited or regulated by the Long Point Region Source Protection Plan policies. The significance of a prescribed drinking water threat depends on the circumstances of the activity and where the activity is occurring within a vulnerable area.

Notwithstanding the land uses permitted by the underlying land use designation in this Official Plan:

- a) Permitted land uses that involve a significant drinking water threat within a vulnerable area identified as a WHPA-A, WHPA-B, WHPA-C, IPZ-1 or ICA in Schedule "D" to this Plan may be either prohibited or regulated by the Long Point Region Source Protection Plan.
- b) Any application for development, redevelopment, or site alteration for any land use, except solely residential uses, within a Wellhead Protection Area A, B or C; Intake Protection Zone 1; or Issue Contributing Area where a drinking water threat could be significant shall only be deemed complete under the *Planning Act* if submitted with a Section 59 Notice issued by the Risk Management Official, in accordance with the *Clean Water Act, 2006*, where applicable in accordance with the Long Point Region Source Protection Plan.
- c) 3.3.2.2 b) shall also apply to the approval of any Building Permit application.
- d) The County's Risk Management Official shall determine whether a new land use or activity is, or involves, a significant drinking water threat in accordance with the *Clean Water Act, 2006* and whether the use or activity is prohibited or regulated through a Risk Management Plan in accordance with the Long Point Region

Source Protection Plan 3.3.2.2 b) and 3.3.2.2 c) shall not apply if the applicant can demonstrate, to the satisfaction of the Risk Management Official, as the case may be, that a significant drinking water threat activity will not be engaged in.

- e) The Risk Management Official may provide guidance to assist the County in screening applications for development, redevelopment or site alteration.
- f) When planning for growth and approving development that is to be serviced by an existing municipal well located within a WHPA-Q1 with a significant risk level, the County shall ensure that *Planning Act* decisions consider the long-term sustainability of the municipal drinking water system by:
  - i. ensuring the development and any required expansion of the municipal drinking water system is consistent with the Integrated Sustainable Master Plan, including the water allocation threshold; and,
  - ii. consulting with the Ministry of the Environment, Conservation and Parks to discuss any necessary amendments to the Permit to Take Water.
- g) To ensure that any existing and future consumptive water taking within the WHPA-Q1 with a significant risk level ceases to be or never becomes a significant drinking water threat, additional water supply should be located outside of the WHPA-Q1 where practical.
- h) To ensure that any existing and future consumptive water taking within the WHPA-Q1 with a significant risk level ceases to be or never becomes a significant drinking water threat, the County shall develop and implement an education and outreach program targeted toward property and business owners within the vulnerable area.
- i) To ensure that any existing and future activity that reduces the recharge of an aquifer within the WHPA-Q2 with a significant risk level ceases to be or never becomes a significant drinking water threat, the County is encouraged to maintain pre-development recharge where appropriate. [7-OP-2020, Amendment 128]

### **3.3.2.3 Septic Systems and Holding Tanks**

- a) New and replacement small on-site septic systems and/or holding tanks shall be located on the same property as the land use relying on the system but sited outside the limits of a WHPA with a vulnerability score of 10 or nitrate ICA as identified on Schedule “D” to this Plan, where possible. [7-OP-2020, Amendment 128]

- b) Notwithstanding the above, where no municipal sanitary sewers exist and where septic systems already exist within a WHPA with a vulnerability score of 10 or nitrate ICA, all new or replacement small septic systems on properties where they would be a significant drinking water threat shall be located as far as practically possible from the wellhead while remaining in compliance of the Building Code.
- c) New development that relies on a large on-site septic system and/or holding tank shall be prohibited within a WHPA with a vulnerability score of 10 or nitrate ICA as identified on Schedule “D” to this Plan where the system and/or holding tank would be a significant drinking water threat.
- d) For the purposes of this policy, the following definitions shall apply:
  - i) Septic system and/or holding tank: systems that store and/or treat human waste on-site and shall include, but not be limited to, greywater systems, cesspools, leaching bed systems and associated treatment units, and holding tanks, and shall not include sewage treatment plants.
  - ii) Small system: a system with a design flow of less than or equal to 10,000 litres per day and subject to approval under the *Building Code Act* or the Ontario Water Resources Act. These systems are primarily located on rural residential properties or un-serviced settlement areas.
  - iii) Large system: a system with a design flow of greater than 10,000 litres per day and regulated under the Ontario Water Resources Act. These systems may be located at a school, campground or larger business property.

#### **3.3.2.4 Abandoned Wells**

Prior to new development, proponents may be required to carry out an investigation for abandoned water, oil and gas wells within any WHPA-A, B, C or IPZ-1 and provide for the proper sealing or plugging of same, in accordance with relevant Provincial legislation and regulations, where this activity would be a significant drinking water threat.

### **3.3.3 Implementation and Interpretation**

#### **3.3.3.1 Education and Outreach**

The County may develop and implement education and outreach programs directed at any, or all, significant prescribed drinking water threats, where such programs are deemed necessary and/or appropriate by the County, and/or required by the policies of the Long Point Region Source Protection Plan, subject to available funding. Such programs shall include, but not be limited to, increasing awareness and understanding of the prescribed drinking water threats and promotion of best management practices.

#### **3.3.3.2 Monitoring**

The County shall provide a report to the Source Protection Authority, by February 1st of each year, summarizing the actions taken to implement the policies of the Long Point Region Source Protection Plan, where specifically required by the policies.

The Risk Management Official shall provide a report to the Source Protection Authority, by February 1st of each year, summarizing the actions taken to implement the policies of the Long Point Region Source Protection Plan, in accordance with the *Clean Water Act, 2006* and associated regulations.

#### **3.3.3.3 Site Plan Control**

Site plan control may be used, in accordance with the County Site Plan Control By- Law as a means of incorporating mitigating and remedial measures, proper siting and containment of storage facilities, lot grading and drainage and site design plans identified through the development review process.

#### **3.3.3.4 Conflict with Source Protection Plan**

In the event of conflict between a significant threat policy of a Source Protection Plan and the policies of this Plan, the policies of the Source Protection Plan shall prevail.

### **3.3.3.5 Review of Source Protection Plans**

Source Protection Plans shall be reviewed in accordance with the *Clean Water Act, 2006*. Future reviews of Source Protection Plans may result in a change in the vulnerability scoring or the geographic extent of an existing vulnerable area. The establishment of a new municipal water supply source will result in the establishment of a new vulnerable area. Abandonment of a municipal water supply source will indicate the need to remove the corresponding vulnerable area associated with the supply source.

Changes to the extent or vulnerability of an existing vulnerable area, or the establishment of a new vulnerable area, as a result of a review and amendment to a Source Protection Plan will require an amendment to this Plan.

## **3.4 Aquifer Protection**

Aquifers need to be protected across the County to ensure a clean and plentiful groundwater supply for County and private water systems, as well as to provide baseflow for creeks and streams, and water sources for ponds and wetlands.

The following shall be the policy of Council:

- a) Removal of possible sources of contamination such as unused fuel tanks, will be promoted through the Ministry of the Environment and Climate Change.
- b) The County may investigate the use of alternative road de-icing methods, as road salt has been identified as a potential cause of groundwater contamination.
- c) The County supports action against groundwater polluters. Educational programs which assist in reducing point and non-point pollution sources will be supported.
- d) Where there is a public health concern, the County shall seek appropriate abatement procedures for faulty sewage disposal systems or improperly located or maintained wells.
- e) The County shall consider the development and utilization of sewage systems with denitrification capabilities.
- f) Assurance that groundwater quality and quantity will not be negatively impacted shall be required for approval of applications for development.

- g) The County shall support the efforts of the Long Point Region Conservation Authority and the Grand River Conservation Authority to establish a Source Water Protection Plan for the County. The County recognizes that a subsequent amendment to this Plan may be required to implement the Water Supply Source Protection Plan.

### **3.5 Natural Heritage Systems**

It is the policy of this Plan to conserve Natural Heritage Features and functions and protect such features and areas from incompatible development, wherever possible.

The Official Plan separates land-based environmental considerations into three categories:

- a) Provincially Significant Features, as described in Section 3.5.1 (Provincially Significant Features), and Section 7.4 (Provincially Significant Wetlands Designation);
- b) Natural Heritage Features, as described in Section 3.5.2 (Natural Heritage Features), and identified on Schedule “C” to this Plan; and
- c) Hazard Lands, as designated and described in Section 7.3 (Hazard Lands Designation) and designated on Schedule “B” to this Plan.

If development occurs without regard to these constraints and considerations, degradation of the natural environment may result and public safety may be jeopardized. Delineation of these Natural Heritage Features is based on data provided by the Natural Areas Inventory, Long Point Region Conservation Authority, the Grand River Conservation Authority and the Ministry of Natural Resources and Forestry. These features shall be protected for the long-term and given due consideration in the development, redevelopment and alteration of land within the identified areas. The delineation of these environmental considerations may be refined through the preparation of a detailed Environmental Impact Study (EIS), pursuant to Section 9.7.1 (Environmental Impact Study) of this Plan.

Norfolk County shall work in coordination with its Environmental Advisory Committee and Heritage Committee to document, conserve, protect and enhance these lands; and educate the public regarding the County’s natural heritage systems. The Norfolk Environmental Advisory Committee shall also be responsible for EIS review on behalf of the County, and development application pre-consultation where the natural heritage systems are potentially impacted.



### 3.5.1 Provincially Significant Features

Provincially Significant Features include Provincially Significant Wetlands (PSWs), and habitat of endangered species and threatened species. Provincially Significant Wetlands are designated on Schedule “B”, as described in Section 7.4 (Provincially Significant Wetlands Designation). Schedule “C” delineates the PSWs and approximates the adjacent 120 metres in the context of the Natural Heritage Features.

In accordance with common practice relating to such features, the habitat of endangered species and threatened species are not illustrated on the schedules to this Plan.

The following shall be the policy of the County:

- a) Development and site alteration shall not be permitted in a Provincially Significant Feature unless in accordance with provincial and federal requirements.
- b) Development and site alteration shall not be permitted on lands adjacent to the natural heritage features and areas, unless the ecological function of the adjacent land has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions that cannot be adequately mitigated. The extent of adjacent land shall be defined as indicated in Table 1. An Environmental Impact Study (EIS) in accordance with Section 9.7.1 (Environmental Impact Study) of this Plan shall be required for all development proposals adjacent to or abutting areas identified as Provincially Significant Features.

Provincially Significant Wetlands identified on Schedules “B” and “C” to this Plan shall be subject to the policies of Sections 4.4 (Provincially Significant Wetlands Designation), as appropriate, and the policies of this Section of the Plan.

**Table 1: Land Subject to EIS Policies Adjacent to Provincially Significant Features**

No Development Or Site Alteration Within Boundary Of Feature		Adjacent Land Definition	
Provincially Significant Feature	Boundary Definition	Extent of Adjacent Land	Conditions under which Development and Site Alteration may be Permitted on Adjacent Land
Provincially Significant Wetlands and Coastal Wetlands	Based on evaluation carried out in accordance with Ministry of Natural Resources and forestry’s Ontario Wetland Evaluation procedures, and as illustrated on Schedules “B” and “C”.	120 metres	EIS demonstrates that there will be no negative impacts on the natural features and their sustaining ecological or hydrologic functions.

### 3.5.2 Natural Heritage Features

The Provincial Policy Statement encourages the protection and enhancement of Natural Heritage Features. Schedule “C” identifies some of the significant Natural Heritage Features, being land that represents the legacy of the natural landscape of the area and as a result has important environmental, economic and social value. Natural Heritage Features are not designated by the Plan and are not illustrated on Schedule “B”.

The following shall be the policy of the County:

- a) Natural Heritage Features identified on Schedule “C” and/or Table 2 to this Plan shall be subject to the policies of the underlying land use designation, as shown on Schedule “B”, and the policies of this Section of the Plan.
- b) Development or site alteration proposed in, or adjacent to, a Natural Heritage Feature(s), whether illustrated on Schedule “C” or only described in Table 2, shall be subject to the completion of an Environmental Impact Study, in accordance with Section 9.7.1 (Environmental Impact Study) of this Plan. Development or site alteration in, or adjacent to, such features shall not be permitted unless it has been demonstrated that there will be no negative impacts on the natural features

or on their ecological functions that cannot be adequately mitigated. The extent of adjacent land shall be defined as indicated in Table 2.

**Table 2: Extent of Land Adjacent to a Natural Heritage Feature**

<b>Natural Heritage Feature</b>	<b>Boundary Definition</b>	<b>Extent of Adjacent Land</b>	<b>Conditions under which development and site alteration may be permitted</b>
Significant Woodlands	Based on evaluation criteria established and conducted by Norfolk County, as illustrated on Schedule "C".	Dripline plus 10 metres	EIS demonstrates there will be no negative impacts on the natural features of the woodlands and the ecological functions that sustain them.
Significant Valleyland (not included on Schedule "C" to this Plan)	Conservation Authority regulatory lines, flood plain mapping or unstable slope mapping where available or the edge of any other associated natural heritage feature, whichever is greater.	Stable top-of-bank, determined in consultation with LPRCA or GRCA	EIS demonstrates there will be no negative impacts on the natural features of the Valleyland and the ecological functions that sustain them.
Habitat of endangered species and threatened species	As defined by Provincial or Federal authorities.	100 metres	EIS demonstrates that there will be no negative impacts on the habitat values upon which the species depend directly and indirectly, and any related ecological and hydrological functions.

Norfolk County Official Plan  
Consolidated to January 1, 2023

<b>Natural Heritage Feature</b>	<b>Boundary Definition</b>	<b>Extent of Adjacent Land</b>	<b>Conditions under which development and site alteration may be permitted</b>
Significant wildlife habitat	As defined by MNRF, and/or by the County in the future Natural Heritage System Strategy, further to Section 6.4.3 (Natural Heritage System Strategy).	50 metres	EIS demonstrates there will be no negative impacts on wildlife or their habitat.
Life Science ANSI	As determined based on the consideration of Ministry of Natural Resources and Forestry's criteria	120 metres	EIS demonstrates there will be no negative impacts on the natural features and the ecological or hydrologic functions that sustain them.
Earth Science ANSI	As determined based on the consideration of Ministry of Natural Resources and Forestry's criteria	50 metres	EIS demonstrates there will be no negative impacts on the natural features and the ecological or hydrologic functions that sustain them.
Locally significant wetlands	Wetland evaluation carried out according to procedures established by Ministry of Natural resources and Forestry	120 metres	EIS demonstrates there will be no negative impacts on the natural features and the ecological or hydrologic functions that sustain them.

Norfolk County Official Plan  
Consolidated to January 1, 2023

<b>Natural Heritage Feature</b>	<b>Boundary Definition</b>	<b>Extent of Adjacent Land</b>	<b>Conditions under which development and site alteration may be permitted</b>
Locally significant coastal wetlands	Wetland evaluation carried out according to procedures established by Ministry of Natural Resources and Forestry.	120 metres	EIS demonstrates there will be no negative impacts on the natural features and the ecological or hydrologic functions that sustain them.
Unevaluated wetlands within the Grand River Conservation Authority's area of jurisdiction, as identified on Schedule "D-1" (not included on Schedule "C" to this Plan)	Evaluated in accordance with the GRCA's wetland policy	120 metres	EIS demonstrates there will be no negative impacts on the natural features and the ecological or hydrologic functions that sustain them.
Watercourses (without mapping or regulations from LPRCA or GRCA)	The top of bank of the watercourse or drain as defined in consultation with the County and LPRCA or GRCA.	Land within 15 metres of the top of bank, or a feature defined by Section 4.3 of this Plan.	EIS demonstrates no negative impacts upon any present natural feature and their sustaining ecological functions.

Norfolk County Official Plan  
Consolidated to January 1, 2023

Natural Heritage Feature	Boundary Definition	Extent of Adjacent Land	Conditions under which development and site alteration may be permitted
Fish habitat (not included on Schedule “C” to this Plan)	A setback of 30 metres from the highwater edge of an aquatic habitat or as defined through the EIS. The definition of fish habitat can be affected by an EIS.	30 metres from the highwater mark	EIS indicates there will be no harmful alteration, disruption or destruction of habitat upon which the fishery depends directly and indirectly; or where authorization has been obtained under the <i>Fisheries Act</i> , and that habitat will be fully replaced to provide full compensation for the effects of the development.
Natural Areas, as identified in the Natural Areas Inventory, and including Carolinian Canada sites	As defined by the County Natural Areas Inventory.	50 metres	EIS demonstrated there will be no negative impacts on the natural feature and their sustaining ecological functions.

c) The County recognizes the importance of endangered and threatened species, and the protection afforded to such species under the *Endangered Species Act*. It also recognizes the importance of habitat for other Species at Risk, and areas of more specialized wildlife habitat functions. The following shall be the policy of the County:

- i) The habitat of endangered species and threatened species are not identified on either Schedules “B” or “C” of this Plan. The identification of habitat for endangered species or threatened species shall be determined in consultation with the Ministry of Natural Resources and Forestry. The County shall develop a protocol to assess when a project is likely to impact endangered or threatened species or their habitat. Where the development is likely to impact endangered or threatened species or their habitat, the proponent will be required to consult with the Ministry of Natural Resources and Forestry and demonstrate that they have met the requirements of the *Endangered Species Act*.

- ii) Adjacent lands to the habitat of endangered species and threatened species shall be delineated in accordance with Table 2 of this Plan.
  - iii) Development shall not be permitted in areas of habitat of endangered species and/or threatened species, except in accordance with applicable Provincial and Federal requirements. Further, development shall not be permitted on adjacent lands to identified habitat of endangered species and/or threatened species unless the ecological function of the adjacent lands has been evaluated through an Environmental Impact Study, prepared by the proponent, that demonstrates, to the satisfaction of the County, the Ministry of Natural Resources and Forestry and any other agency having jurisdiction, that there will be no negative impacts on the wildlife habitats.
  - iv) All development applications are to be screened to determine whether they could negatively impact endangered or threatened species or their habitat. Where there is likelihood that a development proposal will impact species at risk or their habitat, the applicant will be required to consult with the Ministry of Natural Resources and Forestry to ensure the requirements of the *Endangered Species Act* are met. For larger scale development, specific analysis of how any development activities are compatible with the protection of Species at Risk will be required by the County as part of its review process.
  - v) As outlined in the 'Technical Bulletin: Ministry of Natural Resources and Forestry, Aylmer District Guidance on Identifying Activities/Areas Not Likely to Contravene the *Endangered Species Act, 2007* in the County of Norfolk' document the proponent may be required to consult with the Province to determine if the development is likely to impact species at risk and/or their habitat, and demonstrate that they have had appropriate regard to the requirements of the *Endangered Species Act*.
- d) The clearing of woodlands through the Forest Conservation By-law may be subject to the completion of an Environmental Impact Study.
  - e) Forestry and Planning staff may be consulted to assist in further refinement of Significant Woodlands when required.
  - f) Subject to Provincial and Federal statutes, regulations and the County Forest Conservation By-law, the policies of this Plan do not limit the continuation of existing agricultural uses within or adjacent to Natural Heritage Features.

- g) This Plan encourages the retention of woodlands or portions of woodlands. It is further encouraged that wherever possible and appropriate, trees be replanted to replace trees removed if a development proceeds. This Plan encourages the conservation or replanting of roadside and fence-line shrubs and trees, and riparian area vegetation, wherever possible and appropriate in the context of new development.
- h) The County shall require consultation with the Norfolk Environmental Advisory Committee and the use of Ministry of Natural Resources and Forestry Natural Heritage Reference Manual for the completion of an EIS, referenced in Section 9.7.1 (Environmental Impact Study) of this Plan, to ensure that development proposals are consistent with the Natural Heritage Features policies.
- i) Council encourages opportunities that may arise with development proposals for creating new habitats, natural vegetation regeneration, conserving natural landforms and functions, for protecting and enhancing groundwater and surface water resources, and for promoting environmental education and interpretation.
- j) Where components of the Natural Heritage Features are held in private ownership, nothing in this Plan requires that these lands be free and available for public use, and the identification of land will not oblige the County, or other public agencies to purchase the land.

### **3.5.3 Natural Heritage Systems Strategy**

The County may undertake a Natural Heritage System Strategy to identify, map and detail Natural Heritage Features, including the form and function of the identified features, and to identify linkages and connections between these features. The Natural Heritage System Strategy shall foster an understanding that identified Natural Heritage Features have ecological ties to other natural and physical features in the broader landscape. This approach shall be fostered through ecosystem and watershed-based planning. This system reinforces the protection, restoration and enhancement of identified Natural Heritage Features and promotes the overall diversity and interconnectivity of Natural Heritage Features and areas. Policies related to the Natural Heritage System Strategy shall be incorporated into this Plan by amendment.

The County recognizes that a natural heritage system would benefit from public ownership to ensure protection of the features and to provide for public access, where appropriate. The County shall consider all options for the acquisition of environmental and Natural Heritage Feature land, including:



- a) Dedication;
- b) Assistance from other levels of government, agencies and charitable foundations;
- c) The bonusing provisions of the *Planning Act* for table land linkages, subject to the other relevant policies of this Plan;
- d) Density transfers for table land linkages;
- e) Land exchange;
- f) Long-term lease;
- g) Easement agreements;
- h) Land trusts; and
- i) Placing conditions on development approval.

Notwithstanding the preceding, the identification of land as part of a natural heritage system strategy does not obligate the County to acquire or purchase any land containing Natural Heritage Features.

### **3.5.4 Long Point Biosphere Reserve**

The Long Point Biosphere Reserve, as illustrated on Schedule “C”, is a United Nations Educational, Scientific and Cultural Organization (UNESCO) recognized World Biosphere Reserve. This unique feature is recognized as being significant on a global level due to the sustainable management approach adopted for the Reserve, which reflects the human interface with the area’s unique mix of ecological systems. The Reserve includes a mix of wetlands and Carolinian species as well as a staging and stop-over point for migrating waterfowl and land birds, integrated with human settlement and recreational areas. Portions of the Long Point Biosphere Reserve Core Area are also recognized as a Provincially Significant Wetland, and as such, are afforded the protection from development as detailed in Sections 7.4 (Provincially Significant Wetlands Designation) and 3.5.1 (Provincially Significant Features).

It shall be the policy of the County that the Long Point sand spit, which is part of the Long Point Biosphere Reserve Core Area, and more specifically defined as the area east of Long Point Provincial Park, shall be protected in its natural state. No development shall be permitted on the Long Point sand spit.

### 3.6 Air Quality

Air quality may be improved by reducing emissions of noxious gases, particulates, and dust. There are many emission sources but primary contributors include industrial operations and motor vehicles.

The following shall be the policy of the County:

- a) The County encourages Provincial and Federal initiatives to develop and enforce improved emission standards for motor vehicles and industrial operations.
- b) The County encourages Provincial and Federal efforts to negotiate international agreements to reduce acid rain and the importation of ozone, complex hydrocarbons and other air carried pollutants.
- c) The County supports government programs and encourages industries to substantially reduce the production of chemical products known to have negative impacts on air quality.
- d) The presence of trees in Urban Areas improves air quality and reduces energy use through shading and protection as well as having aesthetic value. The County shall prepare and adopt an urban forestry program for the maintenance and planting of trees.
- e) The County shall undertake tree planting, landscaping, and naturalization initiatives, where appropriate, on County property to improve air quality.
- f) The County is committed to a program of replacing trees that must be removed from County road allowances. The Ministry of Transportation is encouraged to enact a similar program along Provincial Highways.
- g) The County shall strive to create a transit-supportive, compact urban form consisting of mixed uses and efficient transportation networks.



## 4.0 Ensuring Economic Vitality

“A Strong and Diversified Economy”

### 4.1 Introduction

Maintenance of economic vitality and fostering economic development are critical underlying components of the planning framework of this Plan. In order to respond to changing economic conditions, this Plan maintains an appropriate land use framework to accommodate evolving land use needs as they relate to economic activity.

The County encourages economic development across the County in a manner that balances social, cultural, natural environment and other initiatives. This Plan recognizes the pre-eminence of agriculture as the principal economic activity in the County. This Section of the Plan addresses broad areas and influences of economic activity, including agriculture, tourism, natural resources and resource-related activities, employment activities, and the redevelopment of potentially contaminated sites.

### 4.2 Link to Economic Development

In order to provide an advantageous environment for economic activity in Norfolk County, the land use policies need to be linked with the economic development plan. This strategic link provides opportunities for innovation, technological advancement and changing employment trends to be accommodated in the existing planning policy framework.

In order to achieve this strategic link, the following shall be the policy of the County:

- a) This Plan provides links to Norfolk County’s Tourism and Economic Development Strategy to foster emerging economic development opportunities within the existing planning policy framework. Specifically, the policies of this Plan shall support the objectives of the Tourism and Economic Development Strategy which include:
  - i) enhancing the profile of the County and its Urban Areas as investment opportunities;

- ii) identifying growth sectors and new economic opportunities for the County in the land use policies of this Plan;
  - iii) ensuring that the land use policies of this Plan maintain the pre-eminence of agriculture as the principal economic activity in the rural components of the County;
  - iv) strengthening the County's economic base through a greater diversification of available business and employment land;
  - v) improving opportunities for local industries and businesses, especially small businesses within the County;
  - vi) addressing the role of tourism in the County's economic base;
  - vii) promoting the County as a destination for tourists;
  - viii) acknowledging the role of the Urban Areas in influencing the County's economy;
  - ix) setting out general development and servicing constraints for commercial and industrial uses; and
  - x) addressing the distribution and demand for serviced industrial land.
- b) The five-year review of this Plan shall ensure that the Plan will continue to provide the flexibility necessary to respond to the evolution of the agricultural industry, and encourage the diversification of tourism, employment, industrial, and natural resource based economic activities in Norfolk County.
- c) The Tourism and Economic Development Strategy shall be monitored by the County, and shall be updated every five years, in coordination with the Official Plan, where practical.

### **4.3 Locations of Economic Activity**

Economic activity takes many forms. However, some types of economic activity have locational requirements that need to be met in order to provide an optimal environment for economic success. For example, concentrated employment activities including business parks have specific locational requirements such as access to transportation networks and services, while tourism activities require access to transportation

networks, specific resources and amenities. This Plan focuses specific types of economic activity in the environment best suited to their success.

The following shall be the policy of the County:

- a) The County shall act to capitalize on the opportunities for economic activity by adopting different strategies for different parts of the County in an effort to focus specific economic activities in close proximity to the resources, amenities and forms of existing development and services they require to thrive.
- b) Industrial land shall be focused in Urban Areas and will be located adjacent to or in close proximity to Provincial Highways and arterial roads, where an appropriate level of municipal services are provided. Notwithstanding the foregoing, rural industrial and commercial operations shall be permitted in accordance with the policies of Section 7.2 (Agricultural Designation) of this Plan.
- c) Commercial and office employment uses shall be encouraged in the Downtown Areas to create strong central business district environments.
- d) Commercial uses which support agricultural activities may be permitted in rural areas where proximity to agricultural operations is required.
- e) Tourism uses shall be encouraged in close proximity to areas of natural and recreational amenity, areas of natural heritage appreciation, the Lakeshore Area, the Downtown Areas and waterfronts of Urban Areas, where appropriate.
- f) The County supports the use of Community Improvement Plans to revitalize underutilized land and the Downtown Areas.
- g) The County will support the expansion and development of transportation, parking and telecommunications infrastructure to increase the locational advantage of existing and proposed business and employment uses.

#### **4.4 Promoting Agriculture**

Agriculture is the dominant use of land in the County. Although tobacco was once the predominant crop grown in Norfolk, agricultural production has diversified significantly.

Norfolk is a top producer in Ontario and Canada for a wide variety of vegetables, fruits, ginseng and other crops. Agricultural production in Norfolk will continue to evolve.

Norfolk County has a rich agricultural land base with approximately 85 per cent considered to be prime agricultural lands consisting of Class 1, 2 and 3 soil capability for agriculture.

Agricultural production contributes significantly to the County's economic vitality. The total market value of all farm capital assets amounts to several billion dollars. Agriculture is a significant source of income and employment within the County. Agricultural purchases of equipment, supplies and services contribute significantly to many other sectors of the local economy. The growth of the local winery industry and agricultural related tourism experiences are examples of how agriculture can contribute to the growth and diversity in the County's economy. It is important to protect prime agricultural land which is the resource base upon which the local agricultural economy depends.

It is the policy of this Plan to promote the further development of Norfolk County's agricultural industry and to provide support to local farmers. To support this policy, the County may undertake the following measures:

- a) Protect the agricultural land base and discourage or prohibit those uses that unnecessarily take agricultural land out of production or which may conflict with farm operations;
- b) Prohibit the expansion of urban, hamlet and resort areas on to prime agricultural lands without a comprehensive review indicating the need for such expansion and demonstrating that lower quality lands are not available or practical for such expansion;
- c) Facilitate the development of on-farm diversified businesses, in accordance with provincial guidelines, that provide the opportunity for farm operators to earn a supplementary income in a manner that minimizes the use of prime productive agricultural lands;
- d) Encourage the development of agriculture-related activities that store, distribute, process, mill, or sell farm produce or which repair farm machinery or directly sell supplies to farmers;
- e) Ensure that there is capacity in the County's industrial areas for the establishment of manufacturing and warehouse operations that further clean, process, store and distribute agricultural produce at a scale or volume that cannot be carried out at the farm level;

- f) Encourage the establishment of services that support the agricultural community at locations that best serve agricultural operations;
- g) Encourage the establishment of farm-gate sales as an on-farm diversified use;
- h) Encourage the establishment of on-farm overnight tourist accommodations for visitors to the County's rural areas;
- i) Encourage the establishment of on-farm experience and educational activities in a manner that does not conflict with farm operations;
- j) Encourage the establishment of farmers' markets in the urban and hamlet areas of the County to provide opportunities for residents and visitors to purchase fresh farm produce directly from the producer;
- k) Maintain and support an Agricultural Advisory Board to identify issues of concern to the local agricultural community and to advise Council on agricultural matters;
- l) Support research activities by Ontario Ministry of Agriculture, Food and Rural Affairs, the University of Guelph, Fanshawe College and other educational and research institutions to identify potential new crops that can be grown on County lands, to improve productivity and to improve agricultural operations and practices;
- m) Work with Ontario Ministry of Agriculture, Food and Rural Affairs and farm marketing boards to identify new and expanding markets for Norfolk's agricultural products;
- n) Provide support to farm operators through small business consulting services and to facilitate training and the dissemination of information relating to best practices for farm operations;
- o) Provide access to community improvement grants or loans to assist in the cost of capital up-grades and investments relating to farm operations, on-farm diversification activities and for the installation of green energy accessory to and in support of farm operations;
- p) Work with farm operators to improve soil and *Nutrient Management Activities* and to minimize the impact of farm operations on sensitive natural areas or features. The erection of tree buffers to prevent soil erosion will be encouraged;



- q) Support conservation authorities in the development and implementation of rural water quality programs that protect water quality. The County may further support such programs by providing additional financial assistance to farm operators through community improvement programs;
- r) The County will minimize the impact of non-agricultural related uses on farm operations and may require an Agricultural Impact Assessment (AIA) in accordance with provincial guidelines, including appropriate mitigation measures, in support of applications for non-agricultural related developments on sites near farm operations;
- s) The County supports the “Right to Farm” principle in the Rural Area of the County;
- t) The County supports and encourages the expansion and improvement of telecommunications services, including high-speed internet service throughout the Rural Area; and
- u) The County will work with the local agricultural community to develop strategies to respond to changes in weather and other potential climate change impacts on food production.

## **4.5 Tourism**

This Plan encourages growth in tourism and travel to the County, particularly to the Urban Areas, the Lake Erie shoreline, resort and recreation areas, and areas of agricultural, rural and natural amenity.

The following shall be the policy of the County:

- a) The County promotes the maintenance and improvement of existing tourism and tourist destination-oriented uses in the County and encourages the establishment of additional tourism opportunities in the form of accommodation facilities, and appropriate entertainment and recreational attractions.
- b) The County recognizes and supports the development of tourism uses within the Urban Areas and specifically the Downtowns that will encourage visitor stops, provided such uses do not detract from the principal functions and uses of these areas. Such initiatives may include support for:

- i) tourist-recreational activities along the Lynn River in Simcoe, including initiatives to enhance the Downtown in conjunction with increased retail development east of Norfolk Street;
  - ii) promotion of a multi-purpose trails system connecting Norfolk's Urban Areas and natural amenities, including Simcoe as a destination on the recreational trail/utility corridor linking Simcoe and Port Dover, a waterfront trail linking Port Dover to Long Point, the Trans Canada Trail, the Simcoe-Waterford-Brantford trail and the Delhi-Simcoe-Brantford trail;
  - iii) new and existing tourism related attractions such as craft markets, farmer's markets, summer theatre and outdoor festivals, arts and culture programs and activities, particularly if such uses are located to encourage interaction with the major activity nodes in the Downtowns;
  - iv) establishing Heritage Conservation Districts to promote cultural heritage resources, particularly in the Downtowns;
  - v) tourism related projects as a component in the redevelopment or conversion of older buildings and underutilized sites in and around the Downtowns;
  - vi) encourage and promote the development of arts and culture events, festivals and activities;
  - vii) the conversion and redevelopment of upper-storey apartments in Downtowns to provide short-term overnight tourism accommodation;
  - viii) bed and breakfast accommodations in single detached residential dwellings subject to criteria to be established in the Zoning By-law; and
  - ix) the provision of parking infrastructure, the management of parking needs and public transit to ensure a positive experience for people visiting Norfolk County's key tourism nodes.
- c) Agriculturally related and rural resource-related tourism opportunities, including on-farm overnight tourist accommodation, shall be encouraged and shall be permitted in the Agricultural Designation, subject to the policies of Section 7.2.2 (Agricultural Designation – Land Use Policies).
- d) The County shall identify destinations for tourism and recreation throughout the County.

- e) The development and promotion of scenic, recreational and educational parkways with well signed and interesting attractions along the Lake Erie shore and throughout the County shall be supported by the County.
- f) The County shall consider opportunities to establish the existing lakeshore roads as a parkway, providing a multi-purpose route along the waterfront.
- g) Important lookout points along the Lakeshore are identified on Schedule “C”. These sites provide panoramic views and provide an understanding of the overall configuration, character and landscape of the County’s lakeshore. These sites are to be protected and may be enhanced with picnic shelters, restrooms, parking areas and plaques.
- h) The County shall support ecotourism destinations that promote learning from and experiencing natural features and wildlife, and shall work in conjunction and cooperation with ecotourism operators and special interest groups. Subject to the policies of this Plan, ecotourism shall generally be permitted throughout the County.
- i) The County supports the maintenance and improvement of hunting and fishing opportunities and hunting and fishing programs initiated by senior levels of government and agencies to improve this component of the tourism industry.
- j) The County supports the maintenance and improvement of accommodations for tourists, including hotels, motels, bed and breakfast establishments and camping facilities.
- k) The County supports the development of appropriate infrastructure to accommodate visitors to Downtowns, the lakeshore and other tourism attractions throughout the County. Tourism infrastructure may include bicycle and vehicle parking, washroom facilities and handwashing facilities, picnic areas, boating slips and marinas.
- l) The County supports the development of convention centres, especially in the Downtowns, the Urban Waterfront Areas and in the Commercial Areas of the County.
- m) The County shall support tourism destinations and businesses promoting the purchase and consumption of food, drink, textiles and other products made from ingredients grown in Norfolk County.
- n) The County shall maintain and support a Tourism and Economic Development Advisory Board to identify issues of concern and to advise Council on matters relating to tourism and economic development.

## 4.6 Natural Resources

Further to Section 3.7.3 (Aggregate Resources), Natural resources, particularly mineral resource extraction, petroleum resources, forestry, wildlife and fisheries are important components of the County's economy. The following policies provide guidance with respect to the use of such resources.

### 4.6.1 Mineral Aggregates

Petroleum resources and Mineral aggregates play an important economic role in Norfolk County. Existing and potential mineral aggregate resource activities shall be protected, and the extractive industry should be permitted to operate as free from land use conflict as possible, while ensuring minimal environmental impact and social disruption. It is also important that exhausted pits and quarries and mineral resource land be rehabilitated for appropriate uses that are compatible with the surrounding area.

Bedrock Resource Areas, and Sand and Gravel Resource Areas, as identified by the Ministry of Natural Resources and Forestry, are illustrated on Schedule "J" to this Plan. Unless otherwise specifically referenced in the policies of this Plan, both shall generally be referred to as "Aggregate Resource Areas" in the policies of this Plan.

The following shall be the policy of the County:

- a) Exploration and extraction of mineral resources shall be undertaken in accordance with Federal and Provincial legislation, as well as municipal regulation.
- b) Aggregate Resource Areas shall be protected for future use. More precise boundaries of the Aggregate Resource Areas may be established through consultation with the Ministry of Natural Resources and Forestry. Subject to consultation with the Ministry, minor modifications to the boundaries of the Aggregate Resource Areas shall not require an amendment to this Plan.
- c) Development and changes in land use which would prevent future access, use or extraction shall not be permitted in and adjacent to identified Aggregate Resource Areas on Schedule "J, unless it can be demonstrated that:

- i) aggregate resources use would not be feasible; or
  - ii) the proposed development and change in land use serves a greater long term interest of the general public; and
  - iii) issues of public health, public safety and environmental impact are addressed.
- d) Legally existing pits and quarries licensed under the *Aggregate Resources Act* shall be zoned appropriately in the Zoning By-law. These operations shall be permitted to continue and shall be protected from new incompatible adjacent land uses and activities. Aggregate conservation and recycling uses may be permitted as accessory uses within aggregate operations.
- e) Development proposals near licensed aggregate extraction areas shall be evaluated for potential incompatibilities, which shall be addressed accordingly in consultation with the Province. Pertinent information regarding surface and groundwater, dust, vibration, noise, traffic routes in connection with the licensed aggregate extraction area, and buffering will be considered to ascertain the effect these existing factors will have on the proposed new development. Residential and institutional development within 300 metres of Sand and Gravel Resource Areas and licensed pits, and 500 metres of Bedrock Resource Areas and licensed quarries, illustrated on Schedule “J” shall generally not be permitted. Proposed residential or institutional development within these areas shall be supported by studies that demonstrate that any land use conflicts will be fully mitigated.
- f) The County shall not permit new pits and quarries in Provincially Significant Wetlands, as identified in Section 3.5 (Natural Heritage Systems) and shown on Schedule “B” of this Plan. Prior to the development of new pits and quarries on lands adjacent to Provincially Significant Wetlands, as identified on Schedule “C”, or on lands that are on or adjacent to the habitat of endangered species and threatened species, an Environmental Impact Study shall be prepared in accordance with the policies of Section 9.7.1 (Environmental Impact Study) demonstrating to the satisfaction of the County and any other required approval agency that the proposed pit or quarry will have no negative impact on the natural features or their ecological functions.
- g) The County shall generally not permit new pits and quarries in Natural Heritage Features, as identified on Schedule “J” to this Plan and listed on Table 2 of Section 3.5.2. Prior to the development of new pits and quarries within or adjacent to a Natural Heritage Feature, an Environmental Impact Study shall be prepared in accordance with the policies of Section 9.7.1

(Environmental Impact Study). When and where the quality of available aggregate or the market changes significantly, new pits and quarries may be considered within Significant Woodlands close to an Urban Area.

- h) In the undeveloped portions of designated Urban Areas, Hamlet Areas, or Resort Areas, where aggregate resources have been identified, extraction shall be encouraged to ensure the economic opportunity is not lost, provided the disruption to nearby sensitive and incompatible uses can be mitigated. The aggregate resources should be removed before allowing urban development, unless otherwise provided for by the policies of this Plan.
- i) New pits and quarries or expansion of legally existing pits or quarries in Aggregate Resource Areas identified on Schedule “J” shall be permitted without an amendment to this Plan. New pits and quarries or the expansion of legally existing pits or quarries shall require an amendment to the Zoning By-law.
- j) With the exception of wayside pits and quarries, an amendment to this Plan and the Zoning By-law shall be required in areas other than those identified as Aggregate Resource Areas on Schedule “J”.
- k) Applications for Official Plan and/or Zoning By-law amendments, as referenced in Subsections i) and j) shall be reviewed on the basis of the following:
  - i) the feasibility of aggregate extraction proposed;
  - ii) compatibility with the surrounding land uses;
  - iii) impact of the proposed haulage routes;
  - iv) potential impact on groundwater quality and quantity, Provincially Significant Features, Natural Heritage Features, and the broad natural environment;
  - v) rehabilitation plans;
  - vi) potential impacts to cultural heritage resources;
  - vii) matters raised by the Province or the appropriate Conservation Authority; and
  - viii) whether approval will be granted under the *Aggregate Resources Act*.

- l) Where extraction is proposed below the water table, the following criteria shall be satisfied:
  - i) a hydrogeological study shall be conducted for aggregate operations that intend to use groundwater resources to wash their aggregate and will use greater than 50,000 litres per day during this washing process;
  - ii) a substantial quantity of mineral aggregate is located below the water table warranting extraction below the water table;
  - iii) other alternatives have been considered by the applicant and have been found unsuitable. Other alternatives include resources on land committed to future urban uses, and resources in the Rural Area where rehabilitation to agricultural uses is possible; and
  - iv) in those areas remaining above the water table following extraction, agricultural rehabilitation shall be maximized.
- m) Wayside pits and quarries shall be permitted without requiring an amendment to this Plan or the Zoning By-law, but shall not be permitted adjacent to or within Provincially Significant Features, Natural Heritage Features, Urban Areas, Hamlet Areas, or Resort Areas. Utilization of aggregate from sites licensed under the *Aggregate Resources Act* and inactive pits and quarries for wayside pits and quarries shall be encouraged.
- n) Portable asphalt plants for public authority projects shall be permitted without an amendment to this Plan or the Zoning By-law, but shall not be permitted adjacent to or within Natural Heritage Features, Provincially Significant Features, Urban Areas, Hamlet Areas, or Resort Areas.
- o) Rehabilitation of mineral aggregate extraction sites shall be required in accordance with the requirements of the *Aggregate Resources Act*. Progressive rehabilitation shall be encouraged. Where there is a concentration of mineral aggregate resource operations, comprehensive aggregate resource extraction plans will be encouraged. Progressive and final rehabilitation shall be required to accommodate subsequent land uses, to promote land use compatibility, and to recognize the interim nature of extraction. Final rehabilitation shall take surrounding land use and the Land Use Designation of the lot and surrounding lots into consideration.
- p) A rehabilitation program shall ensure that the pit or quarry can be utilized for agricultural purposes. Land in the Agricultural Area shall be rehabilitated to ensure that substantially the same areas and average soil quality for

agriculture are restored. In the Agricultural Area, complete agricultural rehabilitation is not required if:

- i) extraction is permitted below the water table;
- ii) other alternatives have been considered and found unsuitable; and
- iii) agricultural rehabilitation in remaining areas is maximized.

Where agricultural rehabilitation is not required, other appropriate after uses, such as recreational uses may be considered in accordance with the policies of this Plan. Sites may also be rehabilitated to good wildlife habitat using native species for vegetation.

- q) The County shall actively pursue programs, in cooperation with the Province and owners to rehabilitate abandoned pits and quarries.
- r) Rehabilitation of mineral extraction areas after operations have ceased is required in accordance with the provision of the *Aggregate Resources Act*.

#### **4.6.2 Petroleum Resources**

Petroleum resources play an important economic role in Norfolk County. Existing and potential petroleum resource activities shall be protected and be permitted to operate as free from land use conflict as possible, while ensuring minimal environmental impact and social disruption. It is also important that exhausted petroleum resource areas and wells be rehabilitated for appropriate uses that are compatible with the surrounding area. Petroleum Resource Areas, as identified by the Ministry of Natural Resources and Forestry, are illustrated on Schedule "J" to this Plan.

- a) Exploration and extraction of petroleum resources shall be undertaken in accordance with Federal and Provincial legislation, as well as municipal regulation.
- b) Petroleum Resource Areas shall be protected for future use. More precise boundaries of the Petroleum Resource Areas may be established through consultation with the Ministry of Natural Resources and Forestry. Subject to consultation with the Ministry, minor modifications to the boundaries of the Petroleum Resource Areas shall not require an amendment to this Plan.
- c) Development and changes in land use which would prevent future access, use or extraction shall not be permitted in and adjacent to identified



Petroleum Resource Areas on Schedule “J”, unless it can be demonstrated that:

- i) petroleum resources use would not be feasible; or
  - ii) the proposed development and change in land use serves a greater long-term interest of the general public; and
  - iii) issues of public health, public safety and environmental impact are addressed.
- d) Legally existing petroleum resource activities shall be zoned appropriately in the Zoning By-law. These operations shall be permitted to continue and shall be protected from new incompatible adjacent land uses and activities.
- e) Within all land use designations, new building construction shall not be permitted within 75 metres of existing petroleum resource operations. This setback is equivalent to the setback required under the *Oil, Gas and Salt Resources Act* for new wells from existing development. This setback does not apply to petroleum operations decommissioned according to Provincial abandonment and rehabilitation requirements, although setting buildings away from abandoned wells is recommended to allow for possible future emergency access.
- f) As a condition of approving a development proposal, the County shall require that improperly abandoned wells that are known or discovered on the land during development will be properly decommissioned in accordance with Provincial requirements. Areas where wells are located should be avoided when siting buildings, unless it can be demonstrated that development can safely occur.
- g) The County shall require that proponents of development within 75 metres of petroleum or mineral resource extraction areas will successfully complete a geotechnical study prepared by a qualified professional to confirm that the site is suitable for the proposed development.
- h) The County shall not permit petroleum wells and associated works in Provincially Significant Wetlands, as identified in Section 3.5 (Natural Heritage Systems) and shown on Schedule “B” of this Plan. Prior to the development of new petroleum wells and associated works on lands adjacent to Provincially Significant Wetlands, as identified on Schedule “C”, or on lands that are on or adjacent to the habitat of endangered species and threatened species, an Environmental Impact Study shall be prepared in accordance with

the policies of Section 9.7.1 (Environmental Impact Study) demonstrating to the satisfaction of the County and any other required approval agency that the proposed petroleum well will have no negative impact on the natural features or their ecological functions.

- i) Potential impacts to cultural heritage resources will be evaluated and where necessary and appropriate avoided or mitigated.
- j) Rehabilitation of petroleum resource land after operations have ceased is required in accordance with the Provincial Standards pursuant to the *Oil, Gas and Salt Resources Act*.

### **4.6.3 Forestry**

Forestry makes an important economic and environmental contribution to the County. Large quantities of lumber are exported annually from Norfolk County to markets within southern Ontario and world-wide. With good forestry management practices, the sustainable harvest of wood products can support local forestry and value-added forest industries, and provide income to woodland owners.

The following shall be the policy of the County:

- a) The retention of existing woodlands and the management of these woodlands for forestry purposes is encouraged by recognizing forestry as a viable industry within the Agricultural Designation. For the purpose of this Plan, Christmas tree nurseries are not considered woodlands.
- b) The expansion of forest cover on land suitable for this purpose shall be promoted by encouraging property owners to participate in the Ontario Managed Forest Tax Incentive Program.
- c) The acquisition of land by public authorities, agencies and non-governmental bodies for forestry purposes may be supported.
- d) All public authorities, agencies and non-governmental bodies that own and manage forested land are encouraged to manage forested land within their jurisdiction in a manner consistent with good forestry practice.

- e) Individual landowners are encouraged to view forestry and agriculture as mutually compatible activities by using trees as wind breaks to reduce topsoil erosion.
- f) Notwithstanding any policies to the contrary in this Plan, property owners may manage woodlands to control encroachment onto adjacent agricultural uses.
- g) The County shall encourage the forestry industry and the implementation of good forest management which can bring greater productivity, quality, quantity and species diversity of trees on the landscape. Consents for the purpose of forestry management and protection may be permitted, provided the following criteria are satisfied:
  - i) the minimum lot size of the woodland parcel shall be 20 hectares;
  - ii) the Zoning By-law shall establish that the use of the woodland parcel to be severed shall be for forestry uses only and that no new residential uses will be permitted;
  - iii) the woodland parcel to be severed and the residual parcel abut an open and improved road, that is maintained on a year-round basis;
  - iv) the consent does not create a new buildable lot;
  - v) the residual parcel of land is an existing viable farm operation;
  - vi) all existing buildings remain with the residual parcel, where possible; and
  - vii) in order to avoid fragmenting woodland areas on a property, all of the contiguous wooded portions of the property shall be severed, where possible.

The forested parcel to be severed may include a small amount of cleared land provided that such cleared land will be used for assemblage areas, tree planting, internal access, or other similar uses.

The consolidation of woodlands for forestry purposes through land consolidation may be permitted, provided an additional separate lot will not be created.

- h) The holistic use of woodlands for the Natural Heritage System, water management purposes, diversity and source water protection shall be promoted.

- i) The County shall encourage landowners to plant native trees and shrubs adjacent to road allowances, water bodies, wetlands and land containing Natural Heritage Features.
- j) The County shall have and maintain a Forest Conservation Bylaw to prohibit or regulate the destruction or injury of trees, conserve and improve woodlands, support the sustainable harvest of wood products, maintain and enhance forest integrity and wildlife habitat, protect against floods and soil erosion, protect water supplies and to support outdoor recreation, provide forest access trails, maintain existing airplane landing areas, and access fields for farm operations.
- k) The County shall support activities directed at improving the quality, productivity and the long-term sustainability of woodlands and related natural resources.
- l) The County shall encourage the establishment of manufacturing operations which add value to wood and wood products.
- m) The County shall discourage the encroachment of incompatible uses in forest and woodland areas, in accordance with the policies of Section 6.4 (Natural Heritage Systems).

#### **4.6.4 Fisheries**

Further to Section 3.5.2 (Natural Heritage Features) of this Plan, all fish habitat is protected by Federal legislation which is administered by Fisheries and Oceans Canada, in conjunction with the Conservation Authorities. The salmonid fish population in Lake Erie is partially attributed to the streams and rivers of Norfolk County's watersheds. These streams have particular significance to both the commercial and sport fishing industries.

The following shall be the policy of the County:

- a) Where possible, the commercial fishing industry and sport fishing opportunities should be maintained and improved. The County shall encourage and support implementation of appropriate commercial fisheries and sport fishing programs initiated by senior levels of government that will improve these industries.

- b) The County will work with the commercial fishing industry to ensure that appropriate docking facilities, fish processing, packing and related uses, and marine industrial uses, are permitted in appropriate locations throughout the County.
- c) Further to the policies of Section 3.5.2 (Natural Heritage Features), all fish habitat, including that used seasonally, shall be protected. The Conservation Authorities, Ministry of Natural Resources and Forestry and Fisheries and Oceans Canada shall be consulted when development is proposed which may affect fish habitat in order to ascertain development alternatives that, to their satisfaction, will achieve no net loss of productive capacity and seek a net gain of productive capacity, whenever feasible. Development may be permitted if it does not harmfully alter, disrupt or destroy fish habitat. The relocation and redesign of development proposals is preferred over mitigation and compensation of the fish habitat. A net gain can be achieved through the restoration of degraded habitat, the enhancement of existing habitat and/or the creation of new habitat, where possible.
- d) The County shall encourage landowners to maintain and restore riparian buffers and natural vegetation adjacent to streams.

## **4.7 Employment Activity**

Employment and industrial activities play a significant role in the economic vitality of Norfolk County. The County shall maintain an appropriate employment land supply and shall use the planning policy framework of this Plan to encourage and support new industrial technologies, new employment sector development and local employment initiatives.

The following shall be the policy of the County:

- a) The County shall monitor the supply of employment and industrial land to ensure that a sufficient supply is available to accommodate growth needs over the planning period to 2036. As needed, the County will augment the supply of serviced industrial land to ensure that sufficient land is available to attract new industrial development.
- b) The County shall promote the reuse of vacant industrial and other underutilized sites within the County.
- c) The County shall ensure that the inventory of designated vacant Protected Industrial land includes a full range of parcel sizes and locational

characteristics, including small parcels to suit the needs of new and innovative industries.

- d) The County will encourage and facilitate the retention and expansion of existing employment and industrial uses.
- e) Council shall co-operate with the business community to ensure that Protected Industrial areas are well served by appropriate infrastructure, including municipal services, roads and modern telecommunication technologies.
- f) Subject to the policies of this Plan, the County shall promote local employment initiatives including home occupations, home industries and on-farm diversified uses.

#### **4.8 Potentially Contaminated Sites**

The historic use of land in Norfolk County has resulted in the potential for some land to be contaminated as a result of previous activities. These sites represent a potential hazard to human health, ecological health and the natural environment, but also represent opportunities for potential redevelopment and neighbourhood revitalization, if properly remediated.

The following shall be the policy of the County.

- a) The County encourages the identification of contaminated sites, their remediation, and appropriate redevelopment, in accordance with the *Environmental Protection Act* and its regulations and in accordance with the and procedures and the policies of this Plan.
- b) Where the development or redevelopment of land involves the change of use of the property to a more sensitive use, a Record of Site Condition shall be completed by a qualified person and filed on the Brownfields Environmental Site Registry, in accordance with the requirements of *Ontario Regulation 153/04*, before the issuance of a building permit for the proposed use. The issuance of any building permit for the proposed use shall also be consistent with any certificate of property use or order issued for the property on the Environmental Site Registry.
- c) The County shall ensure that the decommissioning and remediation of contaminated sites are completed in an environmentally responsible manner.

- d) Norfolk County is reliant on ground water sources for drinking water. The County shall require that all environmental remediation of contaminated sites be carried out to achieve potable ground water site condition standards as established by the Ministry of the Environment and Climate Change.
- e) The County may prepare community improvement plans for known contaminated properties, in accordance with the applicable policies of this Plan, and may consider a variety of incentives to encourage the remediation and redevelopment of these sites.

## **5.0 Maintaining Healthy Communities**

“Maintaining a High Quality of Life”

### **5.1 Introduction**

Maintaining a high quality of life has been fundamental to the evolution of the existing communities that comprise Norfolk County. In Norfolk County, the residents have identified many factors that combine to define their healthy community and their high quality of life.

Healthy communities are not only economically strong but also protect natural and cultural heritage, ensure the appropriate provision of housing, provide recreational and leisure services and amenities, develop attractive and safe neighbourhoods, provide efficient movement of people and goods, encourage diversity and encourage participation in decision-making and support a healthy food system. This Plan recognizes the connection between land use planning policy and the health of communities and quality of life. Coupled with the sections of this Plan dealing with natural heritage, economic vitality, land use, growth management and infrastructure, the policies of this Section promote healthy communities through public services, community design, recreation, social planning, cultural heritage, housing and access to healthy food.

### **5.2 Public Services**

In addition to infrastructure services such as roads, water and sewers, the County provides a range of human services such as recreational facilities, homes for the aged and social housing, in addition to core municipal services. The County also plays a role, with other public service providers, in defining where and how health care and educational facilities are to be provided in the County. All of these services are fundamental to maintaining healthy communities and a high quality of life. It is beyond the scope of an official plan to deal with such matters as education, child care, health care, social services or recreational programming.

However, through its growth management and land use policies, this Plan provides the framework to ensure the necessary levels of service and appropriate locations for facilities required in the County.



The following shall be the policy of the County:

- a) For the purposes of this Section of the Plan, government and County facilities, museums, theatres, cultural facilities, places of worship, health care facilities, schools and other educational facilities and recreational facilities shall be considered public services, buildings and facilities as they all provide important human services.
- b) The County shall work with the School Boards to ensure that all areas of the County are appropriately served with education facilities. Consequently, the land use and growth management policies of this Plan shall ensure that the land use designations in each Urban Area and Hamlet Area accommodate an appropriate range of educational opportunities.
- c) In consultation with the School Boards, the need for new schools shall be identified. When schools are closed, the County shall not consider applications for redevelopment until all opportunities for reuse as an educational, training, skills development or apprenticeship facility have been exhausted and the school has been clearly deemed to be surplus to the long-term needs of the School Board. Where closure and sale of a school is proposed, the open space component of the school may be retained or incorporated in a redevelopment proposal, but should generally not be lost.
- d) The County shall work to attract higher-order educational and skills development facilities, including community college campuses and university campuses. In doing so, the County shall ensure that there are appropriate land use policies in place to accommodate such educational and skills development facilities in each Urban Area. Additionally, to facilitate specialized training facilities by taking advantage of unique local environments, a land use policy basis is established in Section 7.2.2 (Agricultural Designation – Land Use Policies) to locate such facilities outside of the Urban Areas by way of an amendment to this Plan.
- e) The County shall ensure that all public buildings and facilities are located and designed to be broadly accessible. Furthermore, in locating new public buildings, the County shall strive to support the growth management policies by promoting, in order of priority, the Downtown Areas, Urban Areas and, to a lesser extent, the Hamlet Areas as the most suitable locations for public facilities.
- f) The County shall encourage the integration and design of arts, cultural and recreational facilities with local businesses, health and social services facilities, schools, parks, civic buildings and other appropriate public uses.

Priority shall be given to arts and cultural facilities that locate within the Downtowns, and recreational facilities that locate within the Urban Areas or Hamlet Areas. Where appropriate, community services will be encouraged to locate in community hubs, preferably in or near Downtowns, where the congregation of diverse services will be beneficial to client groups and where efficiencies may be gained through the sharing of facilities and resources.

- g) The provision of social services shall be encouraged within the existing community and in major development proposals. The County may facilitate the provision of such services by allowing for increased development height or density where a development proponent provides certain facilities, in accordance with Section 37 of the *Planning Act*
- h) The County shall encourage aging-in-place for seniors and older adults such that individuals living in an independent environment will have access to services and amenities without having to relocate as their circumstances change. Where seniors and older adults require assisted living, skilled nursing, or continuing care, appropriate residences shall be encouraged in proximity to services and amenities.
- i) In accordance with the *Ontarians with Disabilities Act* (ODA 2001), *Accessibility for Ontarians with Disabilities Act* (AODA 2005) and *Integrated Accessibility Standards Regulation* (IASR) the County shall:
  - i) continue to maintain an Accessibility Advisory Committee to address accessibility issues in the County;
  - ii) Improve opportunities for persons with disabilities and provide for their involvement in the identification, removal and prevention of barriers;
  - iii) prepare Multi-Year Accessibility Plans and Annual Status updates; and
  - iv) ensure that all public buildings and public spaces are accessible and inclusive to all members of the public, including people with disabilities. New development and ongoing maintenance and improvements of public buildings and public spaces should recognize this goal;
  - v) The approval of new development and redevelopment shall consider access and proximity to, and availability of existing public services.
- j) New development shall be served with adequate emergency services. Stations for emergency vehicles will be designed to minimize noise, traffic and other impacts on any adjacent land uses that may be sensitive to such nuisances.

### 5.3 Housing

The provision of housing is an essential part of planning in Norfolk County. There are many factors that affect supply and demand in the housing market, and only some of them can be managed by a municipality in Ontario. The County may influence the location, timing and scale of development through the provision of infrastructure and the review of residential development proposals including site plans and plans of subdivision and condominium. It is desirable to have close cooperation between all levels of government and the private sector in order to provide for sufficient and affordable housing, and a stable residential housing market. The County shall ensure that a full range of housing types are provided to meet the anticipated demand and demographic change, including accessible housing forms to facilitate aging in place and for persons with disabilities.

For the purposes of this Plan, Affordable Housing is defined as:

- a) In the case of ownership housing, the least expensive of housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households; or housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area;
- b) In the case of rental housing, the least expensive of: a unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or a unit for which the rent is at or below the average market rent of a unit in the regional market area.

For the purposes of this definition: low income households means households with incomes in the lowest 20 percent of the income distribution for the County and moderate income households means households with incomes in the lowest 30 percent to 60 percent of the income distribution for the County.

The following shall be the policy of the County:

- a) At all times, the County shall maintain the ability to accommodate residential growth for a minimum of 10 years through land which is designated and available for residential development. Additionally, the County shall ensure that where new development is to occur, land with servicing capacity sufficient to provide at least a 3-year supply of residential units in draft approved and registered plans, or in cases of residential intensification and

- redevelopment, land appropriately zoned in the Zoning By-law and available for development or redevelopment.
- b) The County shall ensure that a full range of housing types and densities are provided to meet the anticipated demand and demographic change. All forms of housing required to meet the social, health and well-being of current and future residents, including those with special needs shall be encouraged. The County shall target that 15 percent of all new housing built in Norfolk County be multi-residential dwellings and 15 percent be semi-detached and townhouse dwellings.
  - c) The provision of housing that is affordable and accessible to low and moderate income households shall be a priority. The County shall target that 25 percent of all new housing provided throughout the County be affordable to low and moderate income households and that at least 10 percent of all new units be affordable to low income households, those with incomes falling within the lowest 20 percent of the income distribution for the County. The County shall encourage the provision of affordable housing through:
    - i) supporting increased residential densities in appropriate locations and a full range of housing types, adequate land supply, redevelopment and residential intensification, where practical;
    - ii) the timely provision of infrastructure in the Urban Areas;
    - iii) supporting the reduction of housing costs by streamlining the development approvals process;
    - iv) negotiating agreements with the public and private sectors to address the provision of affordably priced housing through the draft plan of subdivision and condominium approval process;
    - v) considering innovative and alternative residential development standards that facilitate affordable housing and more compact development form; and
    - vi) possibly developing a Municipal Housing Strategy with annual housing targets, mixes of housing types, affordability thresholds and related data.
  - d) The County may adopt a Municipal Housing Facilities By-law to develop affordable housing as a “community facility” under the *Municipal Act*. In an effort to facilitate affordable housing the County may:

- i) enter into capital facility agreements and/or partnerships with both private and non-profit organizations for affordable housing; and
  - ii) use available grants and loans, including tax-equivalent grants or loans to encourage the construction of affordable housing.
- e) The County shall encourage innovative and appropriate housing development that exhibits design and adaptability characteristics, and may represent non-traditional additions to the County's housing stock.
- f) Conversion of rental housing shall only be considered when:
- i) the rental vacancy rate for the community has been at or above 3 percent for two consecutive surveys as reported by the Canada Mortgage and Housing Corporation (CMHC) Rental Housing Market Survey;
  - ii) the approval of such conversion does not result in the reduction of the vacancy rate below 3 percent; and
  - iii) the requirements of any applicable Provincial legislation or regulations are met.
- g) The County shall encourage that housing be considered when opportunities for redevelopment become available. This includes the redevelopment of existing single-use and underutilized areas with full municipal services, such as shopping plazas, business and employment sites and older commercial and residential areas, especially where the land is in close proximity to human services. Special attention shall be given to the design of buildings, the landscaping treatment and features of the site to ensure that the proposed redevelopment is physically compatible with the adjacent uses.
- h) The County shall develop zoning provisions that are sufficiently flexible to permit a broad and varied range of housing forms, types, sizes and tenures, including accessory apartments in houses, except in locations serviced by individual or communal waste water disposal systems.
- i) The County shall first consider surplus municipal land for affordable housing. Furthermore, the County shall work with other levels of government to make surplus land available to providers of affordable housing at little or no cost.
- j) The County shall encourage opportunities for more affordable housing to be provided in the Downtown Areas.
- k) The County recognizes the value of older residential neighbourhoods and shall support the maintenance and improvement of established

neighbourhoods and older housing stock through measures such as participation in senior government programs. Where appropriate, applications which retain the heritage character in a proposed re-use of older housing stock shall be supported.

- l) The County shall ensure that residential and/or commercial infill development in areas of cultural heritage value or interest is sympathetic to the existing building fabric and streetscape.

### **5.3.1 Residential Intensification**

The intensification of urban residential development reduces the need to use vacant designated land on the periphery of the Urban Areas. It also reduces the need for urban expansions encroaching into the Agricultural Area. Urban residential intensification, infilling and redevelopment of existing areas allows for the efficient provision of urban services thereby helping to minimize the costs of providing services while meeting an important component of the County's housing needs.

The following shall be the policy of the County:

- a) Housing shall, in part, be provided through urban residential intensification, which may include any of the following:
  - i) small scale intensification through modifications to an existing dwelling to include a second unit or construction of a new building containing one or two units;
  - ii) infill development and residential development of vacant land or underutilized land in existing neighbourhoods; and/or
  - iii) redevelopment which includes either the replacement of existing residential uses with compatible new residential developments at a high density or the replacement of non-residential uses with compatible residential or mixed use development with a residential component.
- b) The County shall target that a minimum 25 percent of its annual residential growth be accommodated through infill, intensification and redevelopment within the existing built-up areas in the Urban Areas with full municipal services. The boundary of the Built-Up areas of Simcoe, Port Dover, Delhi, Waterford and Port Rowan are indicated on Schedule "B" to this Plan and delineates the extent of existing development at the time of the approval of

the Official Plan Amendment implementing the Five-Year Review of the Official Plan. Development within the Built-Up Area boundary will be considered as infill development and development situated between the Built-Up Area boundary and the boundary of the Urban Area will be considered as greenfield development.

- c) Infilling and redevelopment are encouraged within the Courtland Urban Area and in the Hamlet Areas subject to the ability to provide adequate water and waste water services.
- d) On lands designated Urban Residential and located outside of the Built-Up areas of Simcoe, Port Dover, Delhi, Waterford and Port Rowan, the minimum overall density of residential development shall be 15 units per hectare of developable land area. Developable land shall not include Hazard Lands, Provincially Significant Wetlands and Significant Natural Areas.
- e) The County may undertake a residential intensification study to assess the potential for increasing the housing supply within the existing designated Urban Areas. The study would investigate matters such as potential land use conflicts, development standards for intensification, availability of vacant land for infill development, adequacy of municipal services, condition of the housing stock and significant physical constraints.
- f) The County shall consider applications for infill development, intensification and redevelopment of sites and buildings through intensification based on the following criteria:
  - i) the development proposal is within an Urban Area, and is appropriately located in the context of the residential intensification study;
  - ii) the existing water and sanitary sewer services can accommodate the additional development;
  - iii) the road network can accommodate the traffic generated;
  - iv) the proposed development is compatible with the existing development and physical character of the adjacent properties and surrounding neighbourhood; and
  - v) the proposed development is consistent with the policies of the appropriate Land Use Designation associated with the land.
- g) The County shall monitor intensification activity and, through the development approvals and building permitting process, ensure that such proposals can be

satisfactorily integrated with the physical characteristics of residential and commercial areas and proper health and safety standards are maintained. Land use compatibility and urban design assessments may be required as a component of the planning rationale report accompanying development applications, as outlined under Section 9.6.1 (Official Plan Amendments) of this Plan.

- h) Small scale intensification shall be permitted in all areas designated for urban residential use, except where infrastructure is inadequate or there are significant physical constraints.
- i) The County shall support appropriate urban residential infill and intensification proposals in Community Improvement Project Areas, provided the proposal conforms to the policies of this Plan and the applicable Community Improvement Plan.

### **5.3.2 Special Needs Housing**

Special needs housing includes housing for the physically and developmentally challenged and disabled, chronically mentally ill, youth and children with emotional difficulties, seniors, those requiring emergency shelter, assisted housing accommodating individuals, and households with low to moderate incomes. The County intends to improve access to housing for those people with special needs, including assisted housing for low income people, seniors housing, as well as various forms of supportive housing, including group homes and emergency/transitional housing, subject to the policies of this Plan.

The following shall be the policy of the County:

- a) The County shall work with other agencies and local groups to assess the extent of the need of these forms of housing.
- b) The County shall support community agencies interested in pursuing additional funding from the Provincial government to address identified needs for special needs housing.
- c) The County shall support the distribution of special needs housing provided by community groups.
- d) When reviewing any proposal for the purposes of establishing, through new construction or conversion of existing structures, a group home, hostel,



temporary shelter, emergency shelter or other similar form of special needs shelter, the County shall be satisfied that:

- i) the traffic generated from the facility can be adequately accommodated by the road network and will not have a significant impact on adjacent land uses, particularly residential uses;
- ii) the facility is of a design which maintains the scale, density, appearance, character and continuity of existing land uses in the surrounding area and immediate neighbourhood;
- iii) the land, buildings and structures for the proposed facility conform to the provisions of the Zoning By-law, including those related to parking requirements, ensuring that on-site parking is sufficient to meet the needs of residents, support staff and visitors; and
- iv) where appropriate, that a license has been granted by the licensing Provincial or Federal agency.

### **5.3.3 Special Housing Forms**

There are a number of unique housing forms that promote the policies of this Plan. However, several forms of housing require additional policy guidance to ensure compatibility, public safety and protection for County residents. The following policies apply to such housing forms, including accessory dwellings, garden suites, and mobile homes.

The following shall be the policy of the County:

- a) The County shall determine, at its sole discretion, when a housing form will be evaluated as a special housing form.
- b) The County may deem the special housing form to be subject to site plan control in accordance with Section 9.6.5 (Site Plan Control) of this Plan.
- c) The proposed special housing form shall have regard to the type of housing in the surrounding neighbourhood and shall be compatible with it. Standards to ensure compatibility with the surrounding neighbourhood shall be provided in the Zoning By-law.

**5.3.3.1 Additional Residential Dwelling Unit [2-OP -2014, Amendment 65][3-OP-2020, Amendment 124][7-OP-2022, Amendment 149]**

An “additional residential dwelling unit” is a self-contained residential dwelling unit supplemental to the primary residential dwelling use of the property. The additional residential dwelling unit may be located within the primary dwelling (interior) or in a detached accessory building or detached structure ancillary to the primary residential unit. Additional residential dwelling units shall comply with the following policies:

- a) Interior Unit – One (1) additional residential dwelling unit may be permitted within a single detached dwelling, a semi-detached dwelling and street townhouse dwelling unit within areas designated Urban Residential, Hamlet, or Agricultural;
- b) Detached Unit – One (1) additional residential dwelling unit may be permitted in a detached building or structure ancillary to a single detached dwelling, semi-detached dwelling or street townhouse dwelling within areas designated Urban Residential, Hamlet, or Agricultural;
- c) A maximum of two additional residential dwelling units, one interior unit and one detached unit, shall be permitted per lot. Where another special housing form exists on the lot, including without limitation, a garden suite or mobile home, as determined by Norfolk County, one (1) interior additional residential dwelling unit shall be permitted.
- d) Where an additional residential dwelling unit is located on a lot, a boarding, lodging or rooming house is not permitted. And alternatively, where a boarding lodging or rooming house already exists on the lot, an additional residential dwelling unit shall not be permitted on the same lot.
- e) Existing adequate municipal services (water and wastewater) or private services (septic and well) shall be available to service the additional residential dwelling unit to the satisfaction of Norfolk County. Norfolk County shall not be under any obligation to install such services as part of any specific application to establish an additional residential dwelling unit.
- f) Additional residential dwelling units shall not be permitted on lands designated for seasonal or resort residential uses and are specifically not permitted in seasonal dwellings, vacation dwellings, and dwellings intended for short-term accommodation purposes.
- g) Development of an additional residential dwelling unit shall be subject to the following criteria:

- i) The structural stability of the building is adequate to accommodate the alterations necessary for an additional dwelling;
- ii) Exterior changes to the structure shall be minimal;
- iii) Compliance with provisions of the Ontario Building Code, and all other relevant municipal and Provincial standards, including the Zoning By-Law;
- iv) The unit is ancillary to the primary permitted single detached, semi-detached or street townhouse dwelling use, and is located within an existing primary residential building or within an accessory building or structure; and
- v) An additional residential dwelling unit shall comply with Ontario Regulation 179/06 under the *Conservation Authority Act* as they relate to development within lands affected by flooding, erosion or located within hazardous lands.
- vi) The primary use shall be established on the site prior to the development of an accessory residential dwelling unit;
- vii) The entirety of a detached additional residential dwelling unit is to be located within a maximum of 40 meters from the primary dwelling. For detached additional residential dwelling units on private services (well and septic systems) they must be located within the 40 metre distance from the primary dwelling. Detached additional residential dwelling units in excess of the 40 metre distance requirement or other zoning provisions may be assessed through minor variance or a zoning by-law amendment application.

### **5.3.3.2 Garden Suites**

Garden suites, which are also commonly referred to as “granny flats”, are one-unit accessory residential dwellings that take the form of a small building, physically separate from the principal dwelling unit with which it is associated, contain bathroom and kitchen facilities, and are designed to be portable. The following policies shall apply to the development of garden suites:

- a) A maximum of one garden suite unit shall be permitted per lot. A garden suite shall only be permitted in association with a single-detached residential dwelling permitted on a lot in the Agricultural or Hamlet Designations. Where

- another special housing form exists on a lot, including an interior additional residential dwelling unit, a garden suite may be permitted, as determined by the County. Where a detached additional residential dwelling unit exists, a garden suite is not permitted. Where a garden suite exists on a lot, a detached additional residential dwelling unit is not permitted.
- b) In locating the unit, the Province's Minimum Distance Separation Formulae shall apply, as appropriate.
- c) The development of the garden suite shall be subject to the following criteria:
- i) the exterior design of any proposed unit in terms of height, massing, scale and layout shall be consistent with the present land uses in the neighbourhood;
  - ii) the siting of the unit and any related features shall have a minimal effect on light, view and privacy of adjacent yards;
  - iii) the garden suite shall not be placed in the front yard or the required front yard as set out in the Zoning Bylaw;
  - iv) the garden suite does not require an additional separate access to a municipal road;
  - v) adequate parking can be provided on site;
  - vi) the garden suite, if situated on a farm, shall be sited near to the principal farm residence;
  - vii) the garden suite is well removed from potential land use conflicts such as animal operations and operating pits and quarries; and
  - viii) the site can accommodate a potable water supply system and be serviced by an on-site waste water disposal system designed and installed as per the Ontario Building Code.
- d) Garden suites shall be permitted by way of Temporary Use By-laws for a period of 11 years, renewable for further periods of up to 3 years to a total maximum of 20 years, in accordance with the policies of Section 9.4.4 (Temporary Use By-laws) of this Plan and Section 39 of the *Planning Act*. In addition to the requirements of Section 9.4.4 (Temporary Use By-laws), prior to approval of the Temporary Use By-law, the County shall be satisfied that:
- i) a legitimate and justified need exists to accommodate a person in a separate garden suite unit that is in close proximity to the principal unit;

- ii) the use is temporary and shall only be required for a limited period of time; and
- iii) the unit must be removed once the legitimate need no longer exists.

### **5.3.3.3 Mobile Homes**

It is recognized in this Plan that mobile homes may be a suitable housing alternative in certain circumstances. The following policies shall apply to the use of mobile homes:

- a) The accommodation of temporary farm help may include mobile homes. A consent shall not be permitted to place the mobile home on a separate lot.
- b) Individual mobile homes shall be discouraged in the Urban Areas, and strongly discouraged in established residential neighbourhoods, save and except for the development of comprehensive mobile home parks. Mobile homes shall not be permitted in the Downtown Areas.

## **5.4 Community Design**

Safe and attractive neighbourhoods contribute to the overall community health of the County. Excellence in community design is essential to creating a physical environment where people have the appropriate places to interact, live, work, recreate and learn. The following policies relate to the physical design of communities, including new applications within the County for development, such as plans of subdivision, infill development proposals, and site plans.

The following shall be the policy of the County:

- a) Through implementation of this Plan, the County shall seek to maintain and improve the physical design characteristics of the Urban Areas in the context of new and existing development and stress a generally high quality of settlement design throughout the County.
- b) Through the review of development applications, including plans of subdivision, site plans and other development proposals, the County:

- i) shall ensure that new development is designed in keeping with the traditional character of the Urban Areas, in a manner that both preserves the traditional image of the Urban Areas and enhances the sense of place within the County while maintaining the community image of existing settlement areas;
  - ii) shall promote efficient and cost-effective development design patterns that minimize land consumption;
  - iii) shall promote the improvement of the physical character, appearance and safety of streetscapes, civic spaces, and parks;
  - iv) shall encourage tree retention and tree replacement;
  - v) shall ensure that design is sympathetic to the heritage character of an area, including the area's cultural heritage resources;
  - vi) shall strongly encourage design that considers and, wherever possible, continues existing and traditional street patterns and neighbourhood structure; and
  - vii) may require, at the County's sole discretion, that proponents submit design guidelines with development applications, establishing how the policies of this Section have been considered and addressed. Such guidelines may also be required to address related issues of residential streetscaping, landscaping, setbacks, sidewalks, signage, garage placement, and architectural treatment.
- c) Adequate measures shall be taken to ensure that the permitted uses have no adverse effects on adjacent land uses. Adequate buffering shall be provided between any uses where land use conflicts might be expected, and such buffering may include provisions for grass strips and appropriate planting of trees and shrubs, berms or fence screening, and other means as appropriate. Modifications to building orientation may also be appropriate buffering measures, but not in replacement of appropriate plantings.
- d) Development design that establishes reverse lotting on Provincial Highways and County Roads will not be permitted. Development design that requires features such as noise attenuation or privacy fencing will be discouraged. Wherever possible, new development will be oriented toward streets or parks.
- e) The County shall require compatibly scaled and designed infill developments within areas designated as Downtown, which enhance the traditional character and economic viability of such centres.

- f) A high quality of architecture and site design for institutional uses such as schools, places of worship, libraries and other public service buildings is encouraged.
- g) Streetscaping that reflects the intended character of settlement areas is encouraged. In particular, traditional streetscaping in the Downtown Designations of the Urban Areas will be encouraged.
- h) A high quality of park and open space design is strongly encouraged. The land for parkland dedication shall be carefully selected to facilitate their use as a central focal point for new or existing neighbourhoods.
- i) Public art in the County shall generally be encouraged to incorporate themes supporting and promoting local history, civic pride, businesses and technology. The provision of public art in the Downtown Designations shall be encouraged. The County may consider granting increases in height or density for a particular development proposal in exchange for the provision of public art, in accordance with Section 37 of the *Planning Act*.
- j) The County may require the provision of certain pedestrian, cycling and trail linkages through the development approvals process.
- k) The County, in consultation with a development proponent(s) and the Norfolk Heritage Committee, shall define a style of street furnishing that should include shared and accessible bicycle racks, garbage receptacles, benches and street lamps to be used in a new development.
- l) The County may undertake the preparation of urban design guidelines to achieve the policies of this Section for all or parts of the County.
- m) The County shall encourage development design considering the principles of Crime Prevention Through Environmental Design (CPTED). Specifically, the County shall encourage proponents of new development to use appropriate lighting to deter crime and to situate buildings on lots to maximize natural surveillance.
- n) To promote environmental sustainable development, the County shall encourage the design of sustainable neighbourhoods in keeping with Leadership in Energy and Environmental Design - Neighbourhood Development (LEED ND) design principles in accordance with the policies under Section 11.8.2.1 Sustainable Neighbourhood Design of the Lakeshore Special Policy Area Secondary Plan.

- o) The County shall review site plans and drawings submitted in accordance with Section 41 of the *Planning Act* and Section 9.6.5 (Site Plan Control of this Plan) regarding accessibility for persons with disabilities including but not limited to areas of accessible parking, exterior paths of travel, lighting, ramps, entrances and street furniture.

## 5.5 Urban Forests

Urban forests are green infrastructure that is important to maintaining healthy communities. Urban forests are comprised of trees on public and private lands, on residential streets, in parks and small natural areas. The urban forest provides significant ecological, social and economic benefits including improved air and water quality, reduced erosion and storm water runoff, energy conservation, habitat and food for wildlife, improved health and quality of life, enhanced liveability, shade aesthetic and heritage value.

- a) The County shall continue to protect, maintain and enhance the tree cover in Urban, Hamlet and Resort areas. There shall be no net loss of the existing urban forest canopy and any canopy loss will be replaced through the appropriate planting of new trees.
- b) The County shall encourage landscaping on public and private lands to preserve and complement the existing natural landscape.
- c) The County shall support the use of a mix of indigenous plant species and trees having historic or cultural significance in these landscape areas.
- d) The County will, where practical, incorporate existing and/or new trees into the streetscape or road rights-of-way and encourage new development or redevelopment to incorporate, protect and conserve existing healthy trees and woodlands in accordance with the Community Design policies of this Plan.
- e) The County shall, where appropriate, reforest and naturalize parks, open space and stormwater management areas in accordance with the Parks, Facilities and Recreation Master Plan and all applicable policies of this Plan.
- f) The County will promote and encourage the protection and responsible management of trees located within and adjacent to a road right of-way, and will encourage their preservation when undertaking infrastructure projects and regular maintenance.



- g) The interface of new development with the county's natural heritage system can serve to expand tree cover in new landscapes. The County may, as a condition of the approval of a planning application, require the following to be prepared by a qualified professional:
  - i) a vegetation management plan which may include a complete Biophysical Inventory consistent with Section 9.7.1 (Environmental Impact Study) of this Plan, proposed vegetation alteration or removal and proposed tree protection measures during and after construction; and
  - ii) a tree planting or landscape plan.
- h) The County may develop an Urban Forest Strategic Management Plan, applicable to Urban, Hamlet and Resort Areas, to:
  - i) assess canopy cover within a geographical area and select canopy cover targets;
  - ii) establish guidelines for the protection, planning, care, maintenance and removal of trees; and
  - iii) establish standards for the replacement of trees to compensate for the loss of existing tree canopy.
- i) The County may develop a by-law to authorize and regulate the protection, planting, care, maintenance and removal of trees on or affecting public property in Norfolk County. The Council may establish standards for the planting, maintenance and removal of trees.

## 5.6 Recreation

The provision of a variety of recreational opportunities is critical to maintaining healthy communities in Norfolk County. The Plan strives to ensure that sufficient recreational, open space and park facilities are provided within the County to meet the leisure needs and desires of the present and future residents, businesses, as well as visitors to Norfolk County.

The following shall be the policy of the County:

- a) The County shall promote appropriate recreational development in parks, open spaces, and other similar areas of the County that provide opportunities for active, passive and programmed community recreation and leisure, and

contribute to the preservation and protection of open space and the natural environment.

- b) Private interests shall be encouraged to pursue resource-oriented recreational facilities of a high quality in areas suitable for outdoor recreation along the Lake Erie shoreline. In evaluating such resource-oriented recreational facilities, the County shall consider compatibility of the development with the cultural, natural and physical aspects of the lakeshore and the appropriateness of the particular recreational facilities proposed, in accordance with Section 11 (Lakeshore Special Policy Area Secondary Plan).
- c) The County shall encourage private recreation development to complement public recreational opportunities, and encourage and support involvement by private recreation groups within the area.
- d) The County shall work cooperatively with various government ministries, resource agencies, and non-governmental authorities to promote natural resource-based recreational opportunities.
- e) In areas suitable for recreation, public open space and recreation shall be encouraged in the Lakeshore Special Policy Area, as described in Section 11 (Lakeshore Special Policy Area) of this Plan. The recreational resources of the lakeshore shall be protected and enhanced. Land within the Lakeshore Special Policy Area in the ownership of the County shall be maintained for public access to the lakeshore and for public access to beaches on publicly owned properties.
- f) The County shall prepare and approve a Parks, Facilities and Recreation Master Plan, in consultation with every school board having jurisdiction in the municipality and with the public and interested stakeholder organizations, that amongst other matters, sets out parkland and community recreation standards and requirements over the planning period. Such Parks Plan shall be reviewed at least every five years.
- g) The County shall ensure that all parks and recreation facilities are accessible to all members of the public, including persons with disabilities.

### **5.6.1 Parks**

The County shall carry out programs to acquire new parks, improve existing parks and facilities and provide public parks to meet the needs of the community, as well as to

address existing park deficiencies. Parks, community recreation centres and trails should be located so that they are easily accessible from residential neighbourhoods, preferably by walking.

The following shall be the policy of the County:

- a) The County shall secure the maximum benefit of the *Planning Act* with respect to parkland dedication from development. Parkland dedication shall be conducted in accordance with Section 9.10.5 (Parkland Dedication) of this Plan.
- b) Provision for parks shall generally be in accordance with the standards provided in Section 5.6.1.1, 5.6.1.2, 5.6.1.3, and 5.6.1.4.
- c) Where parks are located adjacent to existing and proposed residential areas, appropriate measures may be taken to minimize potential adverse effects associated with recreation activity areas and parking areas.
- d) Waterfront park needs shall be considered in conjunction with future recommendations and planning activities associated with the Lakeshore Special Policy Area and the major river valley systems.

#### **5.6.1.1 Parkettes**

An adequate supply of parkettes within neighbourhoods should be provided where appropriate. Parkettes should be neighbourhood-based, generally be up to 0.3 ha in size and the development and maintenance of these parkettes should involve local residents, where possible. Land set aside for parkettes shall not form part of the parkland dedication under the provisions of the *Planning Act*.

#### **5.6.1.2 Neighbourhood Parks**

General Size: 2 to 4 hectares

Minimum Standard: 1 hectare per 1,000 population

Minimum Size: 2 hectares

Neighbourhood parks should be designed to accommodate the recreational needs of local residents. Facilities should be tailored more specifically to the particular needs

and composition of the neighbourhood, and linked to other public neighbourhood uses. Neighbourhood parks should be centrally located within safe and convenient walking distance of the majority of neighbourhood residents, with an optimum service radius of 800 metres or a 10 minute walking distance. The park should be designed with extensive street frontage for visibility and safety and should be coordinated with elementary school sites where possible. Backlotting onto neighbourhood parks will be discouraged. Neighbourhood parks may include a limited amount of off-street parking. Neighbourhood parks should be of sufficient size to accommodate a variety of recreational facilities. These may include, but are not limited to junior sports fields (softball, soccer), outdoor rinks, multi-purpose courts, playground equipment, paved areas for informal games and shaded areas for passive recreation. Sports fields within neighbourhood parks should not be lit due to the potential impacts on adjacent residential areas. Trails and paths through neighbourhood parks and linking public uses may be lit.

#### **5.6.1.3 Community Parks**

General Size: 6 to 10 hectares

Minimum Standard: 1 hectare per 1,000 population

Community parks should accommodate the social, cultural, education and physical activities of particular interest to several neighbourhoods with emphasis on facilities for organized sports, both indoor and outdoor. Smaller areas should be set aside for passive recreation. The community park should be located in a manner which is reasonably central to the service population and directly accessible by automobile and bicycle with an optimum service radius is 1.6 kilometres or a 20 minute walking distance. Frontage on a major traffic route is desirable with facilities provided for off-street parking. Backlotting onto community parks will be discouraged. The provision of community level parks should be coordinated with secondary school sites where possible. The parks should be developed as focal points for organized and non-organized team sports, athletic activities and casual recreation. This requires the provision of high quality sophisticated facilities, which may include regulation-size softball and baseball diamonds, soccer fields with night lighting and spectator facilities, major playgrounds, tennis courts, and visitor service centres.

#### **5.6.1.4 Lakeshore Parks**

General Size: variable depending on the site/landscape conditions.

Approximate Requirement: areas should be defined considering the physical resources of the site.

Lakeshore parks should be managed for the enjoyment of a diverse population including individuals, family groups, tourists and community organizations. Opportunities for both active and passive recreation, social and cultural activities, and the conservation and protection of Natural Heritage Features and Provincially Significant Features, historic sites and wildlife habitats should be encouraged. Lakeshore parks should be developed to capitalize on the unique waterfront setting, preserving access, vistas, views and lookouts to the waterfront. Facilities for residents and visitors should be provided. Development may include boat docking and launching, seating and boardwalks, playgrounds, informal sports fields, picnic shelters, interpretative features and passive recreation areas.

### **5.6.2 Linked to Open Space and Natural Heritage System**

As a component of the County initiative to undertake a Natural Heritage System Strategy, in accordance with Section 3.5.3 (Natural Heritage System Strategy), it is the County's intention to create a linked parks and open space system, where possible. In addition to those options for the acquisition of land outlined in Section 6.4.3 (Natural Heritage System Strategy), the County may create linked open space through the integration of:

- a) Natural Heritage Features in public ownership, including land owned by the County, LPRCA, GRCA, Provincial and Federal Ministries and land trusts;
- b) abandoned rail lines in public ownership;
- c) existing rights-of-way;
- d) established and proposed service and utility corridors;
- e) existing parkland;
- f) linkages provided through the draft plan of subdivision approval process and site plan control process;
- g) agreements with private landowners;
- h) retention or acquisition of access easements; and
- i) land acquisition.

Throughout the County there are railway lands that have been linked together to form a continuous recreational trail system. The County may expand this trails networks as opportunities come available.

Land deemed by the County to be significant to the linear park system shall be retained in public ownership for the purpose of expanding the system. The County shall also investigate the feasibility of acquiring portions of the railway corridors currently in private ownership.

Design principles should be established to accommodate parking at strategic locations along the linked system.

The Norfolk Environmental Advisory Committee shall be partially responsible for municipal initiatives in relation to the policies of this Section.

## **5.7 Cultural Heritage**

### **5.7.1 General**

It is important to conserve the County's cultural heritage resources, including buildings, structures, monuments, and areas of unique or rare settlement composition, streetscape, landscape and archaeological resources of cultural heritage value or interest. It is the intent of the County to support these conservation efforts for the benefit of the community.

The County supports public awareness, participation and involvement in the preservation, restoration and utilization of heritage, through the implementation of the following policies.

The following shall be the policy of the County:

- a) Council shall encourage the preservation of significant built heritage resources and cultural heritage landscapes and may utilize the *Ontario Heritage Act* to do so.
- b) The County may utilize any government programs available to assist in the implementation of heritage conservation policies. Where appropriate, the County shall co-operate with other levels of government, as well as private agencies and individuals in the conservation of cultural heritage resources in the County. The County shall co-ordinate its heritage plans and programs with heritage plans and programs of senior levels of government.
- c) The County may restore, rehabilitate, enhance and maintain heritage properties owned by the County in fulfilment of the heritage policies. Where feasible, relevant by-laws, programs and public works undertaken by the County should further the heritage policies of this Plan.
- d) The County shall seek the acquisition of easements on properties of cultural heritage value or interest to ensure the preservation of these properties in perpetuity.
- e) The County shall ensure that each County-owned heritage resource which is sold, transferred or leased to another owner or lessee is subject to a heritage easement agreement which will guarantee its preservation, maintenance, and use in a manner which respects its cultural heritage value or interest and, when appropriate, is subject to a heritage restoration agreement which shall require that certain restoration works be carried out by the new owner or lessee to a standard acceptable to the Norfolk Heritage Committee and Council.
- f) The County shall prepare and maintain a cultural heritage database and/or heritage management plans for planning purposes, resulting in a registry and inventories of buildings and structures, heritage districts and cultural heritage landscapes of cultural heritage value or interest, archaeological sites, and areas of archaeological potential within the County.
- g) The County may undertake a cultural plan which may address matters such as:
  - i) cultural heritage resource mapping, archaeological potential mapping, and inventories;
  - ii) identification and evaluation of cultural heritage resources, cultural facilities and organizations;

- iii) strategies for conserving and enhancing these identified resources;
- iv) programs to foster community identity, interpretation and promotion of place; and
- v) education and community participation in cultural heritage.

### **5.7.2 Norfolk Heritage Committee**

Formerly known as a Local Architectural Conservation Advisory Committee, a Municipal Heritage Committee, herein referred to as the “Norfolk Heritage Committee”, may be established and maintained pursuant to the *Ontario Heritage Act* to advise and assist Council on matters related to the Act and other matters of heritage conservation. Additionally, Council may elect to expand the role of the Heritage Committee to advise and assist Council on other matters of cultural heritage conservation.

The following shall be the policy of the County:

- a) The County shall form a Heritage Committee to advise and assist on matters of heritage conservation. The Norfolk Heritage Committee may prepare, publish and monitor an inventory of heritage resources within the County, and generally advise on heritage matters. The County shall consult its Heritage Committee on decisions to designate a property or part thereof under the *Ontario Heritage Act*.
- b) The Norfolk Heritage Committee may maintain an inventory of the County’s heritage resources to be used as a guide for policy formulation. The province has set out criteria for determining cultural heritage value or interest in *O. Regulation 9/06: Criteria for Determining Cultural Heritage Value or Interest* but the following criteria may be used:
  - i) the architectural significance of any building or structure in terms of its form, massing and/or cultural relevance;
  - ii) the historical value of the site, building or structure from a social, environmental, cultural or economic perspective;
  - iii) the integrity and present condition of the heritage resource; and
  - iv) the natural and built environmental condition of the site.



### 5.7.3 Heritage Properties and Heritage Conservation Districts

The County may choose to designate certain properties or districts under the *Ontario Heritage Act*. The following shall be the policy of the County:

- a) The County shall utilize the *Ontario Heritage Act* to conserve, protect and enhance the cultural heritage resources of the County, through the designation of individual properties, heritage conservation districts containing significant cultural heritage landscape characteristics and archaeological sites. The province has set out criteria for determining cultural value or interest in *O. Regulation 9/06: Criteria for Determining Cultural Value or Interest* but the County may consider the following criteria:
  - i) the property or structure contributes to the identity of the community or cultural landscape;
  - ii) the property or structure is identified as a landmark within the community;
  - iii) the property or structure is associated with an historic event or person;
  - iv) the property or structure has architectural significance or distinguishing artistic or cultural value; and
  - v) the property or structure contains substantial remaining original materials, architectural features, workmanship and siting.
- b) The County may designate one or more areas as a Heritage Conservation District in accordance with Part V of the *Ontario Heritage Act*.
- c) Before designating a Heritage Conservation District or a Cultural Heritage Landscape, the County shall complete a study that meets the requirements of the *Ontario Heritage Act* and follows provincial guidance documents. The study shall be prepared by a qualified heritage conservation professional who is a full member of the Canadian Association of Heritage Professionals.
- d) The County may pass a bylaw to designate the area of interest a Heritage Conservation District Study Area for a period of up to one year while the study is being completed and require development applicants within the Study Area to complete a heritage impact statement as part of a complete development application that is submitted during that time.
- e) Heritage Roads and bridges that have a distinctive character will be given special consideration by the County, and may be distinguished as Cultural

Heritage District Study Area under the *Ontario Heritage Act*. On land adjacent to a Heritage Road and bridges, designated as a Heritage Conservation District, all development, road allowance changes or Class Environment Assessments associated with proposed road improvements shall be reviewed by the County, giving a high priority to the appropriate conservation of the scenic, natural and cultural amenities in proximity.

- f) The County may pass by-laws providing for the making of a grant or loan to the owner of a property designated under the *Ontario Heritage Act*, for the purpose of paying for the whole or any part of the cost of maintenance, preservation, restoration or alteration of such designated property, on such terms and conditions as Council may prescribe.
- g) The County may prepare District Planning Guidelines, which may include policies to advise Council as to the approval of applications for new development and building alterations on properties located within a Heritage Conservation District.

#### **5.7.4 Archaeological Resources**

The County recognizes that there are archaeological remains of prehistoric and historic habitation, or areas containing archaeological potential within the County.

The following shall be the policy of the County:

- a) Archaeological potential areas shall be determined through the use of Provincial screening criteria, or criteria developed based on the known archaeological record within the County by a licensed archaeologist as part of an archaeological management plan.
- b) For a proposed development within an area of archaeological potential, an archaeological assessment shall be required prior to final planning approval, or as a condition of final planning approval. Archaeological assessment reports prepared by licensed archaeologists shall be in compliance with guidelines set out by the Ministry of Tourism, Culture and Sport, as well as licensing requirements developed under the *Ontario Heritage Act*.
- c) Where archaeological resources are identified, the County recognizes that there may be a need for Stage 4 archaeological mitigation by conservation in place or excavation as a result of proposed development or construction. The County may consider archaeological preservation on site, to ensure that the integrity of

the resource is maintained. The County may also maintain the integrity of archaeological resources by enacting a Zoning By-law to prohibit incompatible land uses and/or the erection of buildings or structures on land which is a site of a significant archaeological resource.

- d) The County, on the advice of the Ministry of Tourism, Culture and Sport, may undertake the preparation of an Archaeological Management Plan. The Plan shall identify and map known archaeological sites registered with the Provincial Archaeological Sites Database, as well as areas within the County having archaeological potential. The Master Plan may also outline policies, programs and strategies to protect significant archaeological sites.
- e) Six Nations of the Grand River and the Mississaugas of the New Credit shall be notified at such time as that Norfolk County Council commences an Archaeological Management Plan and shall be invited to participate in the process.
- f) The County shall ensure adequate archaeological assessment and consult appropriate government agencies, including the Ministry of Tourism, Culture and Sport, when an identified, marked or unmarked cemetery is impacted by development. The provisions of the *Ontario Heritage Act* and the *Cemeteries Act* shall apply.
- g) The discovery of any previously unknown burials of human remains shall be reported to the police or the coroner. Once foul play is ruled out the Registrar of Burials at the Ministry of Government and Consumer Services will order a site investigation to be carried out by an archaeologist. Based on the resulting report, the Registrar shall determine the most appropriate representatives of the deceased to consult and next steps for the disposition of the site and remains. Six Nations of the Grand River and the Mississaugas of the New Credit First Nation shall be provided notification in regards to the identification of burial sites and significant archaeological resources related to the activities of their ancestors.
- h) If an area is considered to be an area of marine archaeological potential, particularly along shorelines and waterfronts, the County shall require the proponent to carry out a marine archaeological assessment pursuant to the *Ontario Heritage Act* by a licensed marine archaeologist to the satisfaction of the County and the Province

### 5.7.5 Development Policies

The following shall be the policy of the County:

- a) Applications for development of a Listed or Designated heritage resources having known cultural heritage value, or adjacent to a property having known cultural heritage value, will require a Heritage Impact Assessment prepared by a qualified professional who is a full member of the Canadian Association of Heritage Professionals. The requirement to prepare a Heritage Impact Assessment may also apply to unknown or recorded heritage resources that are discovered during the development application stage or construction. The Heritage Impact Assessment shall demonstrate how the heritage values, attributes and integrity of the property are to be conserved and how any impacts may be mitigated.
- b) The character of an individual heritage designated property as defined through a Heritage Impact Assessment shall be maintained or enhanced through the careful consideration of plans for additions, alterations, renovation and restoration. It is the intent of the County to conserve and enhance cultural heritage resources in their original place, wherever possible. The proposed alteration, relocation, removal or demolition of designated structures and the development of new structures on a designated property shall be subject to the provisions of the *Ontario Heritage Act*.
- c) New development and redevelopment shall have regard for cultural heritage resources and shall, wherever feasible, incorporate these resources into any plan that may be prepared for such new development or re-development within the County.
- d) Council shall encourage the conservation and protection of cultural heritage resources or the mitigation of adverse effects on cultural heritage resources through conditions of consent, subdivision and condominium approval and agreements.
- e) In areas considered to be of cultural heritage value or interest, Council shall encourage the conservation of those cultural heritage resources to be included in proposals for redevelopment, intensification or infill.
- f) Council may consider amendments to the Zoning By-law, including increased density provisions, that would facilitate the restoration of a cultural heritage resource.

- g) Council shall, when appropriate for specific development proposals, consider excluding designated heritage properties from the parking requirements of the Zoning By-law to facilitate the retention of heritage resources.
- h) The County shall ensure that it has accurate and adequate architectural, structural and economic information to determine the feasibility of rehabilitation and reuse when considering demolition applications for designated heritage properties.
- i) The County shall ensure that all cultural heritage resources to be demolished or significantly altered are documented for archival purposes with a history, photographic record and measured drawings prior to demolition or alternation and that such documentation shall be the responsibility of the applicant in consultation with the Norfolk Heritage Committee and the Ministry of Tourism, Culture and Sport.
- j) The County shall ensure that development and site alteration on land adjacent to a designated heritage property is evaluated and that it is demonstrated that the cultural heritage value or interest of the designated heritage property shall be conserved.

## **5.8 Access to Healthy Food**

- a) The County recognizes community gardens as valuable community resources that provide open space and a local food source, offer recreational and educational opportunities, and build social connections. The County may permit community gardens as an interim use in industrial areas, parks and recreation areas, institutional lands, urban residential areas and in Hamlet Areas.
- b) The County may support initiatives that increase access to healthy food, such as:
  - i) promoting the awareness of community gardening;
  - ii) where appropriate, offering County-owned lands as new community garden sites, such as undeveloped parcels and closed road right of ways;

- iii) encouraging backyard, roof top, and workplace gardening, as well as edible landscaping and fruit bearing trees to complement community gardens.
- c) The County will encourage the establishment of farmers' markets and the further development of existing farmers' markets in or near the downtowns of each of the Urban Areas. Farmers markets may also be permitted in Hamlet Areas.
- d) The sale of farm produce at the farm gate will be encouraged as an on-farm diversified use.
- e) The County will encourage the retention of existing food stores in each of the urban areas, particularly in underserved locations where they can be easily accessed by walking from existing residential neighbourhoods.



## 6.0 Managing Growth

“Maintaining and Enhancing the Rural and Small Town Character”

### 6.1 Introduction

The vision of sustainability forms the basis for the growth management principles of this Plan. The following outlines a growth management approach that establishes growth and development policies and urban structures for the six Urban Areas, provides a management and monitoring framework for the 42 Hamlet Areas, ensures the long-term protection of the County’s agricultural and rural resources, conserves natural heritage features and provides a basis for future planning activities along the lakeshore.

### 6.2 Targeting Growth

Norfolk County’s population has historically increased at a very moderate rate. The population, household and employment forecasts in this Plan are based on achieving the County’s proactive economic development and tourism objectives.

Projections of population and employment growth are based on assumptions relating to historic population and demographic patterns, fertility and mortality rates, migration trends, housing-related demographic trends and employment levels. County-wide population, household and employment forecasts to 2036 are provided in Table 3.

Changes in the economy or federal immigration policies can have a significant impact on the population and employment forecasts. The policies of the Plan recognize that the forecasts are partially dependent on factors outside of the County’s control. Consequently, the County’s planning and growth management activities will ensure flexibility to accommodate growth, but will avoid inefficient and costly development patterns.

**Table 3: Population, Household and Employment Forecasts to 2036**

	2036
Population	70,900
Households	29,450
Employment	24,750



### **6.3 Community Structure and Growth Framework**

- a) The growth management and settlement structure of the County is comprised of two major interrelated parts: Settlement Areas and the Rural Area. The Settlement Areas include two components:
  - i) Urban Areas; and
  - ii) Rural Settlement Areas which are comprised of two sub-components:
    - Hamlet Areas; and
    - Resort Areas.
- b) Schedule “A” illustrates the Community Structure. Two policy areas that overlay this framework: the Industrial Influence Area; and the Lakeshore Special Policy Area.
- c) Table 4 provides a list of the County’s Settlement Areas.

#### **Table 4: Settlement Areas**

Norfolk County Official Plan  
Consolidated to January 1, 2023

<b>Settlement Type</b>	<b>Settlement Name</b>	<b>Settlement Name</b>
<b>Urban Areas</b>	Courtland	Port Rowan
	Delhi	Simcoe
	Port Dover	Waterford
<b>Rural Settlement Areas</b>		
<b>Hamlet Areas</b>	Andy's Corners	Messiah's Corners
	Bealton	Nixon
	Boston	Norfolk North
	Bill's Corners (Charlotteville)	Norfolk West
	Bills Corners (Townsend)	Normandale*
	Bloomsburg	Pinegrove (Pinehurst)
	Booth's Harbour*	Port Ryerse
	Cultus	Rattlesnake Harbour (Ellaton)
	Fairground	Renton
	Fernlea	Silver Hill
	Forestville	South Middleton
	Frogmore	St. Williams
	Gilbertville	Teeterville
	Glen Meyer	Vanessa
	Green's Corners	Villa Nova
	Hillcrest	Vittoria
	Kelvin	Walsh
	Langton	Walsingham

Norfolk County Official Plan  
Consolidated to January 1, 2023

	La Salette	Wilsonville
	Lynedoch	Windham Centre
	Lynnville	Wyecombe
<b>Resort Areas</b>	Avalon	Long Point
	Booth's Harbour*	Normandale*
	Fisher's Glen	Turkey Point
* - settlement area is partly a Hamlet Area and partly a Resort Area		

- d) Population, household and employment forecasts to 2036 for each of the six urban areas and for the combined hamlet and rural areas of the County are provided in Table 5. The forecast growth to 2036, as allocated in Table 5, can be accommodated within each of the urban areas and the combined hamlet and rural areas.

**Table 5: Population, Households and Employment Forecasts by Settlement Areas, 2036**

Settlement Area	2036 Forecasts		
	Population	Households	Employment
Courtland	1,080	430	515
Delhi	5,345	2,290	2,690
Port Dover	9,380	4,320	2,500
Port Rowan	1,905	900	290
Simcoe	17,210	7,600	10,290
Waterford	4,850	2,000	1,225
Hamlets and Rural Areas	31,160	11,850	7,240
Norfolk County	70,930	29,390	24,750

- e) The County will regularly update its population, household and employment forecasts and monitor the supply of potential development lands in the urban area, hamlets and rural areas to ensure that the anticipated growth can be accommodated.

## 6.4 Urban Areas

The six Urban Areas within the County have historically functioned as the focal points for growth and development activity, as well as public and private sector investment. This role will continue in the future. The Urban Areas will accommodate the greatest amount of the targeted growth throughout the planning period, and will be the focus of residential, commercial, employment, government, institutional, office, entertainment, cultural, and health and social service activities.

The following shall be the policy of the County:

- a) The locations of the Urban Areas are illustrated on Schedule “A” – Community Structure. Each Urban Area is unique and will accommodate a varied range and type of growth and development.
- b) It is the policy of this Plan that the Urban Areas will incorporate the following:
  - i) a full range of housing types, including affordable and special needs housing;
  - ii) business opportunities at appropriate locations to provide a wide range of employment and services to residents, businesses and visitors;
  - iii) full municipal services, as feasible and appropriate, and an appropriate level of transportation infrastructure;
  - iv) a concentration of community services for the County, including social, cultural, entertainment, health, educational and other supporting facilities; and
  - v) an open space, natural heritage and recreational network that is integrated with open spaces throughout the County, and provides appropriate passive, natural and active areas.

- c) The County shall ensure through its planning activities that each Urban Area develops with efficient land use patterns that minimize the extension of municipal services and infrastructure and will sustain the community and financial well-being of the County over the long-term.
- d) New Urban Areas shall not be designated within the period of this Plan.
- e) Boundaries of the Urban Areas are established on Schedules “B” and “G” to this Plan. Within these boundaries there is sufficient land to accommodate projected growth and development for the 20-year planning horizon to 2036.
- f) Subject to the policies of this Plan, the boundaries of the Urban Areas shall be permitted to expand as-needed, based on a demonstrated lack of available designated land and development trends. Proposals to expand the boundaries of an existing Urban Area shall be considered through a comprehensive review of this Plan. Proposals shall be considered in the context of whether:
  - i) the amount of land included within the expansion area is justified based upon the amount and nature of land available for development within the County as a whole and the Urban Areas on an individual basis, the population and household projections for the County, and the intended role of the Urban Area;
  - ii) the proposed expansion is a logical extension of the Urban Area and will be serviced by full municipal sewer and water services;
  - iii) the land is physically suitable for development, considering any constraints, such as Hazards Lands, or Natural Resource Areas;
  - iv) the proposed expansion will have a compact form, an appropriate mix of land uses, where practical, and densities that efficiently use land, infrastructure, and public facilities, while providing for adequate parks and open space;
  - v) the transportation network can reasonably accommodate the additional volume of traffic and demand for services;
  - vi) suitable community and public facilities are available, or can be provided to accommodate the expansion area;
  - vii) a suitable plan for phasing, financing and construction of the infrastructure for the expansion area is developed;

- viii) prime agricultural areas are only included within the expansion area if there are no reasonable alternative areas with lower priority agricultural land;
  - ix) opportunities for intensification, infill and redevelopment have been explored, and accounted for in evaluating alternatives to an Urban Area expansion;
  - x) the proposed expansion will not impact cultural heritage resources;
  - xi) the proposed expansion will not impact any Significant Natural Heritage Features as identified on Schedule “C” and/or Tables 1 or 2 of Section 3.5 (Natural Heritage Systems); and
  - xii) the proposed expansion satisfies the Province’s Minimum Distance Separation Formulae.
- g) Proposals for Urban Area boundary expansion within or adjacent to areas of significant natural resources, as illustrated on Schedule “J”, shall not be permitted until it is determined that:
- i) extraction of resources has been completed, and the site has been rehabilitated;
  - ii) extraction would not be feasible;
  - iii) the proposed land uses or development satisfies the other policies of this Plan and, in relation to the natural resources, serves a greater long-term public interest; and
  - iv) issues of public health, public safety and environmental impact are addressed.
- h) Intensification, infill and redevelopment of designated and underutilized sites, and areas in transition in the Urban Areas will be encouraged. The intensification, infill and redevelopment of designated and underutilized sites that are contaminated, or suspected of contamination, shall be subject to the policies of Section 5.7 (Potentially Contaminated Sites). The County shall target 25 percent of its growth in the Urban Areas to be accommodated through infill, intensification and redevelopment.
- i) Development of vacant land within the Urban Area boundary on the edge of the existing built-up portions of the Urban Areas shall include efficient provision of water supply, sanitary sewers, roads, parks, schools, and other public, community and municipal services. Development shall proceed in a

staged and sequential manner, considering the existing pattern of the Urban Area.

- j) While specific land uses are identified and delineated for each of the Urban Areas in Section 7 (Managing Land Use) of this Plan, the County may choose to undertake a detailed Secondary Plan for an Urban Area, in accordance with Section 9.5.1 (Secondary Plans) of this Plan. A Secondary Plan may be prepared to comprehensively address the arrangement of the urban development pattern for new development areas, to rationalize development within the existing Urban Area, to promote redevelopment or intensification within an area, or for any other reason identified by Council. A Secondary Plan may also be prepared to address specific land use issues or implement a specific planning initiative, thereby providing additional guidance to private and public sector investment in the Urban Area. At the County's discretion, a Secondary Plan may be prepared for a portion of an Urban Area, provided the Secondary Plan is comprehensive in scope and considers matters of integration with adjacent urban land.

#### **6.4.1 Downtown Areas**

The Downtown Areas are identified as a specific land use designation on Schedule "B" to this Plan. The planned function of Downtown Areas shall be to serve as primary activity centres for the County and the location for a wide range of uses, including retail, service commercial, cultural, recreational, entertainment, business and professional, governmental, institutional, arts and cultural, community, employment, and residential uses. Downtowns are the historic heart of the community and serve as a primary gathering place and location for events and festivities that give identity to the community. The diversity of land uses shall be promoted to foster the health and continued growth of the Downtown Areas, while conserving and enhancing cultural heritage resources and community identity. It is intended that the planned function of the Downtowns will be maintained as the County's Urban Areas continue to grow and develop.

The following shall be the policy of the County:

- a) Through the review of development applications for commercial uses, the County shall ensure interaction and balance within the commercial structure by promoting new and expanded retail facilities within the Downtown Areas wherever possible and practical.

- b) Proposals for new Large Retail Uses, as defined by Section 7.10.1 b) of this Plan, outside of a Downtown Area shall require a site-specific amendment to this Plan and be subject to the policies of Section 7.10 (Shopping Centre Commercial Designation), 9.6.1 (Official Plan Amendments) and 9.7.2 (Retail Market Impact Study) of this Plan. Proposals to enlarge an existing Large Retail Use outside of a Downtown Area shall require a site-specific amendment to the Zoning By-law and be subject to the policies of Section 7.10 (Shopping Centre Commercial Designation) and 9.7.2 (Retail Market Impact Study) of this Plan.
- c) Most types of office uses shall be focused in the Downtown Areas. Office uses serving the needs of a local area or which cannot be reasonably accommodated with the Downtown Areas may be permitted outside of a Downtown Area. However, the office space permitted outside of the Downtown Areas shall be limited to the Mixed Residential/Commercial Designation and the Shopping Centre Commercial Designation, and be subject to a Zoning By-law amendment considering the following criteria:
  - i) the availability of alternative office accommodation in the Downtown Areas;
  - ii) the particular requirements of the office use that make a Downtown Area location unrealistic;
  - iii) the type and size of office space required by the user;
  - iv) the justification for the proposed location of the office use, including consideration of the potential effects upon the planned function of other land use designations;
  - v) a preference for nodal locations at major intersections or locations where existing uses can function together with the proposed use;
  - vi) adequate buffering from any dissimilar or potentially incompatible uses in the nearby area; and
  - vii) appropriate development standards, including size and use restrictions.
- d) The County encourages the establishment of Business Improvement Areas, in accordance with the *Municipal Act*, in each of the Downtown Areas designated in this Plan. The County shall pursue the enhancement of the Downtown Areas in co-operation with the boards of management for the Business Improvement Areas (BIA) and other public and private interests and



community groups, to enhance the efficiency, convenience, safety and appearance of the areas and the activities they accommodate.

- e) The County shall protect and enhance, where possible and appropriate, the historic architectural character of the Downtown Areas and main street areas, particularly focusing on the pedestrian scale and design of the buildings and streetscapes, and the arrangement of windows and treatments on the building facades.
- f) The County may undertake, by both direct municipal action and by encouraging the actions of other parties, a program of on-going improvements in the Downtown Areas, including streetscape improvements, facilities for off-street and on-street parking, improved vehicular connections and circulation patterns, and facilities for those not traveling by private automobile, including improvements for pedestrians, cyclists, the elderly and physically-challenged, and those using taxis, transportation for the disabled and transit services.
- g) The County will encourage the private sector to increase the amount and intensity of residential uses in and around the Downtown Areas by supporting appropriate residential development and redevelopment, in accordance with the policies of this Plan.
- h) The County may pass by-laws designating and delineating a Community Improvement Project Area associated with Downtown Areas, and may undertake Community Improvement Plans, in accordance with Section 9.5.2 (Community Improvement) of this Plan to improve public infrastructure and to stimulate private sector investment.
- i) The County shall encourage the development, redevelopment and rehabilitation of the Downtown Areas. To encourage this, the County may undertake a downtown revitalization strategy for each of the County's Downtown Areas. The revitalization strategies may include design guidelines that respect the unique physical character of each Downtown Area and which will assist in shaping public and private investments. The revitalization strategies will also include a strategy for the provision and management of parking in the Downtown Area.
- j) Linkages between the Downtown Areas and recreation trails shall be encouraged to foster pedestrian activity and encourage tourism in the Downtown Areas.

- k) Farmers' markets will be encouraged to be located in or near to Downtown Areas.

## **6.5 Specific Urban Areas**

In accordance with the objective of this Plan to maintain and promote its small town character through its planning activities, the County will ensure the unique character of each of the Urban Areas is identified and maintained. The following Subsections deal with each of the six Urban Areas in the County.

In this Section of the Plan, several Special Policy Areas are included to manage growth, maintain and promote the individual character of specific Urban Areas, and to recognize unique local land use arrangements that cannot be appropriately addressed through the land use policies of Section 7. These Special Policy Areas shall not be interpreted to mean a special policy area within the meaning of the Provincial Policy Statement.

### **6.5.1 Simcoe Urban Area**

#### **6.5.1.1 Introduction**

The Simcoe Urban Area, as identified on Schedule "A", is the largest Urban Area in the County. The County shall support and promote the continued development of Simcoe as a complete, balanced and sustainable urban community containing an efficient pattern of development. Simcoe plays an important role as a major employment and commercial node, and as an agricultural support centre.

#### **6.5.1.2 Urban Structure of Simcoe**

The following shall be the policy of the County:

- a) The County shall promote Simcoe's function as the major service centre, providing a broad range of activities, goods and services, within a strong commercial structure focused on the Downtown Area of Simcoe, and in other

appropriately located major commercial areas, as identified on Schedule “B”, to meet the diverse needs of the County’s residents, work force, business and institutional sectors, and visitors.

- b) The urban structure of Simcoe and its image and identity as a community are influenced by the locational pattern of commercial functions carried out in the Urban Area. The Downtown Area, Secondary Centres and Queensway Corridor, as defined by this Plan, shall serve as the focal centres for commercial functions but are not necessarily areas exclusively devoted to commercial use.
- c) A major priority of the County shall be to maintain and enhance the range, intensity and continued viability of retail functions, particularly for:
  - i) those types of higher-order retail facilities, specialty shopping and comparison shopping which attract and serve residents from throughout the County and surrounding area; and
  - ii) the food, drug and convenience shopping functions, personal services and other facilities which are of particular significance in reinforcing the attractiveness of the Downtown Area and nearby central areas of Simcoe for residential purposes.

### **6.5.1.3 Simcoe Downtown Area**

In addition to the policies of Section 6.4.1 (Downtown Areas), the following policies shall apply to the Simcoe Downtown Area.

- a) Further to Section 6.5.1.2(a) (Urban Structure of Simcoe), the County shall promote the planned function of the Simcoe Downtown Area as the focus of the County’s commercial structure to meet the diverse needs of the County’s residents, work force, business and institutional sectors, and visitors.
- b) It is intended that the pedestrian amenity and interest of the streets in the Downtown Area be maintained and enhanced, including additional or improved pedestrian linkages that may become available.
- c) The Simcoe Town Centre Shopping Mall is a major retail facility in the Downtown Area, located southwest of West and Talbot Streets. It is the policy of the County that opportunities to expand and upgrade this facility shall be encouraged, subject to proper building and site design, in accordance with the policies of this Plan.

- d) Parking is an important component of the Downtown Area. The County may explore options to relocate some parking to perimeter locations convenient to the Downtown Area and/or to provide some structured parking, thereby freeing up more of the land area for the expansion of Downtown Area uses and built forms.
- e) It is the intent of the County to co-operate with private interests and, if necessary, take the initiative to create a stronger connection between the eastern portion of the Downtown Area and Norfolk Street, and take advantage of its relationship with the Lynn River and associated linear parks system, and the proposed Lake Erie and Northern Trail/Basil Avenue alignment.
- f) There are areas located near the perimeter of the Downtown Area that are intended for a mix of residential and commercial uses, which can make use of the large existing residential style buildings which characterize these areas. The County will support mixed residential and commercial use, provided the existing structures are used adaptively in the following areas: Lynnwood Avenue north of Argyle Street, the area north of Young Street along Kent and Colborne Streets, and land fronting on Norfolk Street South, generally between Victoria/Stanley and Dean Streets.

#### **6.5.1.4 Secondary Centre Special Policy Areas**

The following shall be the policy of the County:

- a) The two Secondary Centre Special Policy Areas are illustrated on Schedule “B”. The Secondary Centres, which are shopping nodes located along major arterial roads and Provincial Highways serving the County, are as follows:
  - i) Queensway East (Highway No. 3) near Donly Drive; and
  - ii) Norfolk Street South (Highway No. 24) near the south edge of the Simcoe Urban Area.
- b) Secondary Centres are predominantly retail commercial locations outside of the Downtown Area in the Simcoe Urban Area. These centres are intended to provide a more limited range of retail, commercial and service uses than the Downtown Area. As such, the planned function of a Secondary Centre is to be a retail shopping node primarily for the provision of food, drugs, hardware, convenience and general merchandise, personal and financial services, and a limited range of other uses. Secondary Centres are not intended to offer the same full range of commercial activities as the

Downtown Area. Secondary Centres supplement the retail facilities of the Downtown Area by providing additional locations for certain types of retail outlets and are justified at one or more additional locations in the County, but should not otherwise duplicate the functions of the Downtown Area.

- c) The development and upgrading of the Secondary Centres shall be undertaken in an orderly and controlled manner, which does not prejudice the planned function of the Downtown Area, and is in accordance with the policies of this Plan. Expansions of the Secondary Centres shall be subject to the policies of Section 7.10.2 (Shopping Centre Commercial Designation – Land Use Policies) and 7.11.2 (Commercial Designation – Land Use Policies).
- d) Expansions of a Secondary Centre Special Policy Area onto land that is accessed by a Provincial Highway shall be supported by a traffic impact study, completed to the satisfaction of the County, in consultation with the Province.
- e) Expansions of a Secondary Centre Special Policy Area onto land outside of the Urban Area shall only be considered in the context of a review of this Plan, subject to the policies of Section 9.3 (Official Plan Monitoring and Review).

#### **6.5.1.5 Queensway Corridor Special Policy Area**

The following shall be the policy of the County with respect to the Queensway Corridor Special Policy Area as illustrated on Schedule “B”.

- a) The Queensway Corridor represents a linear area of auto-oriented highway and service commercial activities. As such, the planned function of the Queensway Corridor is to be an area of auto-oriented commercial activities, providing for highway commercial uses for the residents of Simcoe and the surrounding area.
- b) Selective, site-specific changes implemented through the policies of Sections 7.10.2 (Shopping Centre Commercial Designation – Land Use Policies) and 7.11.2 (Commercial Designation – Land Use Policies) of this Plan may result in the broadening of the permitted uses applicable to certain land within the Queensway Corridor. These changes would be made to accommodate those types of space-extensive or destination outlets for which

there is not a realistic location in the Downtown Area, as further provided in the land use policies of this Plan.

- c) The development and upgrading of the Queensway Corridor shall be undertaken in an orderly and controlled manner which does not prejudice the planned function of the Downtown Area, and in accordance with the provisions of this Plan. Expansion shall be subject to the policies of Sections 7.10.2 (Shopping Centre Commercial Designation – Land Use Policies) and 7.11.2 (Commercial Designation – Land Use Policies) of this Plan.

## **6.5.2 Port Dover Urban Area**

### **6.5.2.1 Introduction**

Port Dover is the second largest Urban Area in the County. The County will support and promote the continued development of Port Dover as a significant urban waterfront community and tourism node in the County. The County will support and promote Port Dover as a sustainable waterfront urban community focussed on port and lake-based activities, and containing an efficient pattern of development. The policies of the Plan, however, recognize the inherent flooding hazards in the Port Dover Urban Area emanating from Lake Erie and the Lynn River.

### **6.5.2.2 Port Dover Waterfront Special Policy Area**

The policies of this Section shall apply to the Port Dover Waterfront Area, as illustrated on Schedule “B”. The Port Dover Waterfront Area is an important tourism and economic resource. Its historic role as a tourist destination and a commercial fishing port remains important to the success of the Urban Area. Some uses are nearing obsolescence, and are ready for redevelopment.

The Port Dover Waterfront Area will continue to fulfill its multiple roles as a tourist attraction, a working commercial port, an international gateway and a recreational and cultural resource for the County. The policies of this Plan, including the Lakeshore Special Policy Area (LSPA) Secondary Plan, will enable the County to review

development applications in the context of a comprehensive strategy for growth and development.

It is the intent of this Plan that the Port Dover Waterfront Area remain a unique area that supports tourism, the commercial fishery and provides recreational, commercial and cultural opportunities for residents. To achieve this, the policies of the Plan shall promote:

- public accessibility to the shorelines and to, from and within the Area through the possible establishment of a boardwalk and/or waterfront promenade;
- attractive and diverse public and private sector development that is compatible with the character and charm of the existing community; and
- the protection and enhancement of the Lynn River and Lake Erie shoreline.

The following policies are intended to complement the general development policies, and are more specific to the Port Dover Waterfront Area:

- a) The Port Dover Waterfront Area is intended to evolve over time as a mixed-use area.
- b) A Community Improvement Project Area may be designated and delineated to permit the development of a Community Improvement Plan in accordance with Section 9.5.2 (Community Improvement) of this Plan.
- c) The LSPA Community Design Guidelines provide general design guidelines related to the entire Urban Area of Port Dover, including the Port Dover Waterfront Area. Development within the Port Dover Waterfront Special Policy Area is also subject to the waterfront master plan and urban design guidelines outlined in the Port Dover Waterfront Master Plan and Secondary Plan (January, 2001). These guidelines are referenced within the LSPA Community Design Guidelines and must be read in conjunction with the LSPA Community Design Guidelines. The County will review and evaluate development proposals, with regard to the LSPA Community Design Guidelines. The design guidelines will be implemented through the Zoning By-law, site plan control and development agreements. General design policies that apply to all development in all land use designations within the Port Dover Waterfront Area include:
  - i) buildings should be designed to front adjacent streets and to provide interest and comfort at ground level for pedestrians. In instances where corner lots or through lots are provided, buildings shall be designed so that all elevations facing a street present a 'front' elevation. The Zoning

By-law will establish appropriate setbacks, or build-to lines for development;

- ii) parking lots should not take up street frontage along the main commercial streets and should be designed and buffered from adjacent pedestrian routes and roads through landscaping;
  - iii) streets should be designed to accommodate all modes of transportation, including walking, cycling, cars, service vehicles, and public transit;
  - iv) streets and sidewalks shall create a pedestrian environment through defined standards for landscaped areas, paving, street trees, and other appropriate street furniture, and shall form a connected system of optional routes to, from and within the area;
  - v) parks and open spaces should be distributed throughout the Port Dover Waterfront Area, and these facilities should be linked together and connected with the broader County network of natural and open space areas; and
  - vi) the development of a trail system to link open space, natural areas and park areas within and adjacent to areas of development shall be encouraged throughout the Port Dover Waterfront Area.
- d) The County shall encourage and facilitate partnership arrangements, joint ventures, and facility sharing with the Marina Board of Management, the Harbour Authority, Provincial agencies, school boards, other institutions and community groups to expand the supply of parks, open space and parking facilities.
- e) Where development is proposed, the provision of public access to the river's edge or the lakeshore shall be pursued through required parkland dedications, gifts, bequests, purchases from funds allocated through the cash-in-lieu of parkland provisions or other appropriate sources, land exchanges and/or negotiated through the development approval processes. The County may pursue the acquisition of waterfront property and public access to the waterfront in appropriate locations throughout the Port Dover Waterfront Area, particularly to ensure preservation of the beach.
- f) The policies of Section 6.8 (The Lakeshore) and Section 11 of Part II – Lakeshore Special Policy Area Secondary Plan shall also apply, as appropriate.



### **6.5.2.3 Silver Lake Special Policy Area**

The area along the west side of Silver Lake extending north from the vicinity of Chapman and Patterson Streets to the rear of lots fronting on Queen Street, as delineated on Schedule “B” is the Silver Lake Special Policy Area, an area in transition which has traditionally included certain industrial and open space uses. There is the potential to create a specific linkage between the Downtown Area of Port Dover with the open space areas and the Lynn Valley Trail. It is the policy of this Plan to encourage a transition to open space and recreational uses in this area.

The following shall be the policy of the County:

- a) Notwithstanding the underlying land use designations, permitted uses in the Silver Lake Special Policy Area, delineated on Schedule “B”, shall be limited to:
  - i) passive and active open space and recreational uses;
  - ii) public and/or private commercial recreational facilities;
  - iii) small scale commercial uses including a farmers’ market;
  - iv) limited residential uses, such as senior housing complexes, lifestyle communities, and residential care facilities; and
  - v) institutional uses.
- b) The County shall use site plan control, in accordance with the policies of Section 9.6.5 (Site Plan Control) to ensure that new development and redevelopment, including redevelopment of and conversion of existing buildings, is compatible with the intended character of the areas and the natural environment, and the adjacent residential areas.
- c) The policies of Section 6.8.1 (Lakeshore Special Policy Area) and Section 11 of Part II – Lakeshore Special Policy Area Secondary Plan shall also apply, as appropriate.

### **6.5.2.4 Lynn River/Black Creek Special Policy Area**

The area delineated as the Lynn River/Black Creek Special Policy Area on Schedule “B” includes land north of Highway No. 6 bordering on both sides of the Lynn River and Black Creek. Traditionally, marine industries have established within this area. The marine industry is still an important component of the local economy and the Lynn River

acts as the main artery for marine traffic to this area. With the increase in tourism, which is becoming more important to the economic health of the County, this area has the potential to support a variety of interests relating to tourism, recreation and innovative residential development, while at the same time recognizing that the established marine industries will remain. A large portion of the Lynn River/Black Creek Special Policy Area are considered Hazard Lands due to potential flooding and that the risk of flooding may impact existing and future land uses.

New uses may be established provided they are in suitable locations where land use conflicts can be minimized, and adequate access and parking can be provided. The intent of this Plan is to create a continuous link for commercial and tourism related uses between the Downtown Area and the waterfront through the Lynn River/Black Creek Area and back to the Downtown Area through a connection along Market Street, Chapman Street and Powell Park. The Lynn River/Black Creek Special Policy Area is in transition and none of the changes in land use are expected to occur immediately. The principal method of redevelopment will be through applications to amend the Zoning By-law. In the consideration of any such application, effort shall be made to eliminate or minimize potential land use conflicts.

The following shall be the policy of the County:

- a) In addition to the land uses permitted in the underlying land use designation, the following uses shall be permitted within the Lynn River/Black Creek Special Policy Area:
  - i) marine industrial uses;
  - ii) commercial and recreational uses catering specifically to boaters;
  - iii) retail commercial uses catering specifically to tourism and marine recreational activities;
  - iv) commercial accommodation including hotels, motels and bed and breakfast establishments;
  - v) restaurants;
  - vi) convention centres; and
  - vii) residential uses that exhibit the following characteristics:
    - architecture and detailing in built form and urban design that reflects a nautical or marine theme; and

- an orientation to the waterfront, taking advantage of the views and vistas.
- b) In the consideration of any application to amend the Zoning By-law proposing to establish a commercial or residential use, the following shall be addressed:
- i) the compatibility of the proposed use with adjacent and neighbourhood land uses, particularly existing marine industrial uses;
  - ii) the need for special building design, setbacks, buffering and landscaping to enhance compatibility with adjacent uses;
  - iii) adequate access to the property particularly for emergency vehicles; and
  - iv) the provision of adequate parking and loading facilities.
- c) The County shall use site plan control, in accordance with the policies of the Section 9.6.5 (Site Plan Control), to ensure that new development and redevelopment is compatible with the intended character and the natural environment, and creates a highly aesthetic and unique mixed use area.
- d) The policies of Section 3.8.1 (Lakeshore Special Policy Area) and Section 11 of Part II – Lakeshore Special Policy Area Secondary Plan shall also apply, as appropriate.

### **6.5.3 Delhi Urban Area**

The County will support and promote the continued development of Delhi as the third largest Urban Area in the County. The Delhi Urban Area is recognized as an important urban community, employment, cultural and agricultural support centre in the County.

The following shall be the policy of the County:

- a) The County shall support the development of a full range of housing types in the Delhi Urban Area, including affordable and special needs housing.
- b) Business opportunities shall be supported at appropriate locations to provide employment and services to residents, visitors and businesses, particularly agricultural operations.
- c) A concentration of community services for the County, including social, cultural, entertainment, health, educational and other supporting facilities shall be promoted within the Delhi Urban Area.

- d) An open space and recreational network that is integrated with open spaces throughout the County, and provides appropriate urban, natural and active areas shall be promoted within the Delhi Urban Area.
- e) The County may undertake a Community Improvement Plan in accordance with Section 9.5.2 (Community Improvement) of this Plan that may include the Delhi Downtown Area as a focus.
- f) The County shall promote the Delhi Urban Area as the focus of the area's agricultural heritage and as a focal point for the tobacco heritage theme. The County shall promote and support museums, interpretive centres, thematic signage and other measures that recognize the unique economic history and character of the area.

#### **6.5.4 Waterford Urban Area**

The County will support and promote the continued development of Waterford as an important urban community and agricultural support centre in the County.

The following shall be the policy of the County:

- a) Waterford is the closest Urban Area to Highway No. 403. The County shall encourage employment growth and development in the Urban Area.
- b) Many of the historic residences in the Waterford Urban Area are of cultural heritage value or interest. The County will encourage the maintenance, rehabilitation, and adaptive reuse of the historic residences.
- c) Trail linkage opportunities exist in the Waterford Urban Area due to the presence of abandoned rail corridors and other linear open space features. The County will encourage the development of trails integrating Waterford with other areas of the County.

##### **6.5.4.1 Waterford Mill Pond Special Policy Area**

The area delineated as Waterford Mill Pond Special Policy Area on Schedule "B" includes a variety of older industrial buildings previously interrelated with the adjoining east/west railway right-of-way, and which now offer redevelopment and revitalization opportunities. Several historical buildings including the restored railway station, and the

Spruce Row Museum offer the potential for creating a focal point and theme for the southern shoreline of the Mill Pond Area.

Notwithstanding the underlying land use designation, the following shall be the policy of the County:

- a) A continuous pedestrian linkage shall be maintained between St. James Street South and the Main Street right-of-way.
- b) Permitted uses shall be limited to the following:
  - i) small scale commercial uses related to boutique and craft type items;
  - ii) tourism related retail sales and services;
  - iii) small scale eating establishments;
  - iv) small scale institutional uses;
  - v) a farmers' market;
  - vi) museums;
  - vii) tourist accommodation facilities such as bed and breakfast establishments;
  - viii) single detached residential uses; and
  - ix) low density multiple residential uses.
- c) Provided that such uses maintain the historic character of the building and the area, west of St. James Street South and north of Alice Street, open space uses shall be permitted, with the exception of small scale tourism related and small scale institutional uses, which may occupy the restored historic train station.

### **6.5.5 Port Rowan Urban Area**

The County will support and promote the continued development of Port Rowan as a significant urban waterfront community and tourism node, providing a gateway to the Long Point area. The County will support and promote Port Rowan as a sustainable waterfront urban community focussed on port and lake-based activities, and containing an efficient pattern of development.

### **6.5.5.1 Port Rowan West Special Policy Area**

The area delineated as the Port Rowan West Special Policy Area on Schedule “B” is a designated Urban Area node located on the west side of the Port Rowan Urban Area. The County supports the development of commercial and service related uses serving tourists and visitors at a level which will not detract from the Downtown Area of Port Rowan.

The following shall be the policy of the County:

- a) On lands delineated on Schedule “B” as having reference to 6.5.5.1 a), permitted uses include hotels/motels, restaurants, convenience store, craft or gift shops, antique shops, art galleries or museums, sale of marine related sports equipment, recreational, visitor information facilities, and entertainment uses.
- b) On lands delineated on Schedule “B” as having reference to 6.5.5.1 b), permitted uses include restaurant, craft and gift shops, beauty salon and tanning salon, antique shop, art gallery and museum, sale of marine related sports equipment, bakery, miniature golf and single detached dwelling house.
- c) New development along the west side of Dedrick Creek south of County Road 42 will be subject to a 0.3 metre conservation reserve to be deeded to the County to prevent direct access to Dedrick Creek from the adjacent properties.
- d) The Port Rowan West Special Policy Area shall provide a unique gateway to the lakeshore and opportunity for the clustering of commercial and service related uses serving tourists and visitors to the lakeshore.
- e) The County will review and evaluate development proposals, with regard to the LSPA Community Design Guidelines, particularly with respect to the Port Rowan Main Port Town design guidelines and the Gateway design guidelines.
- f) The policies of Section 6.8.1 (The Lakeshore) and Section 11 of Part II – Lakeshore Special Policy Area Secondary Plan shall also apply, as appropriate.

### **6.5.6 Courtland Urban Area**

Courtland is an Urban Area in the County and will accommodate a more limited range of uses and development, recognizing that Courtland is serviced by piped municipal water, but that sanitary services consist of private on-site disposal systems. There are, therefore, limitations on the amount, type, form and density of development that will be possible in the Courtland Urban Area. Due to its strategic location, however, Courtland will accommodate the important employment node in the western part of the County.

#### **6.5.6.1 Courtland Industrial/Business Park Area**

The following shall be the policy of the County:

- a) The land designated Industrial/Business Park, pursuant to the policies of Section 4.11 (Industrial/Business Park Designation – Land Use Policies), in the Courtland Urban Area represent an important focus for employment growth and development in the County. The focus of new industrial development in the northwestern part of the County shall be located in the vicinity of Highway No. 3 and County Road No. 13, as well as in Lots 26, 27 and 28 along Highway No. 3.
- b) Due to the absence of municipal sanitary services in the Courtland Urban Area, industrial development shall generally be dry in nature and shall be serviced by an approved private wastewater treatment facility. Prior to the approval of new industrial uses, the proponent shall demonstrate that the proposed private wastewater treatment facility is appropriate over the long-term to service the use. Uses requiring municipal sanitary services shall be directed to Urban Areas where such services are available.
- c) It is recognized that the railway terminus of the only remaining rail line in the County, to the east of Courtland, represents an important economic attribute to the Courtland Urban Area. The County shall support and promote the continuance of the Trillium Railway terminus to the east of the Courtland Urban Area.

## **6.6 Hamlet Areas**

Hamlet Areas are settlements that function as small clusters providing limited residential, institutional, recreational and small-scale commercial services to the

surrounding agricultural community. The 42 Hamlet Areas identified on Schedule “A” to this Plan are an important component of Norfolk County’s community structure.

The County will promote limited growth in Hamlet Areas and support their rural character and evolving role as service and residential centres to the agricultural community in recognition of changing social and economic conditions. Limited growth will be permitted provided that the growth is within the Hamlet Area boundary designated on Schedule “B” to this Plan, will not be detrimental to the rural character of the surrounding agricultural and/or resource area, will not have adverse environmental or human health consequences, and will not have a negative impact on the County’s financial sustainability. Growth in the Hamlets will be carefully monitored.

Hamlet Areas have been designated on the basis that they contain a minimum of 25 residential units or possess historical identity as a hamlet, with the entire built-up area existing as a distinguishable cluster, with some form of commercial and public service available, as appropriate.

The following shall be the policy of the County:

- a) The designation of additional Hamlet Areas is not anticipated by this Plan and shall be strongly discouraged. The County shall evaluate proposals to amend this Plan to designate an additional Hamlet Area based on the following criteria:
  - i) a minimum of 25 residential units exist in a distinguishable cluster or built up area;
  - ii) the area possesses an historic identity as a hamlet;
  - iii) an adequate amount of potable water is available;
  - iv) a settlement servicing options assessment has been completed to the satisfaction of the County in consultation with the appropriate Conservation Authority and the Province, which includes an investigation of development on communal drinking water and wastewater systems;
  - v) a servicing feasibility study has been completed to the satisfaction of the County in accordance with the Ministry of the Environment and Climate Change guidelines and in consultation with the appropriate Conservation Authority, which demonstrates that the proposal’s impact on ground and surface water will be within acceptable limits;



Norfolk County Official Plan  
Consolidated to January 1, 2023

- vi) the area shall not be permitted in Provincially Significant Wetlands and Coastal Wetlands or Hazard Lands identified on Schedules “B” to this Plan;
  - vii) the area shall not be permitted in Natural Heritage Features or on lands adjacent to Provincially Significant Wetlands or Natural Heritage Features identified in Table 2 or on Schedule “C” or on Schedule “G” and Table 6 of the Lakeshore Special Policy Area Secondary Plan, unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions, in accordance with the policies of Section 3.5 (Natural Heritage Systems) and Section 11 (Lakeshore Special Policy Area Secondary Plan) of this Plan;
  - viii) the area is not located within and will not have a negative impact on a Natural Resource Area identified on Schedule “J” to this Plan;
  - ix) the area does not conflict with the Province’s Minimum Distance Separation Formulae;
  - x) the area is located on lower priority agricultural land;
  - xi) the area is located at or near the intersection of paved County roads;
  - xii) some form of commercial and public service is available;
  - xiii) potential negative impacts on cultural heritage resources are addressed where necessary; and
  - xiv) it has been demonstrated, through the completion of a comprehensive review, that there is a need for an additional Hamlet Area in the context of the supply of designated and available land to accommodate proposed growth in the County.
- b) The County shall monitor and review the Hamlet Areas on an on-going basis to ensure that they are appropriately managed and the policies of this Plan are fulfilled. When required, a comprehensive review of Hamlet Area boundaries shall be completed, and undertaken in accordance with Section 9.3 (Official Plan Monitoring and Review). The County shall evaluate proposals to expand a Hamlet Area boundary based on the following criteria:
- i) no new municipal water and wastewater systems will be required for development. The long-term suitability of the area for individual on-site waste water disposal and water supply systems must be demonstrated through a servicing feasibility study completed in accordance with

Ministry of the Environment and Climate Change guidelines and approved by the County, in consultation with the Conservation Authority;

- ii) the population of the Hamlet Area will not exceed 600 people and is in keeping with the size and character of the particular Hamlet Area;
- iii) it has been demonstrated that there is a need for the land included in the proposed expansion in the context of the supply of designated and available land to accommodate proposed growth in the County;
- iv) the expansion is a logical extension of the Hamlet Area and is compatible with existing development;
- v) prime agricultural land will be preserved unless no reasonable alternatives exist;
- vi) the expansion complies with the Province's Minimum Distance Separation Formulae;
- vii) Provincially Significant Features, Natural Heritage Features, Hazard Lands and Natural Resource Areas are avoided;
- viii) potential impacts on cultural heritage resources are assessed and addressed; and
- ix) the requirements of Section 9.6.1 (Official Plan Amendments) are satisfied.

## **6.7 Rural Area**

The Rural Area is a significant component of Norfolk County's community structure. Land within the Rural Area, which is identified on Schedule "A" to this Plan, accommodates numerous rural resource activities, including agriculture, aggregate and petroleum resource areas, forestry and lifestyle uses. The Rural Area includes all land outside of the Urban Areas, Hamlet Areas, and Resort Areas. The Rural Area includes lands designated for Agricultural, Major Institutional, Major Public Infrastructure, Parks and Open Space uses and Hazard Lands and Provincially Significant Wetlands. The Rural Area also includes the Industrial Influence Area surrounding the heavy industrial operations in Haldimand County. The Rural Area, through its agricultural and resource-

based activities and tourism destinations contributes significantly to the Norfolk economy.

### **6.7.1 Agricultural Land**

One of the primary components of the County's economy and heritage is the extensive area of productive agricultural land, which covers most of the County. The County will preserve and foster, as one of its primary objectives, a thriving agricultural industry and the associated rural lifestyle. The land base dedicated to agricultural production must, therefore, be protected and the use of the land must be predominantly agriculturally-oriented, with natural resource extraction as an important secondary component.

The main threat to the preservation of the rural character lies in the potential influx of large numbers of incompatible uses into the agricultural areas. Although a certain degree of rural non-farm growth provides benefits to the community, the extent of such development should be limited.

The agricultural land in the County is predominately Class 1 to 3, or prime agricultural land. These classifications of agricultural land are fundamentally important in considering possible future expansions of the Urban Areas and Hamlet Areas.

The following shall be the policy of the County:

- a) The County is committed to the protection of prime agricultural land. The County recognizes, however, that where growth and development occur, it is likely that land with significant agricultural productivity will need to be utilized. Priority shall be given to less productive agricultural land for non-agricultural development, where it is feasible and practical to do so.
- b) Unless otherwise designated, use of prime agricultural land shall be subject to the policies of Section 7.2 (Agricultural Designation) of this Plan. New non-agriculturally related uses on prime agricultural land shall not be permitted, unless otherwise specifically permitted by this Plan.
- c) New lots shall only be permitted in accordance with the agricultural consent and consolidation policies of Section 7.2.3 (Lot Creation and Lot Adjustment Policies).
- d) The County will undertake an evaluation of its agricultural lands in accordance with guidelines established by the Province, and in consultation with the community, to determine the appropriateness of designating specialty

crop areas. The designation of any specialty crop areas and the addition of any associated policies will be through an amendment to this Official Plan once Provincial Guidelines are available.

- e) Where a new settlement area or the expansion of an existing settlement area or the development of a non-agricultural use in the Agricultural Designation is proposed, the impact on agricultural operations shall be assessed and appropriate mitigation measures identified. Such assessments shall include a description of the agricultural areas and uses, identify agricultural operations that may be impacted including potential limitations on future farming options, identify mitigation measures to avoid or reduce impacts and identify the potential net impact on agriculture.

### **6.7.2 Industrial Influence Area**

The Lake Erie Industrial Park is located on land immediately adjacent to the eastern boundary of the County, in Haldimand County. Within the Lake Erie Industrial Park, provision has been made for heavy industrial uses which are not compatible with Urban Areas and certain sensitive land uses. Consequently, an Industrial Influence Area has been established around the Lake Erie Industrial Park to protect industrial uses from certain new incompatible land uses which would detract from their ability to operate effectively. The Industrial Influence Area covers part of the southeastern Rural Area and the eastern edge of the Port Dover Urban Area, within the County. In cooperation with Haldimand County, the County shall maintain the Industrial Influence Area over a portion of the Rural Area of the County but will not preclude a use permitted in the Agricultural Designation.

The following shall be the policy of the County:

- a) To protect such heavy industrial uses from incompatible land uses which may detract from their ability to operate effectively, development of uses other than those permitted in the Agricultural Designation, shall be in accordance with the Industrial Influence Area requirements.
- b) A 3 kilometre Industrial Influence Area is delineated on Schedule “A” around the exterior of the properties of the steel mill and oil refinery sites for the purpose of restricting new land uses, other than those permitted in the Agricultural Designation, which are incompatible with heavy industrial operations in Haldimand County.

- c) Residential development within the Industrial Influence Area shall be limited to:
  - i) the creation of new residential lots in accordance with the policies of Section 7.2.3 (Agricultural Lot Creation and Lot Adjustment Policies); and
  - ii) a residence on a lot of record existing on October 23, 1980, provided that such lot has frontage and direct access to a permanently maintained public road and can meet the requirements for waste water disposal and water supply.
  - iii) Any change to the delineation of the Industrial Influence Area shall require an amendment to this Plan, which shall be supported by a land use compatibility study, and the requirements of Section 9.6.1 (Official Plan Amendments) of this Plan. The land use compatibility study shall be prepared in consultation with the Ministry of the Environment and Climate Change and approved by the County.

### **6.7.3 Natural Resources**

Associated with the Rural Area are the Aggregate and Petroleum Resource Areas identified on Schedule “C”, which represent potential opportunities for aggregate and petroleum related resource extraction, including the extraction of natural gas. Resource extraction, along with forestry are important components of the County’s economic base, and shall be subject to the policies of Section 4.6 (Natural Resources).

### **6.7.4 Other Uses**

- a) Other existing land uses, designated as Major Institutional, Major Public Infrastructure, Parks and Open Space, Hazard Lands and Provincially Significant Wetlands are located within the Rural Area of the County. Existing agricultural operations within these land use designations may continue. The re-designation of these land uses to other land use designations shall require an amendment to this Plan. Unless the redesignation is to an Agricultural,

Hazard Land or Provincially Significant Wetland designation, the proponent shall demonstrate that:

- i) The land does not comprise a specialty crop area;
  - ii) the proposed use complies with the minimum distance separation formulae;
  - iii) there is an identified need within the planning horizon for additional land to be designated to accommodate the proposed use;
  - iv) alternative locations have been evaluated, and
  - v) there are no reasonable alternative locations which avoid prime agricultural lands;
  - vi) there are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands; and
  - vii) the impacts of the proposed use on surrounding agricultural operations are to be mitigated to the extent feasible.
- b) Notwithstanding Section 3.7.4.1, where the re-designation is the result of the refinement of the Hazard Land Boundary, in accordance with Section 7.3.2 d) (Hazard Land Designation) and or the refinement of the boundary of a Provincially Significant Wetland in accordance with Section 7.4.2 a) (Provincially Significant Wetland Designation – Land Use Policies) the re-designation of the lands will not require an amendment to this Plan.

## 6.8 The Lakeshore

Norfolk County's geographic location on the north shore of Lake Erie is one of the County's greatest physical assets. The County recognizes that the lakeshore is an invaluable resource. The County lakeshore, a significant component of "Ontario's South Coast", provides excellent tourism and recreational opportunities. While the County is in favour of further tourism and recreational development, the development pressures along the lakeshore need to be carefully managed to protect the area's natural attributes, ecological significance and importance through its connectivity to the natural features, which form the basis for much of the interest in the area. Furthermore, there is a similar need to protect human health and safety from the natural hazards and

potential human made hazards associated with concentrations of development on private services.

The Long Point-Turkey Point wetland complex and associated land have world recognition by the United Nations Educational, Scientific and Cultural Organization (UNESCO) as the Long Point Biosphere Reserve. The Long Point Biosphere Reserve, as designated under the auspices of Man and Biosphere Canada, provides a model of sustainability, balancing economic and social considerations with the truly unique features of ecological and natural heritage importance.

There are also major concentrations of vacation homes along the lakeshore within the County. These include Avalon, Booth's Harbour, Fisher's Glen, Long Point, Normandale and Turkey Point, which are illustrated as Resort Areas on Schedule "A". The Resort Areas are recognized as existing concentrations of vacation homes and related development. While vacation home development is permissible in some areas, the conversion of vacation homes to residential dwellings occupied permanently on a year-round basis is not permitted.

The following shall be the policy of the County:

- a) The County shall ensure the conservation and enhancement of Provincially Significant Features and Natural Heritage Features along the lakeshore. Conservation and enhancement of these features shall be achieved through a number of measures, including, but not necessarily limited to:
  - i) the natural heritage policies of Section 3 (Sustainable Natural Heritage) of this Plan;
  - ii) the acquisition of Natural Heritage Features through the development approvals process;
  - iii) bringing Natural Heritage Features and associated land into public ownership in keeping with the policies of Section 3.5 (Natural Heritage Systems) of this Plan; and
  - iv) negotiating conservation easements.
- b) Nothing in this Plan shall be construed as compelling the County to purchase any private land to achieve these policies.
- c) The County will work to bring accessible land and trails along the lakeshore into public ownership for the use and enjoyment of County residents and visitors. Acquisition of the land adjacent to the lakeshore shall be achieved through a number of means including, but not limited to:

- i) the natural heritage policies of Section 3 (Sustainable Natural Heritage) of this Plan;
  - ii) acquisition through the development approvals process;
  - iii) bringing Natural Heritage Features and associated land into public ownership in keeping with the policies of Section 6.43.5 (Natural Heritage Systems) of this Plan; and
  - iv) negotiating conservation easements.
- d) Nothing in this Plan shall be construed as compelling the County to purchase any private land as a means to achieve these policies.
- e) Scenic roads, vistas, and cultural heritage landscapes along the lakeshore shall be identified and protected through the development approvals process.
- f) Outside of the Urban Areas and Hamlet Areas along the lakeshore, resort residential development in the form of vacation homes, and associated amenities, shall only be permitted in established Resort Areas, as identified on Schedule “A”, in accordance with the policies of Section 7.6 (Resort Residential Designation). Residential development that forms a strip of development along the lakeshore shall generally not be permitted, and shall be subject to the consent policies of Sections 7.2.3 (Agricultural Lot Creation and Lot Adjustment Policies) and 9.6.3.2 (General Consent to Sever Land Policies).
- g) Vacation homes are the preferred type of residential dwelling in the Resort Areas identified on Schedule “A”. The conversion of vacation homes to residential dwellings for permanent year-round use shall not be permitted outside of the Urban Areas in the Lakeshore Special Policy Area. In the Zoning By-law, the County shall zone vacation homes for seasonal use and not permanent year-round use. The County shall not grant building permits under the *Building Code Act* for the purposes of converting a vacation home to a residential dwelling for permanent year-round use.

### **6.8.1 Lakeshore Special Policy Area**

The Lakeshore Special Policy Area (LSPA) is identified on Schedule “A” to this Plan. The Lakeshore Special Policy Area Secondary Plan, included in Chapter 11 of Part II – The Secondary Plans, complements the general policies and land use designations of



Part I – The Primary Plan and provides more detailed planning strategies and land use policies to address the special lakeshore attributes and the unique local land use arrangements to ensure the community, environmental and economic sustainability of the County’s lakeshore. The LSPA Secondary Plan must be read in conjunction with the policies of the Part I – The Primary Plan. Where a conflict arises between the Part I – The Primary Plan and the LSPA Secondary Plan, the policies of the LSPA Secondary Plan shall prevail.

### **6.8.2 Normandale Resort Area Special Policy Area**

Lands identified as Section 6.8.2 on Schedule “B” comprise the Normandale Resort Area Special Policy Area are identified as a Resort Area on Schedule “A”.

Notwithstanding any policies of this Plan to the contrary, limited conversions of vacation homes to year-round residences and limited new residential development in the form of infilling may be permitted in the Normandale Resort Area. Proposals to convert a vacation home to a year-round residence or to develop a new year-round residence shall require an amendment to the Zoning By-law and shall be subject to the following criteria:

- a) The development shall satisfy the need to maintain public access and usage of the lakeshore.
- b) The subject lot shall have direct access to an open, improved and maintained public road.
- c) The consideration of the provision of services such as recreational facilities, schools and bussing, parks, garbage collection, medical, fire and police services.
- d) The soils and lot size shall be suitable to support an individual wastewater disposal system, subject to the approval of the County. Holding tanks shall not be permitted.
- e) A year-round water supply that is of adequate quantity and quality shall be available.
- f) There shall be assurance that conversions and new development do not generate the need for municipal servicing and major infrastructure improvements.

- g) Flood proofing to the top of the foundation of residences to a minimum of 176.5 metres above sea level and safe access shall be required.

### **6.8.3 Long Point and Turkey Point Resort Areas Safe Access**

Lands identified as Section 3.8.3 on Schedule “B” comprise the Long Point and Turkey Point Resort Areas Safe Access Special Policy Area and are shown as Resort Areas on Schedule “A”.

The Long Point and Turkey Point Resort Areas are existing resort communities that contain both vacation homes and permanent residential dwellings. Both Resort Areas are served by limited road links, which could be compromised to the point of interrupting safe access to the entire communities during a severe storm event.

Due to the size of the existing communities and the few vacant lots of suitable size available to accommodate new development, this Plan recognizes that very limited new development will occur in these Resort Areas. Residential dwellings for permanent occupancy on lots within the Resort Residential Designation in the Long Point and Turkey Point Resort Areas shall not be permitted.

The County shall enact an emergency flood response plan in consultation with the Conservation Authority to address such matters as emergency warning, backup communications, and co-ordinating safe locations within the Resort Areas.

Redevelopment or replacement of existing development may be permitted subject to the provisions of Section 7.3.2.2 (Hazard Land Designation) of this Plan.

Council may undertake a comprehensive investigation of the means by which the issue of safe access may be resolved and/or pursue a Special Policy Area designation to provide for floodproofed development and redevelopment, including policies relating to the scale of development or redevelopment, that will reduce flood damage potential over the long term.

## **6.9 Norfolk / Tillsonburg Fringe Area**

The northwestern corner of Norfolk County abuts the Town of Tillsonburg. The Town of Tillsonburg provides a broad range of services such as shopping and other urban facilities. Because of the interdependence of the Town and the adjacent fringe area within the County, it is deemed important that the development within these areas should include early consultation with neighbouring municipalities.

Past experience has demonstrated that the Councils of the two municipalities, as well as the County of Oxford, are able to develop mutually satisfactory planning objectives and effective policies. The County fully supports perpetuating this cooperative approach.

## 7.0 Managing Land Use

“A Well Governed, Well Planned and Sustainable County”

### 7.1 Introduction

This Plan contains sixteen land use designations, as set out on Schedule “B”, that designate all land within Norfolk County. These land use designations are detailed in this Section of the Plan. The land use designations are as follows:

- Agricultural Designation;
- Hazard Lands Designation;
- Provincially Significant Wetland Designation;
- Hamlet Designation;
- Resort Residential Designation;
- Urban Residential Designation;
- Downtown Designation;
- Mixed Residential/Commercial Designation
- Shopping Centre Commercial Designation;
- Commercial Designation;
- Protected Industrial Designation;
- Industrial Designation;
- Major Institutional Designation;
- Parks and Open Space Designation;
- Urban Waterfront Designation; and
- Major Public Infrastructure.

While there are sixteen land use designations, there are Special Policy Areas (found in Section 6), Site Specific Policies (found in Section 7 and policies in other Sections of Part I of this Plan and Section 11 of Part II (Lakeshore Special Policy Area Secondary Plan) that may also apply when interpreting permitted uses and development entitlements on specific parcels of land.

## 7.2 Agricultural Designation

The majority of land within the County is designated Agricultural, reflecting the dominance of agriculture. Lands designated as Agricultural in this Plan are comprised predominantly of Class 1, 2 and 3 soil capability as identified by the Canada Land Inventory. The Agricultural Designation also contains lands with a lower soil capability classification for agriculture production.

The Agricultural Designation is intended to strengthen the agricultural community in the County. The policies are designed to protect agriculture from the intrusion of incompatible uses, such as non-farm related residential dwellings and other uses that are sensitive to agricultural practices. The policies of the Agricultural Designation are also intended to provide the opportunity for businesses that support agricultural operations to locate on farms or in close proximity to farms. The policies support the agricultural community by providing opportunities for farm operators to engage in secondary business activities that supplement farm incomes.

### 7.2.1 Permitted Uses

Subject to the other policies of this Plan, the following policies shall apply in determining uses permitted on land designated Agricultural on Schedule “B”.

- a) The primary use of land shall be for the growing of crops, including biomass, nursery and horticultural crops, the raising of livestock, the raising of other animals for food, fur and fibre, including poultry and fish, aquaculture, apiaries and maple syrup production and agro-forestry.
- b) The farm holding shall generally consist of all agricultural lots, the primary farm residence, associated farm buildings and structures including renewable energy facilities for domestic electricity production, farm woodlands, and Natural Heritage Features.
- c) Seasonal or temporary farm accommodations including bunkhouses may be permitted when the size and nature of the farm operation requires additional employment and shall be subject to Section 7.2.2 (Agricultural Designation – Land Use Policies) of this Plan.
- d) Permitted uses shall also include those which retain or add value to farm products. These may include such uses as processing, preserving, storing and packaging of farm produce on farms. Such facilities may be used co-

operatively among farms, but at a scale not to exceed the needs of the surrounding agricultural community.

- e) Agricultural events may be permitted and shall be subject to Section 7.2.2 (Agricultural Designation – Land Use Policies) of this Plan.
- f) The extraction of aggregate, mineral or petroleum resources shall be permitted in accordance with the *Aggregate Resources Act*, the *Mining Act* or the *Oil, Gas and Salt Resources Act*, as appropriate, subject to the policies of Section 4.6(Natural Resources) of this Plan.
- g) Forestry uses shall be permitted, subject to the policies of Section 4.6 (Natural Resources) of this Plan.
- h) The following uses may also be permitted, provided these uses do not conflict with existing farming operations, or with any policies related to Provincially Significant Features or Natural Heritage Features:
  - i) Garden suites, subject to the policies of Section 5.3.3 (Special Housing Forms);
  - ii) Home occupations and home industries, subject to the policies of Section 7.2.2 (Agricultural Designation – Land Use Policies);
  - iii) On-farm diversified uses, subject to the policies of Section 7.2.2 (Agricultural Designation – Land Use Policies);
  - iv) Agriculture-related commercial and industrial operations, subject to the policies of Section 7.2.2 (Agricultural Designation – Land Use Policies);
  - v) Accessory Residential Dwelling, subject to the policies of Section 5.3.3 (Special Housing Forms) [OP-3-2020. Amendment 124];
- i) Public and private open space and recreational uses, including campgrounds, tent and trailer parks, and similar uses, that legally exist on the date of adoption of this Plan shall be permitted. Physical expansion, relocation, or establishment of new such uses shall be discouraged and subject to an amendment to this Plan and evaluated with respect to the criteria outlined in Section 7.2.2 j) (Agricultural Designation - Land Use Policies).
- j) Non-farm related rural residential development shall not be permitted, except in accordance with Section 7.2.3 (Agricultural Designation - Lot Creation and Lot Adjustment Policies) or on an existing lot of record, subject to the other applicable policies of this Plan.

- k) The policies of Section 11 of Part II – The Secondary Plans shall also apply in interpreting permitted uses within the Lakeshore Special Policy Area Secondary Plan.
- l) Uses accessory to any of the permitted uses in the Agricultural Designation are permitted.

### **7.2.2 Land Use Policies**

The following policies apply to land designated Agricultural.

- a) Seasonal or temporary farm accommodations, including bunk houses or mobile homes for seasonal or temporary farmworkers shall be subject to the following policies:
  - i) there is a demonstrated need for the seasonal or temporary farm accommodations due to the nature of the agricultural operation;
  - ii) the seasonal or temporary farm accommodations can be adequately serviced with water and wastewater services;
  - iii) the seasonal or temporary farm accommodations will not impact adjacent uses and residences and where required will be appropriately buffered to mitigate any potential impacts;
  - iv) the seasonal or temporary farm accommodations shall meet the MDS I requirements or be no closer to neighbouring livestock and/or poultry operations than the existing primary farm dwelling;
  - v) the seasonal or temporary farm accommodations are encouraged to locate in proximity to the existing farm building complex and to use the existing access laneway. Where required by the farm operation, the bunkhouse or mobile home may be located on a separate lot from that containing the farm building complex and which is part of the farm operation and have a separate access.
  - vi) the seasonal or temporary farm accommodations must meet all Building Code and Health Unit requirements and all provincial and federal standards and regulations;
  - vii) the seasonal or temporary farm accommodations may be subject to site plan control and the County may enter into an agreement with the



applicant regarding any of the matters outlined in this Section and any other matter deemed appropriate including the removal of any non-permanent structures when they are no longer required.

- viii) the seasonal or temporary farm accommodations are an integral part of a farm operation and the severance of such dwellings from the farm operation shall not be permitted.
- b) On-farm diversified uses comprise a gainful occupation conducted in whole or in part of an accessory building (shed or farm building) by a member of the farm family. On-farm diversified uses shall be subject to all of the following policies:
- i) the use is located on a parcel of land which has an existing farm operation established on it;
  - ii) the use is secondary to the principal agricultural use of the property;
  - iii) the use is limited in area, as outlined in Section 7.2.2 c);
  - iv) the use may include, but is not limited to, home occupations, home industries, agri-tourism uses including overnight tourist accommodation and uses that produce value-added agricultural products, including those that use crops from other producers;
  - v) the use is compatible with, and will not hinder, surrounding agricultural operations;
  - vi) the use is appropriate to available rural services and infrastructure;
  - vii) the use maintains the agricultural/rural character of the area;
  - viii) the use meets all applicable environmental standards; and
  - ix) outside storage areas, associated with the on-farm diversified use shall be included in the limited area calculations outlined in Section 7.2.2 c). Outside storage areas shall be screened from the road and residential buildings on adjacent properties.
- c) On-farm diversified uses shall be limited in size in accordance with the following policies:
- i) the acceptable area occupied by an on-farm diversified use is up to 2% of a farm parcel to a maximum of 1 ha (10,000m<sup>2</sup>);

Norfolk County Official Plan  
Consolidated to January 1, 2023

- ii) the gross floor area of buildings used for on-farm diversified uses is limited to an approximate 20% of the acceptable land area, as calculated in 7.2.2 c) i);
  - iii) the land area and the area of existing buildings used for on-farm diversified uses may be discounted at the rate of 50%. Where the on-farm diversified use occupies the same footprint as a demolished building, the land area for the use may be similarly discounted by 50%;
  - iv) where the on-farm diversified use uses an existing farm laneway, the area of the laneway will not be included in the area calculations;
  - v) 100% of the area needed for parking and outdoor storage for the on-farm diversified uses will be included in the area calculation;
  - vi) If more than one on-farm diversified use is proposed on a single property, the combined area of all on-farm diversified uses shall be within the land area and building area requirements
  - vii) On-farm diversified uses that are proposed to grow beyond the area limits, either incrementally or otherwise, will not be permitted and will be encouraged to locate in areas of the County appropriately designated for the use;
  - viii) On-farm diversified uses will be subject to site plan control, where warranted and appropriate (e.g. for those uses requiring outdoor storage areas, visitor parking and/or a new farm access, etc.), in accordance with the policies of Section 9.6.5 (Site Plan Control).
  - ix) Severances to separate the on-farm diversified uses from the farm property will not be permitted.
- d) Agriculture-related commercial and industrial uses that are clearly supportive of and directly related to agricultural operations may be permitted subject to the following criteria:
- i) the use must be justified on the basis of being required near to the farm operation;
  - ii) the proposed use is directly related to farm operations in the area and provides direct products and/or services to farm operations as a primary activity;
  - iii) the proposed use shall be compatible with and not hinder surrounding agricultural operations;

Norfolk County Official Plan  
Consolidated to January 1, 2023

- iv) the proposed use shall be appropriate to available rural services, such as road access, private water and waste water services, utilities, fire protection and other public services;
  - v) the proposed use maintains the agricultural character of the area;
  - vi) the proposed use meets all applicable provincial emission, noise, water and wastewater standards and receives all relevant environmental approvals;
  - vii) the cumulative impact of multiple agriculture-related uses in prime agricultural areas should be limited and not undermine the agricultural nature of the area;
  - viii) the location of the proposed use shall provide for minimum sight distances from the access points in either direction along a County road;
  - ix) the proposed use shall be located and designed to mitigate potential adverse impacts, including noise impacts, on adjacent residential and other incompatible uses by buffering measures such as landscaping, berming and building setback and layout;
  - x) the proposed use shall not be permitted in Provincially Significant Wetlands or Hazard Lands identified on Schedules “B” or Table 1 of Section 3.5(Natural Heritage Systems) to this Plan;
  - xi) the proposed use shall not be permitted in or on adjacent land to the Natural Heritage Features identified on Schedule “C” and/or Tables 1 and 2 or on Schedule “G” and Table 6 of the Lakeshore Special Policy Area Secondary Plan, unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions, in accordance with the policies of Section 3.5 (Natural Heritage Systems) and Section 11 (Lakeshore Special Policy Area Secondary Plan) of this Plan;
  - xii) the proposed use shall be subject to a Zoning By-law Amendment; and
  - xiii) the proposed use shall be subject to site plan control, where warranted and as appropriate, in accordance with the policies of Section 9.6.5 (Site Plan Control) of this Plan.
- e) Wineries, craft breweries, cideries and distilleries may be permitted in the Agricultural designation, subject to site plan control, where warranted and as appropriate, in accordance with the policies of Section 9.6.5 (Site Plan

Control) of this Plan. A winery may be an agriculture-related or an on-farm diversified use and subject to appropriate policies of the Plan while craft breweries, cideries and distilleries are considered on-farm diversified uses and particularly subject to policies 7.2.2 b) and c).

- f) Agricultural events, that are beyond the scale of an on-farm diversified use, shall only be permitted on a temporary basis through a temporary zoning by-law amendment or where the event is of a reoccurring or permanent nature it can be justified in accordance with the criteria outlined in Section 7.2.2 j).
- g) Home occupations not related to farming shall be permitted within a dwelling provided the use remains clearly secondary to the farm operation or principal use of the lot, and provided the use is operated by a farm family member, or resident of the property. The actual range of home occupations permitted and the standards applying to them shall be set out in the Zoning By-law. Examples of home occupations include an office, consulting room or studio for a profession, business or a trade, and a hairdressing establishment.
- h) Home industries shall be permitted provided that such activities are wholly conducted within an accessory building (, and the use remains clearly secondary to the principal use of the resident of the property. In order to ensure that the scale of the business is clearly accessory to the main permitted use, the gross floor area of the home industry shall not exceed the gross floor area of the residential unit. Examples of home industries include small scale carpentry, electrical, welding machine and small engine repair or similar uses. Home industries shall be subject to the policies of Section 8.8 (Noise, Vibration, Odour and Light Emissions) of this Plan.
- i) Nothing in this Plan shall prevent normal farm practices that are conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or make use of innovative technology in a manner consistent with proper advanced farm management practices. Normal farm practices shall be consistent with the *Nutrient Management Act* and regulations made under that Act.
- j) Limited non-agricultural uses may be permitted in the Agricultural Designation provided that all of the following policies are met. An amendment to this Plan shall be considered on the basis of the following criteria:
  - i) the land is characterized by rolling topography, forest cover, and rivers and streams. Such lands will be given preference for the establishment of

outdoor recreation uses, subject to the policies of Section 3 (Sustainable Natural Heritage);

- ii) the use shall not be permitted in Provincially Significant Wetlands, Hazard Lands, or any Natural Resource Areas, where the resource has not yet been extracted, identified on Schedules “B” or “J” to this Plan;
  - iii) the proposed use shall not be permitted in or on adjacent land to the Natural Heritage Features identified on Schedule “C” and/or Tables 1 and 2 or on Schedule “G” and Table 6 of the Lakeshore Special Policy Area Secondary Plan, unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions, in accordance with the policies of Section 3.5 (Natural Heritage Systems) and Section 11 (Lakeshore Special Policy Area Secondary Plan) of this Plan;
  - iv) there is a demonstrated need within the planning horizon of this Plan for the proposed use;
  - v) the use shall be located on lower priority agricultural land unless it has been demonstrated that there are no reasonable alternative locations that avoid the use of prime agricultural lands;
  - vi) the use shall comply with the minimum distance separation formulae;
  - vii) the use will be compatible with existing or planned uses in the vicinity;  
and
  - viii) impacts from any new or expanding non-agricultural uses on surrounding agricultural operations and lands are to be mitigated to the extent feasible.
- k) Existing and active cemeteries shall be allowed to expand within the Agricultural Designation, subject to Section 7.2.2 j) of this Plan. The establishment of new cemeteries shall require an amendment to this plan and shall satisfy the following criteria:
- i) the land does not comprise a specialty crop area;
  - ii) the proposed use complies with the minimum distance separation formulae;
  - iii) there is an identified need within the planning horizon for additional land to be designated to accommodate the proposed use; and

- iv) alternative locations have been evaluated and there are no reasonable alternative locations which avoid prime agricultural lands and that are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands.
- l) Development of institutional uses for the purposes of developing a resource-based educational facility is not permitted in the Agricultural Designation. However, further to the policies of Section 5.2 (Public Services) of this Plan, an amendment to this Plan shall be considered on the basis of the following criteria:
- i) there is a demonstrated need for the proposed facility and the proposed use cannot locate in an Urban Area or Hamlet Area because it must reasonably be located near to farming activities, Natural Heritage Features or other resources;
  - ii) the proposed use shall be serviced by an approved water supply and wastewater treatment facility;
  - iii) the proposed use shall be accessed via a Provincial Highway, subject to the approval of the Province, or an arterial or collector road, subject to the approval of the County;
  - iv) the proposed use complies with the minimum distance separation formulae;
  - v) there is a demonstrated need within the planning horizon of this Plan for the proposed use;
  - vi) Impacts from any new or expanding non-agricultural uses on surrounding agricultural operations and lands are to be mitigated to the extent feasible.
  - vii) the proposed use shall not be permitted in Provincially Significant Features, Hazard Lands, or any Natural Resource Areas identified on Schedules “B” or “J” to this Plan;
  - viii) the proposed use shall not be permitted in or on adjacent land to the Natural Heritage Features identified on Schedule “C” and/or Tables 1 and 2 of Section 3.5 (Natural Heritage Systems) or on Schedule “G” and Table 6 of the Lakeshore Special Policy Area Secondary Plan, unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions, in accordance with the

policies of Section 3.5 (Natural Heritage Systems) and Section 11 (Lakeshore Special Policy Area Secondary Plan) of this Plan;

- ix) the proposed use shall be located on lower priority agricultural land;
  - x) the proposed use shall be subject to a Zoning By-law amendment, in accordance with the policies of Section 9.6.2 (Zoning By-law Amendments) of this Plan; and
  - xi) the proposed use shall be subject to site plan control, in accordance with the policies of Section 9.6.5 (Site Plan Control) of this Plan.
- m) Development in proximity to existing or potential aggregate, mineral or petroleum resource extraction operations shall be subject to the relevant policies of Section 4.6 (Natural Resources).
- n) Wayside pits and quarries, and portable concrete or asphalt plants used on public authority contracts shall be permitted, without the need for an amendment to this Plan, rezoning or development approval under the *Planning Act* in all areas, except in Urban Areas, Hamlet Areas, Resort Areas, Provincially Significant Features, or Natural Heritage Features as defined by Section 3.5 (Natural Heritage Systems) of this Plan. Wayside pits and quarries, and portable concrete or asphalt plants shall not be permitted in the Hazard Lands Designation
- o) Existing rural non-farm residential lots and new non-farm residential lots established in accordance with the lot creation policies of this Plan may be placed in a specific zoning category for non-farm residential properties.
- p) To avoid land use conflicts within the Agricultural Designation, it is the policy of this Plan that the Minimum Distance Separation (MDS) Formulae be used to establish appropriate standards for separating incompatible uses from existing, new or expanding livestock facilities. These standards will also apply to circumstances where new residential lots or other non-agricultural land uses are proposed in proximity to existing livestock facilities. The MDS-I and MDS-II setbacks, as determined through the use of the provincial MDS formulae shall apply. The Zoning By-law shall establish separation distances between livestock operations (to be defined within the By-law) and non-agricultural land uses in accordance with Minimum Distance Separation Formulae. Notwithstanding the above, the following developments may be exempt from the application of the MDS formulae:

- i) development on an existing lot of record in which case the development will be encouraged to locate as far as practical from the nearest livestock operation;
  - ii) agricultural-related commercial and industrial uses and on-farm diversified uses that do not bring significant visitors to the agricultural areas and which are not agri-tourism or food services related or provide accommodations for visitors; and
  - iii) details relating to such exemptions may be outlined in the Zoning Bylaw.
- q) Land application of manure, biosolids and septage is regulated by the Province in accordance with the *Nutrient Management Act* and the *Environmental Protection Act*. Land application of manure, biosolids and septage shall address the requirements of the above noted legislation, as appropriate. The Ministry of the Environment and Climate Change and the Ministry of Agriculture Food and Rural Affairs shall be encouraged to consult the current Norfolk Municipal Groundwater Study and the Source Water Protection Policies of Section 3.3 of this Plan when considering proposals under the above noted legislation.
- r) Development within the Agricultural Designation shall be further subject to the policies of Section 6.7 (Rural Area) and to Section 4.4 (Promoting Agriculture) of this Plan.

### **7.2.3 Agricultural Lot Creation and Lot Adjustment Policies**

The following policies apply to land designated Agricultural.

- a) Consent to sever land may be considered for the following purposes:
  - i) the assembly or disassembly of agricultural lots for agriculture uses including agriculturally related boundary adjustments which do not result in the creation of a new lot, subject to the policies of Section 7.2.4 (Agricultural Designation - Agricultural Lot Size Policies);
  - ii) agriculture-related commercial and industrial uses in accordance with the policies of Section 7.2.2 (Agricultural Designation – Land Use Policies);



Norfolk County Official Plan  
Consolidated to January 1, 2023

- iii) agriculture-related commercial, institutional and industrial uses existing prior to August 24, 1978, provided the retained parcel of land is not considered a vacant lot, and subject to the policies of this Plan;
  - iv) infrastructure and utilities, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way;
  - v) a currently habitable farm dwelling surplus to a farming operation as a result of the consolidation of farm properties located within Norfolk County and adjacent municipalities, subject to the policies of Sections 7.2.3(b) and (c);
  - vi) technical reasons including minor boundary adjustments, corrections of deeds, quit claims, easements or rights-of-way, or other purposes that do not create an additional separate lot, and which do not change the lot configuration such that a non-agricultural lot is created which would not be in conformity with the policies of this Plan.
- b) As a condition of the approval of a consent granted under Section 7.2.3 a) v), the County shall ensure that the land is zoned in the Zoning By-law such that no new residential dwelling shall be permitted on the retained agricultural lot. No consent shall be granted unless it is demonstrated that the severed lot will not adversely affect the operation or viability of the farm operation on the retained lot or any adjacent land.
- c) Further to Sections 7.2.3(b), a consent to sever a currently habitable dwelling shall be subject to the following criteria:
- i) the habitable dwelling shall be at least 10 years old at the date of application for a severance;
  - ii) the severed lot shall be of an appropriate size for the intended residential use, which shall be determined in the Zoning By-law, and shall minimize the amount of agricultural land removed from active production;
  - iii) the severed lot shall be serviced by approved water supply and wastewater treatment facilities to be situated on the lot to be created;
  - iv) subject to the appropriate policies of this Plan, the severed lot shall be an appropriate distance from existing pits and quarries, waste disposal sites, and other potential land use conflicts;
  - v) both the severed and retained lots shall be situated with frontage and safe and direct separate access onto a permanently maintained public

- road. Preference shall be given to locations on roads other than Provincial Highways or arterial roads;
- vi) potential impacts of the consent on cultural heritage resources shall be assessed and mitigated where necessary;
  - vii) the severed lot shall comply with the minimum distance separation formulae; and
  - viii) the severed lot shall not be permitted within Provincially Significant Features. Consents adjacent to Provincially Significant Features, or within or adjacent to Natural Heritage Features, shall be supported by an EIS, prepared in accordance with the policies of Section 9.7.1 (Environmental Impact Study).
  - ix) Severances to separate Accessory Residential Dwellings from the farm property will not be permitted. [3-OP-2020, Amendment 124]

#### **7.2.4 Agricultural Lot Size Policies**

The following policies apply to land designated Agricultural.

- a) The expansion of farm holdings through lot assembly is encouraged wherever possible. Agricultural lots may be assembled and disassembled, provided that the lots remain viable for agriculture uses, are of a size appropriate for the type of agriculture uses that are common in Norfolk County, and are sufficiently large to maintain flexibility for future changes in economic conditions and in the type or size of agricultural operations. The minimum agricultural lot size shall generally be 40 hectares. Assembly and disassembly of agricultural lots to sizes that are generally 40 hectares or larger shall be permitted and encouraged by the County. The County may consider applications to assemble and disassemble agricultural land into agricultural lots that are less than approximately 40 hectares in size, subject to the following considerations:
  - i) agriculture shall be the proposed use of both the severed and retained lots;
  - ii) it shall be demonstrated that both the severed and retained lots will be flexible to respond to economic change. The applicant shall provide information necessary to evaluate the viability of the new farming

operations on the parcels of land. Information pertaining to the scale and nature of the operation, projected revenue, expenses, financing, soil quality, water quality and quantity, and any other viability criteria relevant to the proposal shall be provided to the satisfaction of the County. The County may request a peer review of the information provided and/or consult with the Agricultural Advisory Board.;

- iii) The proposed farm and the retained farm lot are eligible for farming business registration under the *Farm Registration and Farm Organizations Funding Act* and are eligible for the Farm Property Class Tax Rate Program under the *Assessment Act*;
  - iv) it shall be demonstrated that nearby lots of similar size to that proposed are not available and suitable for the intended agriculture use;
  - v) the suitability of both the severed and retained lots shall be assessed based on the type and size of agricultural operations in the area as well as the lot sizes typically associated with the agricultural operation proposed;
  - vi) it shall be demonstrated that both the severed and retained lots remain sufficiently large to permit a change in the commodity produced, an adjustment in the scale of operation, diversification or intensification; and
  - vii) both the severed and retained lot shall comply with the minimum distance separation formulae.
- b) A minimum agricultural lot size of 40 hectares shall be established in the Zoning By-law. The County shall consider a proposal to disassemble agricultural land to a lot size smaller than 40 hectares by way of applications for Zoning By-law amendment and consent, subject to Section 7.2.4(a). Where all criteria outlined in Section 7.2.4 a) are satisfied, a minor deviation from the minimum farm size may be approved through a minor variance.

### **7.2.5 Site Specific Policies**

The Site Specific Policies embodied in this Plan reflect existing land use entitlements and approved development policies relating to specific sites.

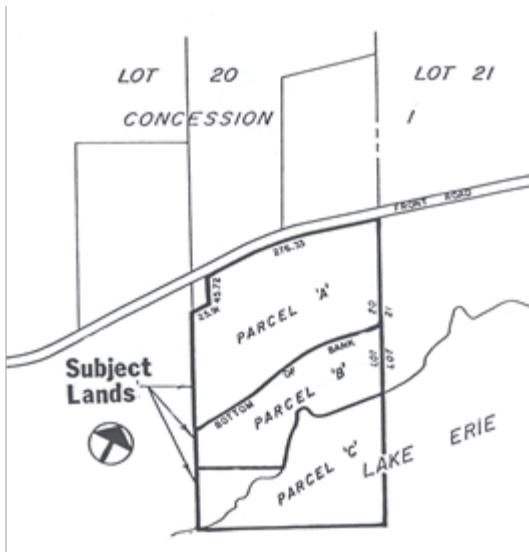
### 7.2.5.1 Houghton – Place of Entertainment Site Specific Policy Area

On land designated Agricultural – Site Specific Policy Area 7.2.5.1 on Schedule “B” to this Plan, in addition to the uses permitted, an existing place of entertainment shall be permitted.

### 7.2.5.2 South Walsingham – Resort Residential Site-Specific Policy Area

On land designated Agricultural – Site Specific Policy Area 7.2.5.2 on Schedule “B” to this Plan, a lifestyle residential condominium may be permitted in addition to the existing travel trailer park and marina facility subject to the following:

- a) The condominium units shall not be restricted to any particular recreational season, but are intended for lifestyle recreational residential occupancy;
- b) That the maximum number of condominium dwelling units shall be limited to 75 and that the location of such units be restricted to the lands shown as “Parcel A” on Figure 1 to this Plan;
- c) The total number of recreational dwelling units including both condominium dwelling units and travel trailers shall be limited to a maximum of 107 and that no more than 32 travel trailers shall be located on “Parcel B” on Figure 1 to this Plan;



**Figure 1: Site Specific Policy Area 7.2.5.2**

- d) The land shown as “Parcel C” on Figure 1 to this Plan shall remain in Hazard Lands and Provincially Significant Wetland Designations, and placed in an appropriate zone in the Zoning By-law;

- e) The marina facility shall be limited to a maximum of 200 boat slips;
- f) Prior to any construction of the condominium complex, appropriate engineering reports shall be required to demonstrate structural integrity and bank stability. As well, stormwater management plan prepared to the satisfaction of the County, the Conservation Authority, and Ministry of Natural Resources and Forestry shall be required.
- g) Prior to any construction of the condominium complex, all conditions of the County and Ministry of the Environment and Climate Change with respect to water and waste water disposal shall be satisfied.
- h) The Zoning By-law shall contain an appropriate definition of the type and intended use of the condominium dwelling units, as set out in Subsection a) above, and prescribe appropriate development standards including those set out in Subsection b) and c) above. A holding provision shall be applied until such time as a development agreement has been signed to ensure appropriate development of the land. The land shall be placed under site plan control.

#### **7.2.5.3 Charlotteville – Craft Shop & Tea Room Site Specific Policy Area**

On land designated Agricultural – Site Specific Policy Area 7.2.5.3 on Schedule “B” to this Plan, a craft shop and a tea room shall also be permitted, provided the tearoom does not include the serving of hot meals and is limited to a maximum of 50 persons and that the craft shop is of a small scale.

#### **7.2.5.4 Townsend – Arts & Crafts Gallery Site Specific Policy Area**

On land designated Agricultural – Site Specific Policy Area 7.2.5.4 on Schedule “B” to this Plan, a gallery for the display and sale of arts and crafts shall also be permitted.

#### **7.2.5.5 Deleted**

#### **7.2.5.6 Townsend – Salvage Yard Site Specific Policy Area**

On land designated Agricultural – Site Specific Policy Area 7.2.5.6 on Schedule “B” to this Plan, a salvage yard shall also be permitted.

#### **7.2.5.7 Woodhouse – Resort Residential Site-Specific Policy Area**

On land designated Agricultural – Site Specific Policy Area 7.2.5.7 on Schedule “B” to this Plan, resort residential development shall also be permitted.

#### **7.2.5.8 Woodhouse – Contractor’s Yard Site Specific Policy Area**

On land designated Agricultural – Site Specific Policy Area 7.2.5.8 on Schedule “B” to this Plan, a septic tank pumper truck contractor’s yard shall also be permitted.

#### **7.2.5.9 Woodhouse – Commercial Site-Specific Policy Area**

On land designated Agricultural – Site Specific Policy Area 7.2.5.9 on Schedule “B” to this Plan, limited Commercial uses which serve the travelling public or require large storage areas shall also be permitted. The permitted Commercial uses shall be limited to an automobile service station, motel, motor hotel, miniature golf use, commercial greenhouse and tree and plant nursery, convenience store, one residential dwelling unit and a home occupation.

#### **7.2.5.10 Woodhouse – Residential Lots Site Specific Policy Area**

Land designated Agricultural – Site Specific Policy Area 7.2.5.10 on Schedule “B” to this Plan may be subdivided into four residential lots. Protection from any shoreline or riverine hazards shall be addressed through the Zoning By-law and development agreement.

#### **7.2.5.11 South Walsingham – Estate Residential Site-Specific Policy Area**

On land designated Agricultural – Site Specific Policy Area 7.2.5.11 on Schedule “B” to this Plan, in addition to the uses permitted, estate residential uses shall be permitted.

#### **7.2.5.12 Charlotteville – Storage Site Specific Policy Area**

On land designated Agricultural – Site Specific Policy Area 7.2.5.12 on Schedule “B” to this Plan, in addition to the uses permitted, the use of containers for non-agricultural storage purposes to a maximum of 50 units on and off the land shall be permitted.

**7.2.5.13 Charlotteville – Country Store/Market Site Specific Policy Area**

On land designated Agricultural – Site Specific Policy Area 7.2.5.13 on Schedule “B” to this Plan, in addition to the uses permitted, the following uses shall be permitted:

- a) A fruit market including the sale of processed products, baked goods and preserves and the sale of crafts related to farm products; and
- b) A small scale agriculturally-oriented country store to include the sale of such items as tourist and camping supplies and refreshments.

**7.2.5.14 Deleted**

**7.2.5.15 Charlotteville – Paintball Facility Site Specific Policy Area**

On land designated Agricultural – Site Specific Policy Area 7.2.5.15 on Schedule “B” to this Plan, in addition to the uses permitted, an outdoor paintball facility shall be permitted.

**7.2.5.16 Townsend – Fabricating Shop Site Specific Policy Area**

On land designated Agricultural – Site Specific Policy Area 7.2.5.16 on Schedule “B” to this Plan, in addition to the uses permitted, a small-scale fabricating shop specializing in custom counter tops and sinks may be permitted.

**7.2.5.17 Charlotteville – The Point Campground Site Specific Policy Area [10-OP-2007 Amendment 10]**

On land designated Agricultural – Site Specific Policy Area 7.2.5.17 on Schedule “B” to this Plan, a campground shall be permitted as an additional permitted use in the Agricultural designation.

**7.2.5.18 Solar Farm Site Specific Policy Area** [Ontario Municipal Board Order #2586, Issued August 7, 2008, Amendment 6]

Notwithstanding the Agricultural designation on lands identified as having reference to this policy on Schedule B, a solar farm may also be permitted by site-specific Zoning By-law amendment.

Approval would be subject to site plan control. The required Site Plan Agreement will address matters such as buffering, access, parking, the placement of structures and the decommissioning of the site.

**7.2.5.19 Deleted**

**7.2.5.20 Vittoria Fire Hall Site Specific Policy Area** [2-OP-2008, Amendment 11]

Notwithstanding the Agricultural designation on the lands identified as having reference to this policy on Schedule “B”, a fire hall and associated uses may also be permitted by site specific Zoning By-Law amendment.

**7.2.5.21 Townsend – Landscaping Business Site Specific Policy Area** [4-OP-2008, Amendment 13]

On land designated Agricultural – Site Specific Policy Area 7.2.5.21 on Schedule “B” to this Plan, in addition to the uses permitted, a landscaping business (garden centre, tree and plant nursery) with a maximum display area of 186 square metres for products not generated on site (landscape rock, garden product and equipment) and accessory landscape contractor’s yard with an associated 465 square metre building shall also be permitted.

**7.2.5.22 Long Point Eco-Adventures Site Specific Policy Area** [1-OP-2019, Amendment 120]

On lands designated Agricultural – Site Specific Policy Area 7.2.5.22 on Schedule B to this Plan, in addition to the uses permitted in the Agricultural Designation, the following shall be permitted:

- Fifteen (15) overnight temporary camping pods including attached washroom facilities, having a maximum usable floor area of 66 square metres each;



- Thirty (30) overnight temporary camping pods including attached washroom facilities, having a maximum usable floor area of 50 square metres each;
- An Eco-Education Pavilion having a maximum usable floor area of 1085 square metres;
- Place of assembly uses within the Eco-Education Pavilion and outdoor pavilions, having a maximum combined usable floor area of 450 square metres;
- A restaurant with a maximum of 40 seats, and a cafeteria having a maximum usable floor area of 45 square metres, within the Eco-Education Pavilion;
- Outdoor patios, having a maximum usable floor area of 95 square metres;
- An observatory, education centre, reception and office, business administration, within the Eco-Education Pavilion, having a combined maximum usable floor area of 395 square metres;
- A microbrewery, with accessory office, retail sales, tasting, and brewing rooms, within the Eco-Education Pavilion, having a maximum usable floor area of 420 square metres.

#### **7.2.5.23 Solar Power Facility Site Specific Policy Area [19-OP-2008, Amendment 20]**

Notwithstanding the Agricultural designation on the lands identified as having reference to this policy on Schedule B, a solar power facility may also be permitted by site-specific Zoning By-law amendment.

Approval will be subject to site plan control. The required Site Plan Agreement would address matters such as buffering, access, parking, the placement of structures and the decommissioning of the site.

#### **7.2.5.24 Solar Farm Site Specific Policy Area [1-OP-2009, Amendment 21]**

Notwithstanding the Agricultural designation on the lands identified as having reference to this policy on Schedule B, a solar farm may also be permitted by site-specific Zoning By-law amendment.

Approval will be subject to site plan control. The required Site Plan Agreement would address matters such as buffering, access, parking, the placement of structures and the decommissioning of the site.

**7.2.5.25 Townsend – Cloet Road & Concession 13 Solar Farm Site Specific Policy**  
[6-OP-2009, Amendment 23]

On lands designated Agricultural - Site Specific Policy Area 7.2.5.25 on Schedule "B" to this Plan, in addition to the uses, a solar farm shall also be permitted.

**7.2.5.26 Middleton – Landscape Product Production and Supply Facility Site Specific Policy Area** [6-OP-2010, Amendment 36]

On land designated Agricultural — Site Specific Policy Area 7.2.5.26 on Schedule "B" to this Plan, a landscape product production and supply facility shall also be permitted.

**7.2.5.27 Amending By-law 4-OP-2009 for Amendment 25** [refused by Ontario Municipal Board Order # 20090022]

**7.2.5.28 Middleton – Kampbow Farms Site Specific Policy Area** [8-OP-2009, Amendment 26]

On land designated Agricultural — Site Specific Policy Area 7.2.5.28 on Schedule "B" to this Plan, in addition to the uses permitted, and notwithstanding Section 7.3.3.3, the use of a prefabricated mobile home as a permanent secondary dwelling for the accommodation of full-time farm help shall also be permitted.

**7.2.5.29 Woodhouse – R D Cookson Disposal Ltd Site Specific Policy Area** [3-OP-2010, Amendment 33]

On land designated Agricultural — Site Specific Policy Area 7.2.5.29 on Schedule "B" to this Plan, in addition to the uses permitted, a waste transfer site shall also be permitted.

**7.2.5.30 Windham – DePauw Site Specific Policy Area** [5-OP-2010, Amendment 35]

On land designated Agricultural — Site Specific Policy Area 7.2.5.30 on Schedule "B" to this Plan, this amendment will facilitate the severance of the single detached residence situate on the subject lands.

**7.2.5.31 Woodhouse – BC Appraisals Inc. Site Specific Policy Area [2-OP-2020, Amendment 129]**

On land designated Agricultural — Site Specific Policy Area 7.2.5.31 on Schedule "B" to this Plan, in addition to the uses permitted, a Day Care Nursery shall be permitted.

**7.2.5.32 Number not used.**

**7.2.5.33 Charlotteville — RV Woodland Campground Site Specific Policy Area [8-OP-2011, Amendment 44]**

On land designated Agricultural — Site Specific Policy Area 7.2.5.33 on Schedule "B" to this Plan, in addition to the uses permitted, a campground with a maximum of 200 campsites shall be permitted.

**7.2.5.34 North Walsingham —DeVos Composting Site Specific Policy Area [ 5-OP-2011, 6-OP-2011, 7-OP-2011, Amendment 45, 46, 47]**

On land designated Agricultural – Site Specific Policy Area 7.2.5.34 on Schedule "B" to this Plan, in addition to the uses permitted, a facility for the composting of sawdust, mulch, woodchips, leaf and yard waste, and horse manure shall also be permitted.

**7.2.5.35 Houghton – Upland Creek Game Preserve Site Specific Policy Area [9-OP-2011, Amendment 49]**

On land designated Agricultural— Site Specific Policy Area 7.2.5.35 on Schedule "B" to this Plan, in addition to the uses permitted, an upland hunting game preserve shall be permitted.

**7.2.5.36 Houghton – Krygsman Composting Site Specific Policy Area [1-OP-2013, Amendment 57]**

On land designated Agricultural— Site Specific Policy Area 7.2.5.36 on Schedule "B" to this Plan, in addition to the uses permitted, a leaf and yard waste composting facility shall also be permitted.

**4.2.5.37 Deleted**

**7.2.5.38 Charlotteville – Hidden Valley Resort Park Site Specific Policy Area [4-OP-2014, Amendment 60]**

On land designated Agricultural— Site Specific Policy Area 7.2.5.38 on Schedule "B" to this Plan, in addition to the uses permitted, the use of recreational vehicle and tent and trailer park to a maximum of 311 serviced campsites shall be permitted.

**7.2.5.39 South Walsingham – Paul Morris – OMB refused [PL131270, September 12, 2014]**

**7.2.5.40 Deleted**

**7.2.5.41 Townsend – Stratford Value Added Agriculture/Tearoom/Boutique Site Specific Policy Area [4-OP-2013, Amendment 68]**

On land designated Agricultural— Site Specific Policy Area 7.2.5.41 on Schedule "B" to this Plan, in addition to the uses permitted, a value-added farm business for the use of wool from sheep and goats, washing and spinning of wool to be used to make fabric. The use will also include educational workshops for the purpose of spinning and weaving and making clothing and artwork in addition to an accessory tearoom and boutique to sell goods shall be permitted.

**7.2.5.42 Windham – Brantford Road/Windham West Quarter Line Road- Two Severances Site Specific Policy Area [7-OP-2014, Amendment 70]**

On land designated Agricultural – Site Specific Policy Area 7.2.5.42 on Schedule "B" to this Plan, in addition to the uses permitted, a severance to allow two residential

dwellings one fronting the original road allowance on the Windham West Quarter Line Road and the other fronting the Brantford Road shall be permitted.

**7.2.5.43 Houghton – Friesen Mini-barns Site Specific Policy Area [2-OP-2016, Amendment 79]**

On land designated Agricultural – Site Specific Policy Area 7.2.5.43 on Schedule “B” to this Plan, in addition to the uses permitted, the manufacturing of mini-barns/sheds using a maximum of 1.7 hectares of land including a maximum of 742.8 square metres of indoor space within accessory agricultural buildings as a home industry shall be permitted.

**7.2.5.44 Woodhouse – Vanderpost Site Specific Policy Area [7-OP-2015, Amendment 76; 11-OP-2018, Amendment 108]**

On lands designated Agricultural, Site Specific Policy Area 7.2.5.44 - on ‘Schedule B’ to this plan, a zip line course with trails, and an assembly building with a maximum useable floor area for retail space of 107.1 square metres shall be permitted.

**7.2.5.45 Charlotteville – Doerksen/Wilson Site Specific Policy Area [6-OP-2016, Amendment 85]**

On lands designated Agricultural, site specific policy area 7.2.5.45 on Schedule “B” to this plan, in addition to the uses permitted, the following shall be permitted;

- a) Nano-brewery with a maximum useable floor area of 222 square metres;
- b) Restaurant with a maximum usable floor area of 80 square metres (or less than 30 seats), which includes an outdoor patio with a maximum usable floor area of 36 square metres;
- c) Accessory sale of brewery and restaurant related merchandise;
- d) Agricultural related education workshops, festivals, and events; and
- e) Wedding ceremonies to a maximum of one hundred (100) people.

**7.2.5.46 Windham – P&B Van Heugten Farms Ltd. & Derek Van Heugten Farms Ltd. [7-OP-2018, Amendment 106]**

On land designated Agricultural– Site Specific Policy Area 7.2.5.46 on Schedule “B” to this Plan, in lieu of Section 7.2.3 c) i), no construction date shall apply to a surplus farm dwelling severance.

**7.2.5.47 – South Walsingham Livingston Sand Pit Site Specific Policy Area [10-OP-2018, Amendment 107]**

On land designated Agricultural – Site Specific Policy Area 7.2.5.47 on Schedule “B” to this Plan, in addition to the uses permitted, the extraction of sand as an aggregate resource shall be permitted.

**7.2.5.48 – Whistling Gardens Site Specific Policy Area [12-OP-2018, Amendment 109]**

On land designated Agricultural - Site Specific Policy Area 4.2.5.48 on Schedule "B" to this Plan, in addition to the uses permitted, wedding ceremonies and a cafe with a maximum of 30 seats combined indoor and outdoor shall also be permitted.

**7.2.5.49 – Woodhouse – Jager Site Specific Policy Area [18-OP-2018, Amendment 114]**

On land designated Agricultural – Site Specific Policy Area 7.2.5.49 on Schedule “B” to this Plan, in addition to the uses permitted, 10 glamping sites and amenities shall be permitted, as well as special events in the existing barn, to a maximum of 90 square metres, shall be permitted.

**7.2.5.50 – Woodhouse – Westwood Trail Development Inc. [17-OP-2018, Amendment 113]**

On land designated Agricultural - Site Specific Policy Area 7.2.5.50 on Schedule "B" to this Plan, in addition to the uses permitted, a stormwater management facility shall be permitted. Notwithstanding the policies, residential development shall not be permitted on the subject lands.

**7.2.5.51 – Jennings Site Specific Policy Area [6-OP-2019, Amendment 119]**

On land designated Agricultural – Site Specific Policy Area 7.2.5.51 on Schedule "B" to this Plan, in addition to the uses permitted, an overnight tourist accommodation suite shall be permitted.

**7.2.5.52 - BB Ranch Site Specific Policy Area [4-OP-2019, Amendment 137]**

On land designated Agricultural- Site Specific Policy Area 7.2.5.52 on Schedule "B" to this Plan, the following policies shall apply:

- a) The development shall not be immediately adjacent to an urban area, hamlet area and resort area.
- b) In addition to the uses permitted, the following additional uses shall be permitted:
  - i. Farm Dwelling Units within a Resort-Oriented Condominium;
  - ii. Tourist Cabins/Inn as On-Farm Diversified Use within a Resort-oriented condominium;
  - iii. Saloon with food and beverage services shall be permitted as On-Farm Diversified Use within a Resort-Oriented Condominium;
  - iv. Multipurpose Wedding and Conference Centre, Horse Riding Arena and Barn shall be permitted as On-Farm Diversified Use within a Resort-Oriented Condominium.

**7.2.5.53 Courtland – Plowman’s Line Site Specific Area [11-OP-2022, Amendment 151]**

On land designated Agricultural – Site Specific Policy Area 7.2.5.53 on Schedule "B" to this Plan, the following uses shall also be permitted as a Home Industry:

- Electrical Contractor’s Office
- Warehouse

**7.2.5.54 Springflower Site Specific Policy Area [12-OP-2022, Amendment 152]**

On land designated Agricultural – Site Specific Policy Area 7.2.5.54 on Schedule "B" to this Plan, in lieu of Section 7.2.4.a)iv), the disassembly of agricultural land for agricultural purposes resulting in lots under 40 hectares, shall be permitted although nearby lots of similar size are available and suitable for the intended agricultural use.

## 7.3 Hazard Land Designation

Hazard lands are lands that have inherent environmental hazards such as flood susceptibility, erosion susceptibility, instability and other physical conditions which are severe enough, if developed upon, to pose a risk to occupants of loss of life, property damage and social disruption.

Through the Hazard Lands Designation, it is the intent of the County to protect life and property by respecting natural and human-made hazards and constraints in land use development. New development should only take place in areas which are not susceptible to hazards.

### 7.3.1 Permitted Uses

Schedule “B” illustrates the Hazard Lands Designation based on mapping provided by the Long Point Region Conservation Authority and the Grand River Conservation Authority. The Hazard Lands Designation comprises three principal hazards (riverine hazards, shoreline hazards and other hazards). Subject to the other policies of this Plan, the following policies shall apply in determining uses permitted on land designated Hazard Lands on Schedule “B”:

- a) Uses legally existing on the date of adoption of this Plan shall be permitted.
- b) Existing and established agricultural and related uses, excluding buildings and structures, shall be permitted.
- c) Forestry uses, excluding buildings and structures, shall be permitted.
- d) Conservation uses and uses that assist in conserving or managing water supplies, wildlife or Natural Heritage Features shall be permitted.
- e) Flood and erosion control structures and drainage systems operated and approved by the County or the appropriate Conservation Authority shall be permitted.
- f) Further to the policies of Section 9.11 (i) (Interpretation), public utilities with adequate flood proofing measures and appropriate regard for Natural Heritage Features shall be permitted.



- g) The following uses may be permitted, provided that the use will not pose additional risk to life or property and the requirements of the appropriate Conservation Authority have been satisfied:
  - i) small-scale outdoor recreational uses, such as a parkette, excluding large scale recreational uses such as golf courses, campgrounds and similar uses;
  - ii) petroleum extraction approved under the Oil, Salt and Gas Resources Act; and
  - iii) marine uses along the shoreline as identified on Schedule “B” to this Plan, including marinas, which may include a restaurant, recreational park and/or sales and service function in association with the marine operation, and accessory uses.
- h) Non-habitable uses accessory to any of the permitted uses in the Hazard Lands Designation are permitted.

### **7.3.2 Land Use Policies**

The following policies apply to land designated Hazard Lands:

- a) Development on Hazard Lands which would aggravate or contribute to the hazard shall not be permitted.
- b) There are areas of extensive development located on Hazard Lands. In these areas, a reasonable compromise shall be made between the extent of the hazard and the continued use and future development of the area. This situation is particularly applicable to the Urban Areas, Hamlet Areas and Resort Areas, as set out on Schedule “A”.
- c) The Zoning By-law may establish specific zones to address existing development located within the Hazard Lands Designation. Exceptions may be permitted if approved by the appropriate Conservation Authority and the County.
- d) The extent of the Designation shall be considered approximate on Schedule “B”. In all cases, it shall be necessary to verify the boundaries on an individual basis in consultation with the appropriate Conservation Authority.

- e) There is no public obligation either to change the delineation of or to purchase any area within the Hazard Lands Designation.
- f) The placing and removal of fill of any kind within the Conservation Authority's Fill Regulated Area is prohibited unless approved by the appropriate Conservation Authority.
- g) The following uses are prohibited on lands designated as Hazard Lands flood plains:
  - i) uses related to the manufacture, storage, disposal or consumption of hazardous substances;
  - ii) institutional uses such as hospitals, nursing homes, retirement homes and long-term care homes, day cares and pre-schools, schools, group homes and emergency shelters; and
  - iii) uses associated with services such as fire, ambulance, police or electrical substations.
  - iv) wayside pits and quarries, and portable asphalt plants.

#### **7.3.2.1 Flood Plain (Riverine) Policies**

- a) The regulatory flood standard for riverine flood plains shall be the 1 in 100-year flood for the Long Point Region Watershed and the Regional Storm, which is based on the 1954 Hurricane Hazel event, for the Grand River Watershed.
- b) The County accepts a one zone concept where new buildings or structures in the defined flood plain will be prohibited or restricted to those which are not susceptible to flood related damages and will not cause adverse impacts to existing upstream or downstream development or land. Where the one zone concept is applied, the entire flood plain defines the floodway.
- c) The County, in consultation with the Conservation Authorities and the Province, may, at its sole discretion, apply a two zone concept, that is, a floodway and flood fringe, for selected portions of the flood plain. The appropriate Conservation Authority shall be consulted, with regard to site-specific detailed studies, to determine the technical justification of a two-zone approach. The appropriate Conservation Authority shall also determine the flood proofing measures required. New development shall not be permitted in the floodway. Development that may be permitted in the flood fringe area

shall be protected to the level of the regulatory flood. The application of a two-zone floodway and flood fringe concept in Norfolk County will require an amendment to this Plan following public consultation in accordance with the policies of this Plan.

- d) A major expansion of any existing non-conforming uses in the Hazard Lands Designation shall be discouraged, and shall be subject to the policies of Section 9.10.2 (Non-Conforming Uses).
- e) Replacement, minor infilling, minor additions, and redevelopment in some areas of existing development, located within the Hazard Lands Designation, may be permitted, subject to the policies of Section 9.10.2 (Non-conforming Uses). In such an area of existing development, infilling and redevelopment may be considered after detailed study of each local situation in consultation with the appropriate Conservation Authority. Proponents of development in such areas must undertake hazard minimization measures which meet the requirements of the appropriate Conservation Authority and other appropriate approval agencies. Proponents may be required to enter into an agreement regarding the undertaking of such measures.
- f) Any new development permitted in the flood plain shall be protected by acceptable flood proofing actions and measures.
- g) Access for new buildings will ensure that vehicular and pedestrian movement is not prevented during flood episodes.
- h) Building setbacks from the margins of Hazard Lands will be determined on a site specific basis in relation to the nature, extent and severity of the existing and potential hazards.

### **7.3.2.2 Shoreline Policies**

- a) The shoreline of Lake Erie is subject to naturally fluctuating lake levels, seiche episodes, regular wave action and storms. Development will generally be directed to areas outside of the furthest landward of the dynamic beach hazard limit, the flood hazard limit and the erosion hazard limit.
- b) Development and site alteration shall not be permitted within:
  - i) the dynamic beach hazard; and
  - ii) areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards, dynamic beach hazards

and/or other water related hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development, and the natural hazard.

- c) Development and site alteration may be permitted in Hazard Land areas other than those identified in Section 7.3.2.2(b), where the risk to public safety and other effects can be absorbed, managed or mitigated in accordance with the following standards:
  - i) the flooding and erosion hazards can be safely addressed, and the development and site alteration is carried out in accordance with floodproofing standards, protection works standards, and access standards;
  - ii) existing hazards are not aggravated or new hazards are not created;
  - iii) no adverse environmental impacts will result, and no negative impact on Provincial Significant Features or Natural Heritage Features will result;
  - iv) Vehicles and people have a way of safe ingress and egress during times of flooding, erosion or other emergencies; and
  - v) Development is carried out in accordance with established standards and procedures.
- d) In cases of severe water or erosion damage to County roads or other County properties, studies shall be undertaken to compare the costs of erosion abatement with structure relocation, road closing or relocation, or the acquisition of new properties. Alternatives shall be considered prior to any erosion abatement scheme or other course of action being undertaken.
- e) Where there is existing non-conforming development, repairs and minor additions to buildings and accessory uses such as boat houses may be permitted.
- f) The replacement of an existing building or structure may be permitted provided the hazard has been adequately addressed through the use of accepted engineering and resource management practices. Acceptable replacement shall not result in an increase of more than 50 m<sup>2</sup> to the original usable floor area of the building or structure, or alter the original use or affect shoreline processes.
- g) There may be areas where the hazard needs to be addressed on a comprehensive basis, rather than on an individual lot basis. Replacement of

an existing building or structure may need to be evaluated in the context of a comprehensive review of the particular hazard. The County shall consult with the appropriate Conservation Authority in this regard.

- h) Nothing in the above policies shall be interpreted to prohibit the relocation of an existing building or structure presently located within the erosion hazard limit either to a location farther away from the top of bank on the same lot or to another lot farther away from the top of bank, even if still within the erosion hazard limit. If a structure is relocated to another lot, no replacement structure may be constructed on the lot from which the original structure was moved, unless it is located on an area outside of the furthest landward of the dynamic beach hazard limit, the flood hazard limit and the erosion hazard limit.

### **7.3.2.3 Other Hazards**

There is land subject to hazards due to steep slopes, unstable soils and/or erosion in locations other than flood plains or the shoreline area. Development of such areas may be considered provided that the existing or potential hazards can be overcome by accepted engineering and resource management practices and techniques. The following shall be considered in the review of development proposals within these hazard areas, and the County shall consult the appropriate Conservation Authority in this regard:

- a) the existing physical hazards;
- b) the potential impacts of these hazards;
- c) the proposed methods by which these impacts may be overcome in a manner consistent with accepted engineering and resource management practices and techniques;
- d) the costs and benefits in economic, social and ecological terms of any engineering works or resources management practices needed to overcome these impacts; and
- e) protection of Provincially Significant Features and Natural Heritage Features.

### **7.3.3 Site Specific Policies**

The Site-Specific Policies embodied in this Plan reflect existing land use entitlements and approved development policies relating to specific sites.

#### **7.3.3.1 Hastings Drive Site Specific Policy Area**

On land designated Hazard Lands – Site Specific Policy Area 7.3.3.1 on Schedule “B” to this Plan, no new development shall be permitted.

#### **7.3.3.2 Port Dover – Restaurant/Spa Site Specific Policy Area**

On land designated Hazard Lands – Site Specific Policy Area 7.3.3.2 on Schedule “B” to this Plan, in addition to the uses permitted, a restaurant and a spa in conjunction with the restaurant shall be permitted.

#### **7.3.3.3 Long Point Eco-Adventures Site Specific Policy Area [17-OP-2008, Amendment 19]**

On land designated Hazard Land – Site Specific Policy Area 7.3.3.3 on Schedule “B” to this Plan, in addition to the uses permitted in the Hazard Land designation, trails, canopy tours and zip lines are permitted.

#### **7.3.3.4 S. Walsingham – Boathouse Site Specific Policy Area [7-OP-2009, Amendment 27]**

On land designated Hazard Land – Site Specific Policy Area 7.3.3.4 on Schedule “B” to this Plan, in addition to the uses permitted in the Hazard Land designation, a boathouse, no portion of which shall be used for accommodation for human habitation, shall also be permitted with the following maximum floor area dimensions:

1. Main level boathouse      137.9 square metres
2. Main level tool room      18.1 square metres
3. Upper area storage loft    113.4 square metres
4. Upper area bathroom      18.1 square metres
5. Upper observation deck    30.65 square metres

- |                          |                     |
|--------------------------|---------------------|
| 6. Upper access walkway  | 21.83 square metres |
| 7. Exterior stairway     | 9.29 square metres  |
| 8. Exterior sitting area | 72.8 square metres  |
| 9. Exterior Main walkway | 37.16 square metres |

**7.3.3.6 S. Walsingham – Nature Conservancy Office Site Specific Policy Area [7-OP-2014, Amendment 70]**

On land designated Hazard Land between the Windham West Quarter Line Road and the Brantford Road – Site Specific Policy Area 7.3.3.6 on Schedule “B” to this plan a severance to allow two residential dwellings one fronting the original road allowance on the Windham West Quarter Line Road and the other fronting the Brantford Road shall be permitted.

**7.3.3.7 Woodhouse – Vanderpost Site Specific Policy Area [7-OP-2015, Amendment 76]**

On land designated Hazard Land, Site Specific Policy Area 7.3.3.7 – on ‘Schedule B’ to this plan, a zip line course with trails shall be permitted.

**7.3.3.8 Number not used.**

**7.3.3.9 Woodhouse – Murphy/Harris Site Specific Policy Area [7-OP-2017, Amendment 92]**

On land designated Hazard Land — Site Specific Policy Area 7.3.3.9 on Schedule "B" to this Plan, in addition to the uses permitted, a single detached dwelling shall also be permitted, without frontage on an open and public road maintained on a year-round basis.

**7.3.3.10 - 11 Elm Park Drive - Tom/Lisa Site Specific Policy Area [6-OP-2020, Amendment 134]**

On land designated Hazard Land - Site Specific Policy Area 7.3.3.10 on Schedule "B" to this Plan, in addition to the uses permitted, a single detached dwelling shall also be permitted.

**7.3.3.11 Simcoe – Pond and Sydenham Street Apartment Building Site Specific Policy Area [3-OP-2021, Amendment 133]**

On land designated Hazard Land - Site Specific Policy Area 7.3.3.11 on Schedule "B" to this Plan, in addition to the uses permitted in the Hazard Land designation, a parking lot is permitted.



## **7.4 Provincially Significant Wetland Designation**

The highest level of protection and conservation for Provincially Significant Wetlands (PSW) is required by Provincial policy. Wetland significance and boundaries are identified by the Ministry of Natural Resources and Forestry using the Ontario Wetland Evaluation System. This Plan designates all identified PSW's on Schedule "B" and illustrates the PSW and the adjacent 120 metres on Schedule "C".

### **7.4.1 Permitted Uses**

Development and site alteration shall not be permitted within the Provincially Significant Wetland Designation. Subject to the other policies of this Plan, the following policies shall apply in determining uses permitted on land designated Provincially Significant Wetland on Schedule "B".

- a) Agricultural uses existing legally on the date of adoption of this Plan shall be permitted to continue.
- b) Permitted uses shall include conservation management, hunting, trapping, fishing, compatible recreational activities and education activities, subject to the approval of the County, in consultation with the appropriate Conservation Authority.
- c) Facilities and structures such as boardwalks, duck blinds and fish huts may be appropriate, subject to the approval of the County, in consultation with the Ministry of Natural Resources and Forestry and appropriate Conservation Authority.
- d) Uses accessory to any of the permitted uses in the Provincially Significant Wetland Designation are permitted, subject to the policies of Section 3.5.1 (Provincially Significant Features).

### **7.4.2 Land Use Policies**

The following policies apply to land designated Provincially Significant Wetland.

- a) Based on mapping provided by the Ministry of Natural Resources and Forestry, which is updated from time to time, the precise delineation of the Provincially

Significant Wetland Designation may be refined without amendment to this Plan. The County shall maintain up-to-date schedules reflecting the current delineation provided by the Ministry of Natural Resources and Forestry.

- b) Development or site alteration shall generally not be permitted on land adjacent to a Provincially Significant Wetland, subject to the policies of Section 3.5.1 (Provincially Significant Features).
- c) New utilities or facilities such as roads, sewer or water lines shall be located outside of a Provincially Significant Wetland (PSW). Where such utilities or facilities must be located within a PSW, alternative methods and measures to minimize impacts on the wetlands shall be considered. No utility structures, including communications towers, shall be located within the PSW Designation.
- d) Provincially Significant Wetlands shall be protected according to the policies of this Plan through the Zoning By-law.

## 7.5 Hamlet Designation

There are 42 Hamlet Areas located within the County. These Hamlets originated as service centres for the surrounding agricultural areas and as residential centres. The Hamlet Areas represent an alternative to the Urban Areas. These roles shall be encouraged to continue. Hamlet development, in the form of residential, commercial, industrial, recreational and institutional facilities provide important services to the surrounding Rural Area. Hamlet development is a preferred alternative to scattered non-farm development that reduces the impact of development on farming operations in the Rural Area

### 7.5.1 Permitted Uses

Subject to the other policies of this Plan, the following policies shall apply in determining uses permitted on land designated Hamlet on Schedule “B”.

- a) Low density residential dwellings on lots suitably sized to accommodate private servicing systems shall be the main permitted use.
- b) Home occupations shall be permitted in association with a residential use.
- c) Bed and breakfast establishments shall be permitted within a single detached residential dwelling, provided that all of the required parking is accommodated on the same lot, and subject to criteria in the Zoning By-law.
- d) Small scale compatible commercial and industrial uses will be permitted within the Hamlet Designation, subject to the policies of Section 7.5.2 (Hamlet Designation – Land Use Policies).
- e) Small scale institutional uses, such as pre-schools, day cares, elementary schools and churches, and park and recreational uses shall be permitted.
- f) Accessory Residential Dwelling, subject to the policies of Subsection 5.3.3 (Special Housing Forms); [3-OP-2020, Amendment 124]
- g) Uses accessory to any of the permitted uses in the Hamlet Designation are permitted.

## 7.5.2 Land Use Policies

The following policies apply to land designated Hamlet.

- a) Commercial and industrial uses within the Hamlet Designation shall be of a dry nature, not requiring excessive amounts of water for their operations.
- b) Designation of a Hamlet Area does not mean that the Hamlet Area is suitable for further development. The following criteria shall be addressed in the review of development applications within designated Hamlet Area boundaries:
  - i) availability of potable water;
  - ii) a servicing feasibility study has been completed in accordance with the Ministry of the Environment and Climate Change guidelines which demonstrates that the proposal's impact on ground and surface water will be within acceptable limits;
  - iii) the proposed servicing will be appropriate for the proposed densities and land uses;
  - iv) the pattern of new development will be a logical extension of the existing built-up area;
  - v) the available community facilities, such as community centres, schools, convenience commercial, recreation or cultural facilities can accommodate the proposed development;
  - vi) the area of the proposed development shall not be permitted in Provincially Significant Features or Hazard Lands, identified on Schedules "B" of this Plan;
  - vii) the area of the proposed development shall not be permitted in or on adjacent land to the Natural Heritage Features identified on Schedule "C" and/or Tables 1 and 2 or on Schedule "G" and Table 6 of the Lakeshore Special Policy Area Secondary Plan, unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions, in accordance with the policies of Section 3.5 (Natural Heritage Systems) and Section 11 (Lakeshore Special Policy Area Secondary Plan) of this Plan;
  - viii) the area of the proposed development shall not be located within, and will not have a negative impact on, a Natural Resource Area identified on

Schedule “J” to this Plan. Mineral Aggregate operations shall be protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. Existing mineral aggregate operations shall be permitted to continue without the need for Official Plan Amendment, rezoning or development permit under the Planning Act. When a licence for extraction or operations ceases to exist, development may be permitted if it is demonstrated that:

- the extraction resource use would not be feasible; or
- The proposed land use or development serves a greater long-term public purpose; and
- issues of public health, public safety and environmental impact are addressed; and
- the proposed development is compatible with existing development.

- c) Mobile home parks shall not be permitted.
- d) Additional residential development within a Hamlet Area shall be encouraged to occur through infilling or in-depth development. Provision shall be made at appropriate locations to provide access from the main road to an additional tier of lots behind existing development. The County shall strongly discourage linear development along roads.
- e) The conversion of small-scale institutional uses, such as elementary schools and places of worship to other uses permitted in the Hamlet Designation may be permitted without an amendment to this Plan, subject to the conversion being consistent with the policies of this Plan. Where enrolment in a school has declined to the point that there is vacant unused space, this space may be converted to other uses permitted in the Hamlet Designation, subject to the proposed use being compatible with school use of the property and consistent with the policies of this Plan.
- f) Development within the Hamlet Designation shall also be subject to the policies of Section 6.6 (Hamlet Areas) of this Plan.

### **7.5.3 Site Specific Policies**

The Site Specific Policies embodied in this Plan reflect existing land use entitlements and approved development policies relating to specific sites.

#### **7.5.3.1 Deleted**

#### **7.5.3.2 Fernlea Hamlet Area Site Specific Policy Area**

On land designated Hamlet – Site Specific Policy Area 7.5.3.2 on Schedule “B” to this Plan, in addition to the uses permitted, an existing mobile home park shall be permitted within the Fernlea Hamlet Area.

#### **7.5.3.3 Norfolk North and Norfolk West Hamlet Areas Site Specific Policy Area**

Notwithstanding the policies of this Plan, on land designated Hamlet – Site Specific Policy Area 7.5.3.3 on Schedule “B” to this Plan, in the Hamlet Areas of Norfolk North and Norfolk West, new commercial development on sites other than the Norfolk Mall shall be limited to the following uses:

- i) automobile service stations;
- ii) restaurants;
- iii) motels, hotels;
- iv) vehicle sales and rental establishments;
- v) farm implement sales and services;
- vi) commercial greenhouse and tree and plant nurseries;
- vii) fruit and vegetable outlets;
- viii) convenience stores up to 280 square metres;
- ix) personal service shops;
- x) lumber yards;
- xi) places of entertainment; and

xii) funeral homes.

**7.5.3.4 Windham Centre – Windham Centre School Conversion Site Specific Policy Area [1-OP-2015, Amendment 72]**

On land designated Hamlet – Site Specific Policy Area 7.5.3.4 on Schedule “B” to this Plan, in addition to the uses permitted, a maximum 14 unit apartment dwelling within the existing former school structure on private water and wastewater servicing shall be permitted.

**7.5.3.5 Vanessa Site Specific Policy Area [5-OP-2018, Amendment 101]**

On land designated Hamlet – Site Specific Policy Area 7.5.3.5 on Schedule “B” to this Plan, in lieu of Section 9.6.3.2 a) i), the severance of three (3) lots (three severed and one retained) from a land holding shall be permitted.

**7.5.3.6 Glen Meyer Site Specific Policy Area [8-OP-2018, Amendment 104]**

On land designated Hamlet – Site Specific Policy Area 7.5.3.6 on Schedule “B” to this Plan, in lieu of Section 9.6.3.2 a) i), the severance of three (3) lots (three severed and one retained) from a land holding shall be permitted.

**7.5.3.7 Fairground Site Specific Policy Area [9-OP-2018, Amendment 105]**

On land designated Hamlet – Site Specific Policy Area 7.5.3.7 on Schedule “B” to this Plan, in lieu of Section 9.6.3.2 a) i), the severance of three (3) lots (three severed and one retained) from a land holding shall be permitted.

**7.5.3.8 La Salette Site Specific Policy Area [5-OP-2021, Amendment 140]**

On land designated Hamlet – Site Specific Policy Area 7.5.3.8 on Schedule “B” to this Plan, in lieu of Section 9.6.3.2 a) i), the severance of four (4) lots (four severed and one retained for the creation of five lots in total) from a land holding shall be permitted.

## 7.6 Resort Residential Designation

This Plan recognizes the important historic role of the Resort Areas for the provision of seasonal cottages and recreational facilities along the Lakeshore. Permanent residential dwellings within the Resort Residential Designation are not permitted. There are six Resort Areas along the County's lakeshore: Avalon, Booth's Harbour, Fisher's Glen, Long Point, Normandale and Turkey Point. Development within the Resort Residential Designation is constrained by natural and human-made limitations. Natural limitations such as soil type, topography, flood and erosion prone areas and hazard lands impact this land, affecting both existing and future land uses.

### 7.6.1 Permitted Uses

Subject to the other policies of this Plan, the following policies shall apply in determining uses permitted on land designated Resort Residential on Schedule "B".

- a) Vacation dwellings shall be permitted, subject to the policies of Section 7.6.2 b) (Resort Residential Designation – Land Use Policies).
- b) Residential dwellings used for permanent occupancy that existed legally on the date of adoption of this Plan shall be permitted. No further development or conversion of residential dwellings for permanent occupancy shall be permitted.
- c) Small scale resort-oriented commercial uses shall be permitted, subject to the policies of Section 7.6.2 (Resort Residential Designation – Land Use Policies).
- d) Small scale Institutional uses shall be permitted, subject to the policies of Section 7.6.2 (Resort Residential Designation – Land Use Policies).
- e) Marine-related uses including marinas, which may include a restaurant and/or sales and service function in association with the marine operation, and accessory uses, shall be permitted, provided that the shoreline hazards will not be aggravated and the requirements of the Conservation Authority have been satisfied.
- f) Recreational, open space, and natural heritage appreciation uses shall be permitted.
- g) Tent and trailer parks may be permitted, subject to approval of the County and the Conservation Authority.



- h) Uses accessory to any of the permitted uses in the Resort Residential Designation are permitted.

## 7.6.2 Land Use Policies

The following policies apply to land designated Resort Residential.

- a) All of the land designated Resort Residential are entirely within the area identified by the Conservation Authority as being hazard land. Consequently, the land shall be subject to the policies of Section 7.3 (Hazard Lands Designation), save and except for the Permitted Uses noted in Section 7.6.1 (Resort Residential Designation – Permitted Uses).
- b) Notwithstanding the policies of the Plan, infilling on existing lots of record for the purposes of developing a vacation home for seasonal use, replacement of existing buildings or structures, repairs and minor additions to existing buildings or structures, and accessory uses may be permitted. Proposals for development in this regard must recognize the hazards that exist and be constructed in such a manner that the risk to the occupants and the structure is reduced. The Conservation Authority shall be consulted to determine the appropriate methods to minimize risk. Residential dwellings for permanent occupancy shall not be permitted.
- c) The consolidation of existing undersized lots of record shall be encouraged.
- d) The preferred location of new resort-oriented commercial or institutional uses shall be adjacent to arterial roads in locations which are not unreasonably disruptive to the character of surrounding resort residential uses. Sites for such uses shall be appropriately sized to accommodate any related outdoor activities, suitable building envelopes incorporating appropriate setbacks and separations, parking areas and waste water disposal systems.
- e) Development within the Resort Residential Designation shall be further subject to the policies of Section 6.8 (The Lakeshore) and Section 11 (Lakeshore Special Policy Area Secondary Plan) of this Plan.

### **7.6.3 Site Specific Policies**

The Site Specific Policies embodied in this Plan reflect existing land use entitlements and approved development policies relating to specific sites.

#### **7.6.3.1 – Turkey Point Site Specific Policy Area [2-OP-2018, Amendment 99]**

On land designated Resort Residential – Site Specific Policy Area 7.6.3.1 on Schedule “B” to this Plan, in addition to the uses permitted, construction of a seasonal cottage without frontage on an open, constructed and year-round, improved road shall be permitted. Relief of 13.05% lot coverage from the maximum permitted coverage of 15% to permit a coverage of 28.05% shall also be permitted.

#### **7.6.3.2 – Bauer Site Specific Policy Area [4-OP-2019, Amendment 118]**

On land designated Resort Residential – Site Specific Policy Area 7.6.3.2 on Schedule "B" to this Plan, Subsections 6.8.3 and 7.3.2.2 shall not apply.

## 7.7 Urban Residential Designation

The Urban Residential Designation applies to the Urban Areas of the County. The Urban Areas are expected to continue to accommodate attractive neighbourhoods which will provide for a variety of residential forms as well as neighbourhood facilities such as elementary schools, parks, places of worship and convenience commercial uses integral to and supportive of a residential environment.

A variety of housing types are needed to meet the needs of a diverse population. Opportunities to provide housing for individuals or groups with special needs including the elderly and those with special physical, social or economic needs within the County will be encouraged.

### 7.7.1 Permitted Uses

Subject to the other policies of this Plan, the following policies shall apply in determining uses permitted on land designated Urban Residential on Schedule “B”.

- a) The predominant use of land shall be a variety of urban dwelling types, including single detached dwellings, semi-detached dwellings, duplex dwellings and similar low-profile residential buildings not exceeding 2 dwelling units per lot.
- b) Medium density residential uses shall be permitted including triplex dwellings, fourplex dwellings, row or block townhouse dwellings, converted dwellings containing more than two dwelling units, walk-up apartments and similar medium profile residential buildings, subject to the policies of Section 7.7.2 (b) (Urban Residential Designation – Land Use Policies).
- c) High density residential uses in development forms greater than those described in Subsections (a) and (b) shall be permitted subject to the policies of Section 7.7.2 (c) (Urban Residential Designation – Land Use Policies), save and except for in the Courtland Urban Area where high density residential uses shall not be permitted.
- d) An accessory residential dwelling unit or garden suite shall be permitted subject to the policies of Sections 5.3.3.1 (Accessory Residential Dwellings) and 5.3.3.2 (Garden Suites) of this Plan.
- e) In accordance with Section 4.5.4 b) (Tourism), bed and breakfast establishments shall be permitted in any single detached residential dwelling, provided that all

the required parking is accommodated on the same lot, and subject to criteria established in the Zoning By-law.

- f) Elementary schools and day care centres shall be permitted, provided that they have access to an arterial or collector road.
- g) Places of worship with a site area of up to 1 hectare, neighbourhood community and cultural centres and institutional uses of similar scale shall be permitted, provided that they have access to an arterial or collector road.
- h) Neighbourhood parks and parkettes, as defined in Section 5.6.1 (Parks) of this Plan shall be permitted, whereas community parks, major parks and other large-scale recreational uses shall only be permitted in the Parks and Open Space Designation, through the policies of Section 7.15.1 (Parks and Open Space Designation – Permitted Uses).
- i) Senior citizens' homes or similar housing facilities for senior citizens including nursing homes shall be permitted to develop in accordance with the medium density residential policies of Section 7.7.2 (b) (Urban Residential Designation – Land Use Policies).
- j) A home occupation in a dwelling unit shall be permitted, except where an accessory dwelling unit, garden suite, or bed and breakfast establishment exists on the lot, provided the use does not change the residential character of the building and lot, and residential remains the principal use. The use shall be compatible with the surrounding residential uses.
- k) Group homes, hostels, temporary shelters, emergency shelters and other similar forms of special needs housing shall be permitted, subject to the policies of Section 5.3.2 (Special Needs Housing) of this Plan. In the Courtland Urban Area, only small-scale group homes, hostels, temporary shelters, emergency shelters and other similar forms of special needs housing shall be permitted.
- l) Small scale neighbourhood convenience commercial and personal service uses to serve the daily shopping needs of a neighbourhood shall be permitted, subject to the policies of Section 7.7.2 (d) (Urban Residential Designation – Land Use Policies).
- m) Mobile homes or trailer parks shall not be permitted.
- n) Uses accessory to any of the permitted uses in the Residential Designation are permitted.

## 7.7.2 Land Use Policies

The following policies apply to land designated Urban Residential.

- a) Single, semi-detached and duplex housing forms shall generally have an average net density of 15 units per hectare (uph), save and except for land designated Urban Residential in the Courtland Urban Area, where private servicing limitations shall determine the density of development.
- b) Triplex, fourplex, townhouses, and other medium density housing forms, shall generally have a net density of between 15 and 30 uph, save and except for in the Courtland Urban Area where private servicing limitations shall determine the density of development. New medium density residential development and other uses that are similar in terms of profile, shall meet the following criteria:
  - i) the density, height and character of the development shall have regard to adjacent uses;
  - ii) the height and massing of the buildings at the edge of the medium density residential development shall have regard to the height and massing of the buildings in any adjacent low density residential area and may be subject to additional setbacks, or landscaping to provide an appropriate buffer;
  - iii) the development will be encouraged to have direct access to an arterial or collector road, where possible and appropriate;
  - iv) the watermains and sanitary sewers shall be capable of accommodating the development, or the proponent shall commit to extending services at no cost to the County, save and except for in the Courtland Urban Area, where private septic systems shall be permitted;
  - v) the development is adequately serviced by parks and school facilities;
  - vi) in developments incorporating walk-up apartments, block townhouse dwellings and medium-profile residential buildings, on-site recreational facilities or amenities such as playground equipment may be required;
  - vii) the development shall be designed and landscaped, and buffering shall be provided to ensure that the visual impact of the development on adjacent uses is minimized;

- viii) except for a triplex dwelling, fourplex dwelling or other similar small-scale developments, a report on the adequacy of the road network to accommodate the expected traffic flows, and the adequacy of water and sewer services may be required from the proponent and approved by the County; and
  - ix) triplexes, fourplexes, freehold street townhouses or other similar small-scale developments, may be subject to site plan control, in accordance with the policies of Section 9.6.5 (Site Plan Control) of this Plan.
- c) High density residential uses, including apartment buildings and other forms of multiple housing of a similar density shall be carefully located. The following criteria shall be addressed in the consideration of such applications, especially in proximity to lower density residential development:
- i) the density, height and character of the development shall be compatible with adjacent uses;
  - ii) the ability of the site to accommodate necessary facilities and amenities, such as garbage storage, parking and landscaped areas;
  - iii) the height, form and density of the proposed development is such that no undue adverse impacts in terms of overshadowing, increased traffic or loss of amenity area are created for surrounding residential uses;
  - iv) the relationship of the site to nearby lower density residential uses, in view of the desire to provide a gradual transition in height and density wherever possible;
  - v) the degree to which the site has access to significant open space amenities such as valleylands or major parks;
  - vi) municipal watermains and sanitary sewers shall be required and shall be capable of accommodating the development, or the proponent shall commit to extending services at no cost to the County;
  - vii) the proximity of the site to arterial or collector roads, and/or pedestrian accessibility to a Downtown Area or, in the case of the Simcoe Urban Area, a Secondary Centre, or other locations of supporting services and facilities;
  - viii) the adequacy of local services including schools and other community services. It is recognized that accessibility to such facilities, including

health care services, may be particularly important to residents with special needs; and

- ix) the use shall be subject to site plan control, in accordance with the policies of Section 9.6.5 (Site Plan Control) of this Plan.
- d) In evaluating applications for neighbourhood commercial uses in the Urban Residential Designation, the following criteria shall be met:
- i) no more than one commercial structure or building shall be permitted on any site, and the gross floor area of the commercial use shall generally not exceed 300 square metres;
  - ii) building height shall be limited to one storey unless residential apartments are located on the upper floor(s), in which case the maximum building height shall be subject to the surrounding residential density provisions;
  - iii) landscaping, fencing, berms and other forms of visual screening, as may be necessary, shall be provided adjacent to residential land uses;
  - iv) all required parking shall be provided on the site, and cash-in-lieu of required parking in accordance with the policies of Section 8.2.3 (Parking) of this Plan, shall not be accepted by the County;
  - v) driveway access shall be approved by the County;
  - vi) the facility shall be located at or in proximity to the intersection of arterial or collector roads, and shall not be located mid-block within a residential area; and
  - vii) the use shall be subject to site plan control, in accordance with the policies of Section 9.6.5 (Site Plan Control) of this Plan.
- e) The conversion of small-scale institutional uses, such as elementary schools and places of worship to other uses permitted in the Urban Residential Designation may be permitted without an amendment to this Plan, subject to the conversion being consistent with the policies of this Plan. Where enrolment in a school has declined to the point that there is vacant unused space, this space may be converted to other uses permitted in the Urban Residential Designation, subject to the proposed use being compatible with school use of the property and consistent with the policies of this Plan.

- f) Development within the Urban Residential Designation shall be further subject to the policies of Section 6.4 (Urban Areas) and 6.5 (Specific Urban Area Policies) of this Plan.

### **7.7.3 Site Specific Policies**

The Site-Specific Policies embodied in this Plan reflect existing land use entitlements and approved development policies relating to specific sites.

#### **7.7.3.1 Port Dover – Mill Store Site Specific Policy Area**

On land designated Urban Residential – Site Specific Policy Area 7.7.3.1 on Schedule “B” to this Plan, in addition to the uses permitted, an existing retail establishment focusing on the sale of fabrics and clothing, a farmers’ market, a place of sports and recreation, and an adult training centre shall be permitted.

#### **7.7.3.2 Port Dover – Restaurant Site Specific Policy Area**

On land designated Urban Residential – Site Specific Policy Area 7.7.3.2 on Schedule “B” to this Plan, in addition to the uses permitted, a restaurant shall also be permitted to locate within the existing dwelling.

#### **7.7.3.3 Port Dover – Office Site Specific Policy Area**

On land designated Urban Residential – Site Specific Policy Area 7.7.3.3 on Schedule “B” to this Plan, in addition to the uses permitted, an administrative office shall also be permitted within the existing one-storey residential dwelling unit.

#### **7.7.3.4 Waterford – Tea Room & Craft Shop Site Specific Policy Area**

On land designated Urban Residential – Site Specific Policy Area 7.7.3.4 on Schedule “B” to this Plan, in addition to the uses permitted, a tearoom and craft shop shall also be permitted.



### **7.7.3.5 Waterford – Retail Art Shop Site Specific Policy Area**

[Repealed by By-law 9-OP-2019, Amendment 123]

### **7.7.3.6 Waterford – Restaurant & Culinary Educational Facility Site Specific Policy Area**

On land designated Urban Residential — Site Specific Policy Area 7.7.3.6 on Schedule "B" to this Plan, in addition to the uses permitted, a restaurant located within an existing dwelling and a culinary educational facility with a maximum of eight students shall be permitted.

### **7.7.3.7 Port Dover – Gardening Supply Outlet Site Specific Policy Area**

On land designated Urban Residential – Site Specific Policy Area 7.7.3.7 on Schedule "B" to this Plan, in addition to the uses permitted, a gardening supply outlet shall be permitted for the sale of supplies directly related to the installation and maintenance of the various landscaping backyard pond displays.

### **7.7.3.8 Simcoe – Mixed Use & Warehousing Site-Specific Policy Area**

On land designated Urban Residential – Site Specific Policy Area 7.7.3.8 on Schedule "B" to this Plan, in addition to the uses permitted, the following uses shall also be permitted: art gallery; arts, crafts and photographic studio and accessory retail; commercial moving business; fitness centre; warehousing excluding the storage of food and chemicals and hazardous materials; and used furnishings sales accessory to the moving business and warehousing. Other than the warehouse use, the total usable floor area for all other non-residential uses shall be limited to a maximum of 218 square metres.

### **7.7.3.9 Simcoe – Norfolk Street South Site-Specific Policy Area**

On land designated Urban Residential – Site Specific Policy Area 7.7.3.9 on Schedule "B" to this Plan, redevelopment, infill, and consents for severance, which result in the demolition of the existing housing stock, shall be discouraged. Consideration of conversion to multiple unit dwellings, home occupations, and bed and breakfast

establishments, which maintain the character of the area by preserving the housing stock and architectural designs, shall be encouraged.

#### **7.7.3.10 Simcoe – Norview Residential Area Site Specific Policy Area**

Notwithstanding Section 8.2.2 (d) of this Plan, on land designated Urban Residential – Site Specific Policy Area 7.7.3.10 on Schedule “B” to this Plan, frontage on an open public road shall not be required.

#### **7.7.3.11 Port Dover – Health Clinic Site Specific Policy Area**

On land designated Urban Residential- Site Specific Policy Area 7.7.3.11 on Schedule “B” to this Plan, in addition to the permitted uses, an animal hospital, a clinic or doctor’s offices, a financial institution, offices, a pharmacy, and a retail store associated with a clinic or doctor’s office shall be permitted. The commercial structure or building shall have a gross floor area of up to 900 m<sup>2</sup>, where the number of commercial retail units is limited to a maximum of two units with a maximum usable floor area of 200 m<sup>2</sup> per unit. The usable floor area of a pharmacy shall be limited to a maximum of 50 m<sup>2</sup>.

#### **7.7.3.12 Simcoe – Office Site Specific Policy Area [11-OP-2008, Amendment 15]**

On land designated Urban Residential- Site Specific Policy Area 7.7.3.12 on Schedule “B” to this Plan, a 557.4 square metres clinic or doctor’s office shall be permitted.

#### **7.7.3.13 Port Dover – Dover Coast Residential Site-Specific Policy Area [OMB Decision 2638, 1-OP-2006, Amendment 1]**

Notwithstanding the policies in 7.7.1 h), for lands designated “Urban Residential” between Highway 6 and New Lakeshore Road as identified on Schedule “B” with Site Specific Policy Area 7.7.3.13, golf course uses shall also be permitted.

For any residential proposal on the Subject Land and on the Other Lands owned by the applicant, as identified on Schedule B, that are within the Industrial Influence Area (IIA) a distance of no more than 300 metres, the following studies shall be completed and submitted to Norfolk County and Haldimand County:

1. Planning Justification Report

2. Air Quality Assessment
3. Noise Study

Each of the completed studies may be peer reviewed at the discretion of Norfolk County and/or Haldimand County and the proponent shall pay the reasonable cost of the peer review. This review may include consultation with the Ministry of Environment and Climate Change.

**7.7.3.14 Simcoe – Business Administration and Health Service Practitioner Offices/Apartments Site Specific Policy Area [6-OP-2013, Amendment 62]**

On land designated Urban Residential- Site Specific Policy Area 7.7.3.14- on Schedule “B” to this Plan, in addition to the uses permitted:

1. Two offices for Health Service Practitioners; a General Business Administration office and two apartment dwelling units, or
2. Two offices for Health Service Practitioners and three apartment dwelling units.

**7.7.3.15 Simcoe – Rivard Restaurant within an Existing Dwelling Site Specific Policy Area [11-OP-2008, Amendment 15]**

On land designated Urban Residential- Site Specific Policy Area 7.7.3.15-Rivard on Schedule “B” to this Plan, a restaurant located within the dwelling on the first floor shall also be permitted.

**7.7.3.16 Sunfield Homes Site Specific Policy Area [5-OP-2019, Amendment 110]**

On land designated Urban Residential- Site Specific Policy Area 7.7.3.16 on Schedule “B” to this Plan, in addition to the uses permitted, two accessory residential dwelling units per lot shall be permitted.

**7.7.3.17 Port Dover - Pretty Smart Holdings Inc. Site Specific Policy Area [7-OP-2019, Amendment 121]**

On land designated Urban Residential – Site Specific Policy Area 7.7.3.17 on Schedule “B” to this Plan, in addition to the uses permitted, a rooming house shall be permitted.

**7.7.3.18 Simcoe – Yeager Avenue Site Specific Policy Area [7-OP-2021, Amendment 138]**

On land designated Urban Residential – Site Specific Policy Area 7.7.3.18 on Schedule “B” to this Plan, in lieu of Section 9.6.3.2 a) i), the severance of four (4) lots (four severed and one retained for the creation of five lots in total) from a land holding shall be permitted.

**7.7.3.19 Port Dover – 511 Nelson Street West Site Specific Policy Area [4-OP-2022, Amendment 144]**

On land designated Urban Residential – Site Specific Policy Area 7.7.3.19 on Schedule “B” to this Plan, in addition to the uses permitted, accessory (to a residential use) tourist cabins shall be permitted, subject to Site Plan Control (Section 9.6.5).

**7.7.3.20 St. Ladislaus Cemetery Site Specific Policy Area [6-OP-2022, Amendment 146]**

On land designated St. Ladislaus Cemetery – Site Specific Policy Area 7.7.3.20 on Schedule “B” to this Plan, the following shall apply:

- i. Notwithstanding the policies of section 8.2.2.d) of this plan, frontage on an open public road shall not be required.

**7.7.3.21 Simcoe – 157 Queensway East Site Specific Policy Area [9-OP-2022, Amendment 147]**

On land designated Urban Residential – Site Specific Policy Area 7.7.3.21 on Schedule “B” to this Plan, the following uses shall also be permitted:

Complementary neighborhood commercial uses, such as convenience store, day care nursery, laundromat, personal services and restaurant;

Additional accessory uses, such as recreational, environmental and social amenities, to the primary permitted uses.

## 7.8 Downtown Designation

The Downtown Designation represents and designates the traditional centres of the County, accommodating the largest and most diverse concentration of central functions. This Designation includes retail, office, service, entertainment and other commercial uses, as well as government, institutional, residential and community activities. Downtowns will be the focus of compact and focussed development oriented to the pedestrian scale.

There are five Downtown Designations within the County, including Simcoe, Port Dover, Delhi, Waterford and Port Rowan. These areas are delineated on Schedule “B” and the planned function of these areas is described in Section 6.4.1 (Downtown Areas).

### 7.8.1 Permitted Uses

Subject to the other policies of this Plan, the following policies shall apply in determining uses permitted on land designated Downtown on Schedule “B”.

- a) Permitted uses shall include a wide range of commercial activities, including retail and service commercial facilities, business and professional offices, hotels, motels, restaurants, convention centres, private clubs, places of recreation and entertainment, personal and business services, governmental facilities, outlets for wholesale, retail or mixed retail-wholesale trade, farmers’ markets, arts and cultural facilities including museums and art galleries, parks, community facilities, public and private institutions, and limited employment uses.
- b) Residential uses shall be permitted, provided that the uses do not negatively impact the planned function of the Downtown Designation, subject to the following provisions:
  - i) in a building of commercial character, residential uses shall only be permitted above the ground floor and on the ground floor in the rear of the building, provided that the street frontage is maintained for commercial uses; and
  - ii) in an existing building of residential character, residential uses (either a single detached dwelling or multiple residential dwellings), and/or commercial uses shall be permitted, provided the residential character of the building is maintained.

- iii) for the purposes of this policy, the residential or commercial character of a building may be determined in consultation with the Chief Building Official of the County.
  - iv) new low density housing forms, such as single detached and semi-detached dwellings will be discouraged in the Downtown designation.
  - v) rental and ownership forms of housing will be encouraged.
- c) Uses accessory to any of the permitted uses in the Downtown Designation are permitted.

### **7.8.2 Land Use Policies**

The following policies apply to land designated Downtown.

- a) The height, massing and layout of buildings within the Downtown Designation shall be oriented to a pedestrian scale.
- b) The historic patterns of downtown developments in Norfolk County has been characterized by ground floor commercial uses with narrow street frontages, frequent pedestrian entrances and windows that create pedestrian appeal. The design of new buildings and the redevelopment or adaptive re-use of existing buildings shall enhance the quality of the pedestrian environment by including transparent frontages, the articulation of facades and the use of quality materials at the street level.
- c) High activity uses, such as restaurants and retail stores that animate the streetscape will be encouraged at the street level.
- d) Historic streetscape patterns such as block lengths, building heights, setbacks and separations will be maintained.
- e) As at grade uses may change over time, the floor to ceiling height of ground floors for all buildings shall be sufficient to adapt to a range of permitted uses.
- f) Linkages between the Downtown Areas and recreation trails shall be encouraged to foster pedestrian activity and encourage tourism in the Downtown Areas. Council will implement the Active Transportation recommendations of the Integrated Sustainable Master Plan as they apply to Downtown Areas, to the extent practical.

- g) The development of public places in Downtown Areas that can be the focus of community festivals, events and activities attractive to all segments of the community will be encouraged.
- h) The County will encourage the establishment of a wide range of arts and cultural facilities and activities in the Downtown Areas.
- i) The County will support the placement of public art and murals in Downtown Areas.
- j) The County will support the placement of wayfinding signage in each of the Downtown Areas to direct visitors to shops, services and attractions.
- k) The County will support the creation of pop-up uses and activities in Downtown Areas. The pop-up uses and activities may require the temporary closing or use of all or part of public rights-of-way. The County may establish policies and procedures to facilitate the establishment of pop-up uses and activities.
- l) The provision of adequate convenient parking is important to maintaining the economic viability of Downtowns. It is recognized that in Downtowns, it may not be feasible or desirable for all developments to provide the parking on site. The provision of parking spaces shall be subject to the following policies:
  - i) private and public parking lots will be encouraged at locations convenient to the main shopping streets. Parking lots should not be visible from or have direct frontage on a major commercial street in the Downtown;
  - ii) parking areas will be encouraged to locate to the rear of buildings;
  - iii) parking facilities shall be appropriately designed and landscaped to complement the downtown streetscape;
  - iv) on-street parking is important to the economic vitality of Downtowns and will be maintained to the extent practical. The temporary use of on-street parking spaces for pop-up uses or outdoor cafes or eating areas may be permitted subject to the policies and procedures that may be established by Council;
  - v) parking will be encouraged for new residential developments;
  - vi) the County may reduce or eliminate parking requirements for all developments or particular classes of development in any or all of the Downtown designations; and

- vii) the County may accept cash-in-lieu of parking as an alternative to providing any required parking.
- m) Drive-through commercial facilities may be permitted in the Downtown Designations subject to the following requirements:
  - i) ingress and egress from the site will not conflict with the safe movement of pedestrians;
  - ii) where adequate sight lines can be maintained to ensure safe turning movements that will not conflict with safe pedestrian and vehicular traffic;
  - iii) where adequate stacking lanes can be provided on-site to ensure that pedestrian and vehicular traffic will not be impeded;
  - iv) where the drive-through facilities will not restrict the development or redevelopment of adjacent properties; and
  - v) that adequate and appropriate buffers be provided where the drive-through facility is adjacent to properties with residential units.
- n) The site plan control policies in accordance with the policies of Section 9.6.5 (Site Plan Control) of this Plan shall apply to all development applications in the Downtown Designations.
- o) Development within the Downtown Designation shall be further subject to the policies of Section 6.4 (Urban Areas) and 6.5 (Specific Urban Area Policies).

### **7.8.3 Site Specific Policies**

The Site Specific Policies embodied in this Plan reflect existing land use entitlements and approved development policies relating to specific sites.

#### **7.8.3.1 Deleted**



#### **7.8.3.2 Delhi – Residential Uses Site Specific Policy Area**

On land designated Downtown – Site Specific Policy Area 7.8.3.2 on Schedule “B” to this Plan, a maximum of two residential dwelling units are permitted on the ground floor, only in the portion of the building that fronts onto Church Street West.

#### **7.8.3.3 Delhi – Mixed Use/Multi Residential Uses Site Specific Policy Area [3-OP-2011, Amendment 43]**

On land designated Downtown – Site Specific Policy Area 7.8.3.3 on Schedule “B” to this Plan, in addition to the uses permitted, a maximum of eight residential dwelling units shall be permitted on the ground floor and a maximum of four residential dwelling units shall be permitted in the basement.

[2-OP-2021, Amendment 136]

On land designated 'Downtown' - Site Specific Policy Area 7.8.3.3 on Schedule "B" to this Plan, in addition to the uses permitted, residential dwelling units shall be permitted on the ground floor.

#### **7.8.3.4 Simcoe – Vanderlaan Site Specific Policy Area [13-OP-2018, Amendment 111]**

On land designated Downtown – Site Specific Policy Area 7.8.3.4 on Schedule “B” to this Plan, in lieu of Subsection 7.8.1(b)(i), residential uses shall be permitted along the Robinson Street frontage.

#### **7.8.3.5 – Bancroft Site Specific Policy Area [3-OP-2019, Amendment 117]**

On land designated Downtown – Site Specific Policy Area 7.8.3.5 on Schedule “B” to this Plan, in lieu of Subsection 7.8.1(b)(i), one residential apartment along the Alice Street Frontage shall be permitted.

#### **7.8.3.6 – Coates Site Specific Policy Area [1-OP-2020, Amendment 127]**

On land designated Downtown – Site Specific Policy Area 7.8.3.6 on Schedule “B” to this Plan, subsection 7.8.1 b) shall not apply.

**7.8.3.7- Simcoe - Residential Uses Site Specific Policy Area [3-OP-2021,  
Amendment 133]**

On lands designated Downtown - Site Specific Policy Area 7.8.3.7 on Schedule "B" to this Plan, in lieu of Subsection 7.8.1 an apartment building with a maximum of 67 residential units and where seven of those units are permitted on the ground floor along the Sydenham Street frontage.

## **7.9 Mixed Residential/Commercial Designation**

The Mixed Residential/Commercial are generally areas of transition from the relatively focussed and primarily commercial developments in Downtown areas to the lower-density surrounding residential neighbourhoods. The Mixed Residential/Commercial designation permits residential uses and a restricted range of commercial and encourages the retention of existing older residential buildings which may be of heritage interest.

### **7.9.1 Permitted Uses**

Subject to the other policies of this Plan, the following policies shall apply in determining uses permitted on land designated Mixed Residential/Commercial on Schedule “B”.

- a) The primary permitted uses shall include business and professional offices, private clubs, delicatessens, galleries, studios, craft, gift or souvenir shops, convenience stores, personal service shops, bed and breakfast establishments and a full range of residential uses.
- b) Institutional and community uses, compatible in scale and density to the primary permitted uses may also be permitted.
- c) Uses accessory to any permitted uses in the Mixed Residential/Commercial designation are permitted.

### **7.9.2 Land Use Policies**

The following policies shall apply to land designated Mixed Residential/Commercial

- a) It is intended that in the process of introducing commercial uses into Mixed Residential/Commercial areas that the residential character of the individual buildings and the general area shall be maintained by sensitive conversion of existing buildings with a residential character and by development of complementary additions or new buildings, by control of signs visible from the exterior and by properly locating and screening off-street parking.

- b) compatible building design and location, to achieve a consistent streetscape and to be compatible with the heritage character of adjacent properties will be encouraged.
- c) Adequate parking shall be provided on-site and shall generally be located to the rear of the main front wall of the building. Parking shall be adequately screened and buffered so as not to impact on adjacent residential uses.
- d) Building signage should be consistent in design and size and shall be subject to the County's Sign Bylaw.
- e) Outside storage or display of goods, merchandise, or equipment shall be prohibited.
- f) Comprehensive block development of lands in separate ownerships will be encouraged, to achieve well-designed and integrated development, including:
  - i) integrated internal circulation systems;
  - ii) co-ordinated access points, to minimize the total number of access points to abutting roads;
  - iii) compatible building design and location, to achieve a consistent streetscape and to be compatible with the heritage character of adjacent properties;
  - iv) complementary landscaping plans;
  - v) integrated parking areas; and
  - vi) consistent signage and lighting facilities.

### **7.9.3 Site Specific Policies**

The Site Specific Policies embodied in this Plan reflect existing land use entitlements and approved development policies relating to specific sites.

#### **7.9.3.1 Simcoe – Mixed Residential/Commercial Designation [3-OP-2022, Amendment 143]**

That in addition to Section 7.9.1, retail is permitted on the ground floor of the building existing as of the date of this amendment provided that the building contains a permitted residential use.

## **7.10 Shopping Centre Commercial Designation**

The Shopping Centre Commercial Designation applies to the existing shopping centres located outside of areas designated as Downtown. These areas are primarily retail in nature, and provide a less diverse array of goods and services than provided in the Downtown Designation.

### **7.10.1 Permitted Uses**

Subject to the other policies of this Plan, the following policies shall apply in determining uses permitted on land designated Shopping Centre Commercial on Schedule “B”.

- a) Permitted uses in the Shopping Centre Commercial Designation are less diverse than in the Downtown Designation and are primarily of a general retail nature, and may include drug stores, hardware, general merchandise, automotive and highway commercial uses, personal service shops, restaurants, and a limited amount of office uses related to the local area or which cannot be reasonably justified within the Downtown Designation, in accordance with the policies of Section 6.4 (b) (Urban Areas).
- b) The type and amount of retail commercial facilities shall be limited by the policies of this Plan and the Zoning By-law provisions applicable to each specific site, including restrictions with respect to permitted uses, definitions and numerical limits, so as to not detract from the Downtown Designation as the focus of the County’s commercial structure. In particular, it is intended that any retail activities other than those identified in the Section 7.10.1 (a) (Shopping Centre Commercial Designation – Permitted Uses) shall be limited as appropriate in terms of the number of retail units and the total amount of floor area which may be so used.

### **7.10.2 Land Use Policies**

The following policies apply to land designated Shopping Centre Commercial.

- a) Shopping Centre Commercial development shall be compatible with surrounding uses and shall be adequately buffered from adjacent residential and other sensitive land uses.

- b) Adequate off-street parking and loading spaces shall be provided in accordance with the Zoning By-law.
- c) Shopping Centre Commercial uses shall generally only locate on Provincial Highways, subject to the approval of the Province and the County, or arterial roads, subject to the approval of the County.
- d) A high standard of site design, including landscaping, buffer areas, building design and location, parking and loading areas, pedestrian and vehicular circulation, lighting and signage shall be required and shall be subject to the Site Plan Control Bylaw.
- e) Any enlargement of an existing Large Retail Use in the Shopping Centre Commercial Designation shall only be permitted by way of site-specific amendment to the Zoning By-law. Prior to considering a Zoning By-law amendment to accommodate an enlarged Large Retail Use, the following criteria shall be met to the satisfaction of the County:
  - i) a planning rationale report, shall be completed assessing the expansion in relation to the planned function of the Downtown Designation, the Shopping Centre Commercial Designation and the Commercial Designation, impacts on adjacent uses, as well as any other matters determined by the County;
  - ii) a retail market impact study shall be completed in accordance with the policies of Section 9.7.2 (Retail Market Impact Study) of this Plan;
  - iii) a traffic impact study shall be completed in accordance with the specific requirements of the County and the Province, as appropriate;
  - iv) an urban design study and guidelines shall be completed, as outlined in policies of Section 5.4 (Community Design) of this Plan; and
  - v) a comprehensive development master plan addressing the total gross floor area, location of buildings, parking, landscaping, pedestrian amenities, and other site elements, shall be required when dealing with a development comprised of multiple buildings, irrespective of the proposed size and use of the buildings.
- f) Establishment of a new Large Retail Use, of more than 3,000 m<sup>2</sup> of gross leasable floor area, in the Shopping Centre Commercial Designation shall only be permitted by way of site-specific amendment to this Plan and the Zoning By-law. Prior to considering an amendment to this Plan to accommodate a new

Large Retail Use, the following criteria shall be met to the satisfaction of the County:

- i) a planning rationale report, shall be completed assessing the use in relation to the planned function of the Downtown Designation, the Shopping Centre Commercial Designation and the Commercial Designation, impacts on adjacent uses, as well as matters outlined in Section 9.6.1 (Official Plan Amendments) of this Plan;
  - ii) a retail market impact study shall be completed in accordance with the policies of Section 9.7.2 (Retail Market Impact Study) of this Plan;
  - iii) a traffic impact study shall be completed in accordance with the specific requirements of the County and the Province, as appropriate;
  - iv) an urban design study and guidelines shall be completed, as outlined in policies of Section 5.4 (Community Design) of this Plan; and
  - v) a comprehensive development master plan addressing the total gross floor area, location of buildings, parking, landscaping, pedestrian amenities, and other site elements, shall be required when dealing with a development comprised of multiple buildings, irrespective of the proposed size and use of the buildings.
- g) Proposals to designate additional land as Shopping Centre Commercial within the County shall be subject to the policies of Section 9.6.1 (Official Plan Amendments) and the criteria outlined in Section 7.10.2(f) (Shopping Centre Commercial Designation – Land Use Policies), notwithstanding the size of the proposed use(s), or the presence or absence of a proposed Large Retail Use.
- h) Medium and high density housing forms may be permitted provided that the residential development can be adequately integrated with the commercial development and subject to the following policies:
- i) the residential component of such developments will be subject to the criteria set out in Section 7.7.2 (Urban Residential);
  - ii) retail commercial development shall be restricted to the ground floor;
  - iii) require an amendment to the Zoning Bylaw; and
  - iv) the development shall be subject to site plan control, in accordance with the policies of Section 9.6.5 (Site Plan Control of this Plan).



### **7.10.3 Site Specific Policies**

The Site Specific Policies embodied in this Plan reflect existing land use entitlements and approved development policies relating to specific sites.

#### **7.10.3.1 Simcoe – Retail Commercial Site Specific Policy Area [Ontario Municipal Board, Order #3411, Issued December 6, 2006]**

On land designated Shopping Centre Commercial – Site Specific Policy Area 7.10.3.1 on Schedule “B” to this Plan, retail and service commercial uses including a department store with a maximum total floor area of 10,350 square metres, shall be permitted.

#### **7.10.3.2 Simcoe – Retail Commercial Site Specific Policy Area [Ontario Municipal Board, Order #1177, Issued April 21, 2006]**

On land designated Shopping Centre Commercial – Site Specific Policy Area 7.10.3.2 on Schedule “B” to this Plan, commercial uses which may include a home and auto supply store with a maximum total floor area of 9,941 square metres may be permitted. No permanent structure or site alteration (grading or earth works) shall be permitted within the lands designated Hazard Lands or Provincially Significant Wetland. These lands contain the Dingle Creek Provincially Significant Wetland and buffer area. Notwithstanding this, the construction of one driveway crossing of Dingle Creek shall be permitted subject to approval by the Fisheries and Oceans Canada, and the Conservation Authority, in consultation with the County and Ministry of Natural Resources and Forestry. Selective tree and vegetation removal and/or enhancement within the Dingle Creek Wetland and buffer area along Queensway Drive may only be permitted subject to detailed review of plans and environmental information to the satisfaction of the County, Conservation Authority and Ministry of Natural Resources and Forestry.

#### **7.10.3.3 Simcoe – Simcoe Mall Site Specific Policy Area**

On land designated Shopping Centre Commercial – Site Specific Policy Area 7.10.3.3 on Schedule “B” to this Plan, retail and service commercial uses shall be permitted including a department store with a maximum gross leasable floor area of 4,645 square metres. In total, the department store and comparison goods shopping shall not exceed 5,574 square metres gross leasable floor area. The size and type of retail uses

permitted in the additional commercial floor space shall be limited so as not to detract from the function of the Simcoe Downtown Designation as the most comprehensive retail area in the Simcoe Urban Area.

**7.10.3.4 Port Dover – Dover Coast Commercial Site Specific Policy** [11-OP-2006, Amendment 1, OMB Decision # 2638 Issued Oct 2, 2007]

On land designated Shopping Centre Commercial – Site Specific Policy Area 7.10.3.4 permitted uses shall include banks and financial institutions, gas bars, convenience stores, offices, restaurants, cultural and institutional uses, convention centres hotel/motel. Retail stores and supermarket uses shall also be permitted subject to the policies of section 9.7.2.

**7.10.3.5 Simcoe - Retail Commercial Site Specific Policy Area** [1-OP-2010, Amendment 31]

On land designated Shopping Centre Commercial- Site Specific Policy Area 7.10.3.5 on Schedule "B" to the Plan, commercial uses, which may include a building supply establishment and lumber yard with a maximum total floor area of 7943 square metres, may be permitted. No permanent structure or site alteration (grading or earth works) shall be permitted within the lands designated Hazard Lands or Provincially Significant Wetland. These lands contain the Dingle Creek Provincially Significant Wetland and buffer area. Notwithstanding grading and earth works within the Dingle Creek Provincially Significant Wetland, the construction of one driveway crossing of Dingle Creek opposite Ireland Road shall be permitted subject to approval of Fisheries and Oceans Canada, and the Conservation Authority, and in consultation with the County and Ministry of Natural Resources and Forestry. Selective tree and vegetation removal and/or enhancement within the Dingle Creek Wetland and buffer area along Queensway Drive may only be permitted subject to detailed review of plans and environmental information to the satisfaction of the County, Conservation Authority and Ministry of Natural Resources and Forestry.

Notwithstanding sub-section 9.6.3.2 c) i), a consent may be granted for the lands shown as the subject lands on Schedule "B".

**7.10.3.6 Simcoe – Shoe Outlet Store Site Specific Policy Area** [2-OP-2012, Amendment 53]

On land designated Shopping Centre Commercial- Site Specific Policy Area 7.10.3.6 on Schedule "B" to this Plan, permitted uses shall include, a shoe outlet facility with a maximum useable floor area of 2,508.38 square metres; clinic or doctors' office, health and wellness centre; and a drug store (pharmacy) with a maximum useable floor area of 789.76 square metres shall be permitted.

**7.10.3.7 Simcoe Retail Commercial Site Specific Policy Area** [9-OP-2015, Amendment 78, OMB Decision #PL150952 issued April 19, 2016]

On land designated Shopping Centre Commercial- Site Specific Policy Area 7.10.3.7 on Schedule "B" to this Plan, Shopping Centre Commercial uses with a maximum total floor area of 14,400 square metres may be permitted. No permanent structure or site alteration (grading or earth works) shall be permitted within the lands designated Hazard Lands or Provincially Significant Wetland. These lands contain the Dingle Creek Provincially Significant Wetland and buffer area. Notwithstanding this, the construction of one driveway crossing of Dingle Creek shall be permitted subject to approval by the Fisheries and Oceans Canada, and the Conservation Authority, in consultation with the County and Ministry of Natural Resources and Forestry. Selective tree and vegetation removal and/or enhancement within the Dingle Creek Wetland and buffer area along Queensway East may only be permitted subject to detailed review of plans and environmental information to the satisfaction of the County, Conservation Authority and Ministry of Natural Resources and Forestry.

The size of retail uses permitted shall be limited in the implementing Zoning By-Law so as not to detract from the function of the Simcoe Downtown Designation as the most comprehensive retail area in the Simcoe Urban Area. The proposed development is subject to further phasing. The second stage of development shall only be permitted to proceed subject to additional retail market analysis that addresses any impacts from the first stage of development, as set out in the Zoning By-Law, and the current market conditions.

As per Section 7.10.2 of the Official Plan, an Urban Design Study shall be completed as a condition of the lifting of a Holding (H) provision to be implemented through the Zoning By-Law.

### **7.10.3.8 Norfolk Mall Site Specific Policy Area**

Land designated Shopping Centre Commercial – Site Specific Policy Area 7.10.3.8 as delineated on Schedule “B” to this Plan, reflecting the Norfolk Mall located in the Hamlet of Norfolk North (Lot 14, Concession 3, N.T.R., in the former Township of Middleton), which is recognized as a unique circumstance. The mall is a Regional Scale retail facility, located in a hamlet, in close proximity to the Town of Tillsonburg that is serviced by Oxford County and serves a trade area encompassing the west part of Norfolk County, south part of Oxford County and east part of Elgin County.

Notwithstanding Sections 7.10.1 and 7.10.2, the following shall be the policy of the County in relation to the Norfolk Mall Special Policy Area:

- a) A Shopping Mall shall be permitted on lands identified as Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12, Plan 37R-9200, provided it does not exceed 23,780 square metres in gross floor area. Specifically, on the lands identified as 7.10.3.8 (a) on Schedule "B" to this Plan, a maximum of 11,165 square metres shall be occupied by a Department Store, of which not more than 3,020 square metres can be used for food store sales. The site specific zoning for the subject lands shall place a Holding provision for the food store sales component of the Department Store until after January 1, 2016 and the removal of the Holding provision shall be subject to a satisfactory market assessment at that time at the expense of the proponent. A maximum of 2,335 square metres of commercial retail unit space and two restaurants with a maximum of 465 square metres each shall also be permitted. The floor area and type of use for the anchor tenants in the Shopping Mall shall be restricted through site specific Zoning on the site.
- b) Any change in use, or significant redevelopment or expansion, of either of the anchor tenants in the Shopping Mall shall require an amendment to this Plan and the Zoning for the subject lands.
- c) On the lands identified as 7.10.3.8 b) on Schedule “B” to this Plan, a supermarket not exceeding 9,300 square metres shall be permitted. Commercial retail unit uses as outlined in Section 7.10.3.8 f) are permitted to a maximum area of 50 square metres. Any change in use, or significant redevelopment or expansion, shall require an amendment to this Plan and the Zoning By-law for the subject lands.
- d) Prior to Council approval of any zone change to allow for such change in use, significant redevelopment or expansion, the landowners shall be required to prepare and submit retail market impact and planning studies to the satisfaction of Norfolk County Council, to ensure the proposed development will not undermine the planned function of surrounding central business districts,

specifically including the Town of Tillsonburg. The Town of Tillsonburg shall be consulted in accordance with Section 6.9 (Norfolk/Tillsonburg Fringe Area). The cost of the preparation of the studies and associated peer review required shall be at the landowner's expense.

- e) No change in use, redevelopment or expansion to the Shopping Mall or other uses may proceed unless it is in accordance with the agreement f between the landowners and the County of Oxford regarding the provision of municipal water and wastewater servicing to the subject lands.
- f) For the purposes of Section 7.10.3.8 and the Zoning By-law applicable to the subject lands, the term "Shopping Mall" shall mean any type of retail complex regardless of whether it is connected by an internal corridor or accessed by doors that have direct access to the outside. The permitted uses for the commercial retail units on the subject lands include retail establishments, restaurant, real estate office, service shop, funeral home, laundromat, hotel, motel, place of entertainment and recreation, automobile service station, commercial garage and other similar uses.
- g) Notwithstanding any other policy of Section 7.10.1 and 7.10.2, an Official Plan Amendment and/or Zone Change application for a proposed change in use, or significant redevelopment or expansion to the Shopping Mall or other use on the subject lands shall be evaluated in accordance with the policies of Sections 7.10.3.8, 7.10.2 a), b) and d), and Section 7.5.2 (Hamlet).

## 7.11 Commercial Designation

Commercial areas are accessible locations along the County's major transportation routes offering suitable accommodation for a specific range of commercial uses which have the following basic characteristics:

- a) highway-oriented uses which rely on exposure to the travelling public and require a location readily accessible to major transportation routes;
- b) destination uses, which are principally commercial in nature, provide a less diverse array of goods and services than the Downtown Designations, and provide a specialized product or service to persons coming specifically to the premises to do business and therefore do not require to locate in the Downtown Designations;
- c) space-extensive uses having physical requirements in terms of the size or configuration of the site or building such that they cannot be accommodated within the Downtown Areas; and
- d) mixed residential and commercial uses that have historically located along the major transportation routes.

### 7.11.1 Permitted Uses

Subject to the other policies of this Plan, the following policies shall apply in determining uses permitted on land designated Commercial on Schedule "B".

- a) The primary permitted uses shall include retail establishments and commercial uses, which are destination oriented or are intended to serve the travelling public, including automobile parking depots, automobile service stations, vehicle sales and service, public garages, repair service and rental establishments, motels, hotels, convention centres, restaurants, animal hospitals, commercial recreation uses, private clubs, funeral homes, day care centres and similar uses.
- b) Category-specific retail establishments shall be limited to furniture, appliance, carpet, flooring, home electronics and/or garden centres, and building supply centres that are less than 3,000 square metres of gross leasable floor space.

- c) Food stores, drug stores, personal service shops and other similar uses intended for the Downtown and/or Shopping Centre Commercial Designations shall not be permitted.
- d) Large Retail Uses over 3,000 square metres of gross leasable floor space, such as department stores, retail warehouses, and other uses engaged in the retailing and/or wholesaling of goods, wares or products and other similar uses intended for the Downtown and/or Shopping Centre Commercial Designations shall not be permitted.
- e) Residential uses shall be permitted, provided that the uses do not negatively impact the planned function of the Commercial areas subject to the following provisions:
  - i) in a building of commercial character, residential uses shall only be permitted above the ground floor; and
  - ii) in a building of residential character, either single detached or multiple dwelling, residential and/or commercial uses shall be permitted, provided the residential character of the building is maintained.

For the purposes of this Policy, the residential or commercial character of a building may be determined in consultation with the Chief Building Official of the County.

- f) Uses accessory to any of the permitted uses in the Commercial Designation are permitted.

### **7.11.2 Land Use Policies**

The following policies apply to land designated Commercial.

- a) Commercial development shall be compatible with surrounding uses and shall be adequately buffered from adjacent sensitive land uses.
- b) Adequate off-street parking and loading spaces shall be provided in accordance with the Zoning By-law
- c) Commercial uses shall only locate on Provincial Highways, subject to the approval of the Province and the County, or arterial or collector roads, subject to the approval of the County.

- d) A high standard of site design shall be required through site plan control.
- e) Proposals to designate additional land as Commercial within the County shall be subject to the policies of Section 9.6.1 (Official Plan Amendments) and the criteria outlined in Section 7.10.2 (f) (Shopping Centre Commercial Designation – Land Use Policies), notwithstanding the size of the proposed use(s), or the presence or absence of a proposed Large Retail Use.

Council may waive the requirements of this policy if it is convinced that the proposed Commercial Designation is sufficiently minor, that there will be no impact on the planned function of the commercial areas and the Downtown Designations of the County, and there is no associated Large Retail Use.

### **7.11.3 Site Specific Policies**

The Site-Specific Policies embodied in this Plan reflect existing land use entitlements and approved development policies relating to specific sites.

#### **7.11.3.1 Delhi – Commercial Site-Specific Policy Area**

On land designated Commercial – Site Specific Policy Area 7.11.3.1 on Schedule “B” to this Plan, in addition to the uses permitted, general retail and service commercial, business and professional offices, institutional uses, limited employment uses, residential apartments and parks and recreational uses shall be permitted.

#### **7.11.3.2 Simcoe – Home and Agricultural Supply Establishment Site Specific Policy Area**

On land designated Commercial – Site Specific Policy Area 7.11.3.2 on Schedule “B” to this Plan, a home and agricultural supply establishment shall be permitted.

#### **7.11.3.3 Simcoe – Retail Site Specific Policy Area [10-OP-2009, Amendment 29]**

On land designated Commercial – Site Specific Policy Area 7.11.3.3 on Schedule “B” to this Plan, in addition to the uses permitted in the Commercial designation, a retail store to a maximum floor area of 120 square metres shall be permitted. The retail sale and service of water softeners and retail sales of bottled water and related items is permitted



**7.11.3.4 Simcoe – Food Processing Facility Site Specific Policy** [15-OP-2006, Amendment 3]

On land designated Commercial – Site Specific Policy Area 7.11.3.4 on Schedule “B” to this Plan, a food processing facility shall be permitted.

**7.11.3.5 Policy deleted through 2-OP-2012, Amendment 53.**

**7.11.3.6 Simcoe – Business Office Equipment and Supply Sales Outlet Site and Bulk Food Store Specific Policy** [6-OP-2008, Amendment 12, 3-OP-2012, Amendment 54]

On land designated Commercial – Site Specific Policy Area 7.11.3.6 on Schedule “B” to this Plan, in addition to the uses permitted, a business office equipment and supply sales outlet with a maximum gross leasable floor area of 1,860 square metres and a bulk food store with a maximum gross leasable floor area of 522.8 square metres shall also be permitted. One bulk food store shall either be permitted in the site specific area 7.11.3.6 or 7.11.3.8.

**7.11.3.7 Simcoe – Office and Retail Site Specific Policy Area** [9-OP-2008, Amendment 16]

On land designated Commercial – Site Specific Policy Area 7.11.3.7 on Schedule “B” to this Plan, in addition to the uses permitted in the Commercial designation, office uses and a retail store to a combined maximum floor area of 167.2 square metres may be permitted. The retail store permits the sale of bottled water and u-fill water centre, sale and service of water treatment equipment including; water softeners, filtration systems, ultraviolet disinfection systems, reverse osmosis drinking water systems and water coolers, hot tubs, spas, saunas, replacement filters, chemicals and accessories are permitted.

**7.11.3.8 Simcoe – Bulk Food Store Site Specific Policy Area** [7-OP-2010, Amendment 37, 3-OP-2012, Amendment 54]

On land designated Commercial — Site Specific Policy Area 7.11.3.8 on Schedule "B" to this Plan, in addition to the uses permitted, a bulk food store shall be permitted. One bulk food store shall either be permitted in the site specific area 7.11.3.6 or 7.11.3.8

**7.11.3.9 Simcoe –Queensway East Real Estate and Lawyers Office Site Specific Policy Area [2-OP-2011, Amendment 42]**

On land designated Commercial — Site Specific Policy Area 7.11.3.9 on Schedule "B" to this Plan, in addition to the uses permitted, a legal and real estate office shall be permitted

**7.11.3.10 Simcoe –Queensway Retail Space Site Specific Policy Area [9-OP-2008, Amendment 16]**

On land designation Commercial Site Specific Policy Area 7.11.3.10 on Schedule B to this Plan, in addition to the uses permitted, a retail store shall be permitted

**7.11.3.11 Waterford – Yin Subdivision Site Specific Policy Area [11-OP-2007, Amendment 8, 8-OP-2022 Amendment 148]**

On land designated Commercial – Site Specific Policy Area 7.11.3.11 on Schedule "B" to this Plan, commercial uses shall be limited to motels, restaurants, auto service facilities, farm produce outlets and implement dealerships, building supply and lumberyard and other commercial types catering primarily to the travelling public and neighbourhood commercial uses.

## 7.12 Protected Industrial Designation

Protected Industrial areas are characterized by their high visual profile and accessibility and are generally comprised of industrial, employment, accessory commercial and related uses. Protected Industrial areas are located along Provincial Highways, and County arterial and collector roads. Generally, these areas are expected to accommodate a wide range of industrial uses requiring high visibility and good accessibility. High quality design will be essential in these areas and some restrictions on uses will be applied to ensure attractive streetscapes.

### 7.12.1 Permitted Uses

Subject to the other policies of this Plan, the following policies shall apply in determining uses permitted on land designated Protected Industrial on Schedule “B”.

- a) The predominant use of land shall be a wide range of employment and industrial uses, subject to the policies of this Section, including the following:
  - i) manufacturing including processing, assembling, repairing;
  - ii) warehousing, distribution, storage facilities;
  - iii) trucking and transportation terminals;
  - iv) pharmaceutical facilities;
  - v) research and development facilities, including data processing establishments;
  - vi) trade schools;
  - vii) automobile service/repair stations, automobile and truck rental operations, automobile depots, auto and truck repair/body shops;
  - viii) municipal works yards;
  - ix) recycling operations;
  - x) public uses and public and private utilities;
  - xi) ancillary offices and limited retail sales of products manufactured, processed or assembled on the premises; and

- xii) crematoriums.
- b) Office uses shall be permitted subject to the policies of Section 6.4.1(b) (Downtown Areas) of this Plan.
- c) The following ancillary uses may be permitted without an amendment to this Plan:
  - i) commercial uses, provided that the use is associated with and clearly ancillary to the main Protected Industrial use; and
  - ii) uses accessory to any of the permitted uses in the Protected Industrial Designation are permitted.

### **7.12.2 Land Use Policies**

The following policies apply to land designated Protected Industrial.

- a) Industrial uses located adjacent to a Provincial Highway or arterial road shall generally be limited to self-contained uses that produce and/or store a product where there is a low probability of significant emissions. Access to a Provincial Highway shall require approval from the Province and the County. Access to the arterial road shall require approval from the County.
- b) Open storage shall be screened such that it is not visible from a Provincial Highway or arterial road.
- c) Those uses that create or potentially create extreme environmental stress as a result of air and/or noise emissions, and/or the generation and/or handling of solid or liquid wastes will only be considered based on the submission of an impact assessment satisfactory to the County. The applicant shall demonstrate the feasibility of the proposal and confirm the compatibility of the proposed use prior to receiving the required planning approvals.
- d) A separation distance, determined in consultation with the Ministry of the Environment and Climate Change and the relevant guideline related to land use compatibility, shall be established between an industrial use and any sensitive land use. This separation distance shall be enforced through a site specific amendment to the Zoning By-law and site plan control through the use of a minimum building setback applied to any industrial use building adjacent to an established or approved sensitive land use.

- e) In locating any sensitive land use in the vicinity of any established or approved industrial use, the County shall establish appropriate separation distances in consultation with the Ministry of the Environment and Climate Change and the relevant guideline related to land use compatibility.
- f) Deviation from the established separation distances shall require detailed supporting studies of the potential impacts on the sensitive land use by the Industrial use, and vice-versa, and any recommended mitigation measures.
- g) Separation distances between sensitive land uses and Protected Industrial uses, or for Protected Industrial uses abutting Provincial Highways or arterial roads shall be required to provide a higher standard of amenity in terms landscaping building materials and outdoor storage which shall be implemented through the Zoning By-law, as a condition of draft plan approval and/or through site plan control and may include measures such as:
  - i) building orientation, design and setbacks;
  - ii) landscaping and screening;
  - iii) access controls;
  - iv) road improvements and widenings;
  - v) restrictions on the range of permitted uses; and
  - vi) restrictions on outside storage.
- h) Adequate off-street parking and loading facilities shall be provided for all permitted uses for employees and visitors. Vehicle access shall be oriented such that industry-related traffic will be discouraged from using local roads where other options are available. Loading facilities and service areas shall be located to avoid conflict between pedestrian circulation, service vehicles and movement along the public rights-of-way.
- i) The provision of appropriate and adequate landscaping and/or other forms of buffering shall be provided to:
  - i) enhance all parking lots, and outdoor loading, storage and service areas; and
  - ii) provide separation between the use and any adjacent use, where appropriate.

- j) Industrial uses shall be developed in such a manner to ensure protection and screening of outdoor storage areas from all adjacent roads.
- k) The County recognizes that the historic location of employment land, as designated in this Plan, may not satisfy the contemporary or future economic needs of the County. Consequently, the County shall consider applications to amend this Plan to re-designate land designated Protected Industrial through a comprehensive review, consistent with the requirements of the Provincial Policy Statement, demonstrating that the land is not required for Protected Industrial purposes over the long-term and that there is a need for the conversion. The County shall be satisfied in relation to the following criteria prior to approval of such applications:
  - i) the total amount of land designated Protected Industrial in the County shall not substantially decrease, in total, as a result of a re-designation. Consequently, to re-designate Protected Industrial land, a Protected Industrial Designation should be transferred to another appropriate location, subject to the policies of Section 4.7 (Employment Activity) of this Plan;
  - ii) the land proposed for re-designation should be on the periphery of a protected Industrial area;
  - iii) the proposed re-designation shall not jeopardize the planned role and function of other land use designations nor set a precedent for further re-designation;
  - iv) there shall be a demonstrated need for the proposed use(s);
  - v) the new land use(s) shall not negatively impact the viability and stability of the remaining Protected Industrial land in the long-term;
  - vi) the boundaries to be changed shall be logical and appropriate for the area, shall provide opportunities to minimize incompatibility between land uses, and shall create a defined edge which will be stable over the long-term;
  - vii) the new development shall be compatible within the context of the surrounding existing development in scale, height and built form;
  - viii) the density and massing of new development should complement the existing built form context;

Norfolk County Official Plan  
Consolidated to January 1, 2023

- ix) the new development can be integrated and linked into the fabric of the surrounding community, where appropriate, such as through the provision of public streets, pedestrian walkways and the location of public parks;
  - x) the continued operation of existing Protected Industrial uses which remain in the area of a redevelopment can be encouraged through measures such as the phasing of development, the provision of on-site building setbacks, landscaped areas, intervening facilities, building and fencing, and the protection of trucking routes and driveways;
  - xi) that adequate parkland, amenities, community facilities and social services can be provided for future residents;
  - xii) that sufficient sewage treatment, water and transportation capacity can be provided to meet the needs of the redevelopment area; and
  - xiii) subject to the other policies of the Plan in this regard, the environmental conditions of the development area shall be suitable for the proposed land use(s).
- l) The County may consider an amendment to this Plan to transfer an existing Protected Industrial Designation from one area to another. In doing so, the County shall consider the following matters:
- i) the policies of this Plan relating to Official Plan Amendments and, if applicable, urban boundary expansions;
  - ii) the potential to reduce existing or potential land use conflicts;
  - iii) the policies of this Plan related to the role and function of the Urban Areas;
  - iv) the proximity of the land to be designated Protected Industrial to major markets, including those accessible by Highways No. 401 and 403;
  - v) the proximity of the land to be designated Protected Industrial to arterial roads;
  - vi) the specific economic advantage of the location of the land to be designated Protected Industrial; and
  - vii) the impact that the proposed transfer will have on the supply land designated Protected Industrial is minimal or enhanced and in accordance with the policies of Section 7.12.2 c)

- m) There is sufficient designated Protected Industrial land identified in this Plan to accommodate the anticipated growth to 2036. If, however, the County determines that the designation of additional Protected Industrial land is warranted, or a privately-initiated application to amend to Plan is brought forward, the following matters shall be satisfied prior to considering an Official Plan amendment in addition to a comprehensive review:
- i) the policies of this Plan relating to Official Plan amendments and, if applicable, urban boundary expansions;
  - ii) the policies of this Plan related to the role and function of the Urban Areas;
  - iii) the proximity of the land proposed to be designated Protected Industrial to major markets, including those accessible by Highways No. 401 and 403 or major regional trucking routes;
  - iv) the proximity of the land proposed to be designated Protected Industrial to arterial roads;
  - v) the specific economic advantage of the location of the land to be designated Protected Industrial;
  - vi) the designation of the additional Protected Industrial land allows for the efficient expansion of an existing industry; and
  - vii) that opportunities to transfer vacant but designated Protected Industrial land have been exhausted.

### **7.12.3 Site Specific Policies**

The Site Specific Policies embodied in this Plan reflect existing land use entitlements and approved development policies relating to specific sites.

#### **7.12.3.1 Courtland – Protected Industrial Area Site Specific Policy Area [1-OP-2021, Amendment 135]**

On land designated Protected Industrial – Site Specific Policy Area 7.12.3.1 on Schedule “B” to this Plan, the following policies shall apply:



- a) Notwithstanding Section 7.12.1 (Protected Industrial Designation – Permitted Uses) to the contrary, a full range of industrial uses shall be permitted within the Site Specific Policy Area, subject to the industrial use(s) being serviced by approved water and wastewater treatment facilities.
- b) Any existing residential development may be recognized in the Zoning By-law.
- c) Existing residential dwelling units shall be permitted, to a maximum of eight dwelling units including reducing the number of units within the "Stone House: from four (4) units to two (2) units.
- d) In order to promote aesthetic quality, proposals for industrial development within the Site Specific Policy Area that are visible from adjacent roads shall be required to provide a higher standard of amenity in terms of landscaping, building materials or outdoor storage, in accordance with the policies of Section 7.12.2(g) (Protected Industrial Designation – Land Use Policies).

**7.12.3.2 – Number not used.**

**7.12.3.3 Waterford – Flea Market Site Specific Policy Area**

On land designated Protected Industrial – Site Specific Policy Area 7.12.3.3 on Schedule “B” to this Plan, in addition to the uses permitted, a flea market, auction, bingo hall and accessory uses shall be permitted.

**7.12.3.4 Simcoe – Bingo Hall Site Specific Policy Area**

On land designated Protected Industrial – Site Specific Policy Area 7.12.3.4 on Schedule “B” to this Plan, in addition to the uses permitted, a bingo hall, place of assembly and special event sales, including auctions, shall be permitted.

**7.12.3.5 Simcoe – Adult Day Program Site Specific Policy Area**

On land designated Protected Industrial – Site Specific Policy Area 7.12.3.5 on Schedule “B” to this Plan, in addition to the uses permitted, an adult day program facility and accessory offices shall be permitted.

#### **7.12.3.6 Simcoe – Animal Shelter Site Specific Policy Area**

On land designated Protected Industrial – Site Specific Policy Area 7.12.3.6 on Schedule “B” to this Plan, in addition to the uses permitted, an animal shelter, including a small office, area for the storage of food and supplies, indoor kennels, outdoor runs, and associated fundraising activities shall be permitted.

#### **7.12.3.7 Simcoe – Agricultural Use Site Specific Policy Area**

On land designated Protected Industrial – Site Specific Policy Area 7.12.3.7 on Schedule “B” to this Plan, in addition to the uses permitted, an agricultural use and existing residential uses shall be permitted.

#### **7.12.3.8 Delhi – Tobacco Growers Marketing Board Site Specific Policy Area**

On land designated Protected Industrial – Site Specific Policy Area 7.12.3.8 on Schedule “B” to this Plan, in addition to the uses permitted, a place of assembly for such uses as trade shows, exhibitions, and other similar activities shall be permitted.

**7.12.3.9 Amendment 7 - not approved by OMB order** [Ontario Municipal Board, Decision issued November 13, 2008]

#### **7.12.3.10 Simcoe - Judd Industrial Park Medical Marihuana Production Facility Site Specific Policy Area** [3-OP-2014, Amendment 66]

On land designated Protected Industrial – Site Specific Policy Area 7.12.3.10 on Schedule “B” to this Plan, in addition to the uses permitted, a Medical Marihuana Production Facility shall also be permitted. A Medical Marihuana Production Facility shall be defined as a licensed facility used for the cultivation, processing, testing, destruction, packaging and shipping or marihuana used for medical purposes as approved under the Federal Government’s *Marihuana for Medical Purposes Regulations* or any subsequent legislation or regulation which may be enacted in substitution thereof. Further, no building or structure or portion thereof used for a medical marihuana production facility purpose shall be located closer than 76 metres to any residential zone or any dwelling.

**7.12.3.11 Simcoe - Agricultural Greenhouse Site Specific Policy Area [3-OP-2015, Amendment 74]**

On land designated Protected Industrial Business Park – Site Specific Policy Area 7.12.3.10 on Schedule “B” to this Plan, in addition to the uses permitted, an agricultural greenhouse operation shall be permitted.

**7.12.3.12 – Simcoe - Protected Industrial - Site Specific Policy Area [5-OP-2020, Amendment 132]**

On land designated Protected Industrial - Site Specific Policy Area 7.12.3.12 on Schedule "A" to this amendment, in addition to the uses permitted, existing government offices shall be permitted.

## **7.13 Industrial Designation**

The Industrial Designation applies to older industrial sites that are under-utilized and poorly situated to attract new industrial investment. Generally, areas designated as Industrial are located near to residential areas and their intensive use for industrial purposes may conflict with neighbouring sensitive uses. The conversion of lands designated as Industrial to other uses more compatible with the neighbourhood context in which the lands are situated is encouraged.

### **7.13.1 Permitted Uses**

Subject to the other policies of this Plan, the following policies shall apply in determining uses permitted on land designated Industrial on Schedule “B”.

- a) The predominant use of land shall be a wide range of employment and industrial uses, subject to the policies of this Section, including the following:
  - i) Manufacturing including processing, assembling, repairing;
  - ii) Warehousing, distribution, storage facilities;
  - iii) Pharmaceutical facilities;
  - iv) Research and development facilities, including data processing establishments;
  - v) Trade schools;
  - vi) Recycling operations;
  - vii) Public uses and public and private utilities; and
  - viii) Ancillary offices and limited retail sales of products manufactured, processed or assembled on the premises.

### **7.13.2 Land Use Policies**

The following policies apply to land designated Industrial:

- a) The redevelopment of lands or the establishment of new industrial uses on lands designated as Industrial shall be subject to the policies set out in Section 7.12.2 (Protected Industrial) of this Plan.
- b) The conversion of lands designated industrial to other land use designations of this Plan shall be subject to an amendment to this Plan and to the rezoning of the subject lands. Applications for the conversion of lands designated Industrial to other land uses shall be subject to the consideration of the following policies:
  - i) Conversion to a residential land use shall be subject to the policies set out in Section 7.7 (Urban Residential) of this Plan;
  - ii) Conversion to a more sensitive land use shall be subject to the policies of Section 4.8 (Potentially Contaminated Sites) of this Plan;
  - iii) The proposed use shall be compatible with the surrounding neighbourhood;
  - iv) Appropriate buffers and landscaping shall be provided;
  - v) Adequate parking for residents, employees and visitors shall be provided on-site;
  - vi) A planning rationale report assessing the compatibility of the proposed use and potential impact on adjacent uses as well as addressing any other relevant matter outlined in Section 9.6.1 (Official Plan Amendments) of this Plan shall be provided;
  - vii) A traffic impact study, in accordance with the requirements of the County and the Province, shall be provided;
  - viii) An urban design study, including the preparation of appropriate development guidelines, as outlined in Section 5.4 (Community Design) of this Plan, shall be provided.

### **7.13.3 Site Specific Policies**

The Site-Specific Policies embodied in this Plan reflect existing land use entitlements and approved development policies relating to specific sites.

**7.13.3.1 Port Dover – Silver Lake Industrial Site-Specific Policy Area**

On land designated Industrial– Site Specific Policy Area 4.13.3.1 on Schedule “B” to this Plan, a trucking operation shall not be permitted and any proposals for redevelopment shall take into account the nature of the surrounding land uses.

## 7.14 Major Institutional Designation

The Major Institutional Designation is intended to recognize those major public institutions that benefit the residents of Norfolk County, and occupy large and prominent sites. Major Institutional uses provide important specialized medical, educational, governmental and correctional services and are a significant source of employment for the entire County. Major Institutional uses may include hospitals, elementary and secondary schools, post-secondary educational facilities, correctional facilities, courthouses, and government complexes. These Major Institutional uses tend to be intensely built and attract high traffic volumes; consequently, they require an independent land use designation.

### 7.14.1 Permitted Uses

Subject to the other policies of this Plan, the following policies shall apply in determining uses permitted on land designated Institutional on Schedule “B”.

- a) Permitted uses shall include Major Institutional Uses, such as hospitals, clinics and treatment facilities, secondary schools, post-secondary educational facilities, government offices, places of worship with a site area greater than 1 hectare, and government-operated institutions, subject to the policies of Section 7.14.2(e) (Major Institutional Designation – Land Use Policies).
- b) Places of worship, nursing homes, housing for seniors, elementary schools, museums and other cultural facilities, service clubs and fraternal organizations are uses permitted principally in other land use designations which shall also be considered as appropriate in the Major Institutional Designation.
- c) Group homes with a correctional purpose and similar uses licensed under a Provincial or Federal statute, group homes, hostels, temporary shelters, emergency shelters and other similar forms of special needs housing shall be permitted in the Institutional Designation, subject to the policies of Section 5.3.2 (Special Needs Housing) of this Plan.
- d) Ancillary uses which are of an appropriate scale and intended to service the main permitted use, such as a variety store, gift shop, financial institution, pharmacy, or residence shall also be permitted.
- e) Uses accessory to any of the permitted uses in the Institutional Designation are permitted.

## 7.14.2 Land Use Policies

The following policies apply to land designated Major Institutional.

- a) Specific development standards for permitted uses and ancillary uses shall be included in the Zoning By-law and may include floor space limitations, parking requirements, and limitations on signage and advertising.
- b) Where an existing use in an Major Institutional Designation ceases, the County may consider the re-designation of the site to an appropriate alternative designation only after examination of the following options for part or all of the site:
  - i) the use of the site for a suitable alternative institutional purpose;
  - ii) acquisition of the site or a portion of it by the County for institutional or open space use, based on the park needs of the surrounding area; and
  - iii) the use of the site to meet housing targets, particularly for special needs housing.
- c) Any proposal to add or enlarge an Major Institutional Designation shall be evaluated on the basis of:
  - i) the impact on and the compatibility with the uses surrounding the proposed site; and
  - ii) the adequacy of social and physical services, including roads to accommodate the proposed use.
- d) Adequate off-street parking areas shall be provided in accordance with the provision of the Zoning By-law, and access to parking areas shall be limited and designed to provide maximum safety for pedestrian and vehicular traffic.
- e) Larger scale Major Institutional Uses, listed in Section 7.14.1 a) (Permitted Uses) shall be subject to the following policies:
  - i) Larger scale Major Institutional Uses shall be located where there is direct access to an arterial or collector road to discourage traffic from using local roads;
  - ii) the profile of the development shall relate to the adjacent buildings and uses and result in a gradual transition in terms of building height and scale, where applicable and appropriate;



- iii) the site shall be designed to be accessible to all persons within the community, including the elderly and those persons with physical disabilities; and
- iv) appropriate landscaping and buffers shall be provided to enhance the physical separation between the use and adjacent sensitive uses, where applicable and appropriate.

### **7.14.3 Site Specific Policies**

The Site Specific Policies embodied in this Plan reflect existing land use entitlements and approved development policies relating to specific sites.

#### **7.14.3.1 Former Port Dover Secondary School Site Specific Policy Area**

On lands designated as Major Institutional – Site Specific Policy Area 7.14.3.1, in addition to the permitted uses of the Major Institutional Designation, an elementary school, a day care facility, a public library and public recreational uses may be permitted.

## **7.15 Parks and Open Space Designation**

Norfolk County offers a wide range of recreational opportunities to residents and visitors through the uses accommodated in the Parks and Open Space Designation.

Recreation needs and facilities have been identified in the Recreation Master Plan, and are further described in Section 5.6 (Recreation) of this Plan. Additionally, the cultural needs of Norfolk County may be met to some degree through facilities provided in the Parks and Open Space Designation.

### **7.15.1 Permitted Uses**

Subject to the other policies of this Plan, the following policies shall apply in determining uses permitted on land designated Parks and Open Space Designation on Schedule “B”.

- a) Large-scale recreational facilities, arenas, community centres, cemeteries, fairs or exhibition grounds, golf courses, community parks, major parks and other public park uses shall be permitted, subject to the policies of Section 5.6.1 (Parks). While driving ranges shall be permitted in association with a golf course, stand-alone driving ranges are not permitted in the Parks and Open Space Designation.
- b) The conservation and enhancement of land and/or environment, as well as the provision of active and passive outdoor recreational and educational opportunities shall be permitted, particularly on land exhibiting environmental sensitivity or containing Natural Heritage Features.
- c) Commemorative structures and public art may be permitted except on lands identified as hazard lands.
- d) Uses accessory to any of the permitted uses in the Parks and Open Space Designation are permitted, subject to the policies of Section 5.6.1 (Parks).

### **7.15.2 Land Use Policies**

The following policies apply to land designated Parks and Open Space.

- a) Neighbourhood parks and parkettes shall generally be included in the Urban Residential Designation as they are considered to be an integral part of the residential area that they serve.
- b) The policies of Section 7.5 (Recreation) shall apply to development within the Parks and Open Space Designation.

### **7.15.3 Site Specific Policy Areas**

The Site Specific Policies embodied in this Plan reflect existing land use entitlements and approved development policies relating to specific sites.

#### **7.15.3.1 Simcoe – Norfolk Fairgrounds Site Specific Policy Area**

On land designated Parks and Open Space – Site Specific Policy Area 7.15.3.1, in addition to the uses permitted, assembly, entertainment and commercial uses shall be permitted, provided the uses are appropriate and compatible with the site and the adjacent uses. Uses more appropriately located in the Simcoe Downtown Designation shall not be permitted.

## **7.16 Urban Waterfront Designation**

[Ontario Municipal Board, Decision # 20100005, Issued February 5, 2010]

The Urban Waterfront Designation is intended to accommodate commercial facilities and services in convenient locations to serve the needs of residents and tourists. It is intended that the Urban Waterfront Designation only be applied in the Urban Areas in direct proximity to the water's edge of Lake Erie, in order to promote the ongoing development of marine industries, tourist destinations, and support existing residents. It is recognized that the inherent flood prone areas and hazard lands influence this Designation, affecting both existing and future land uses.

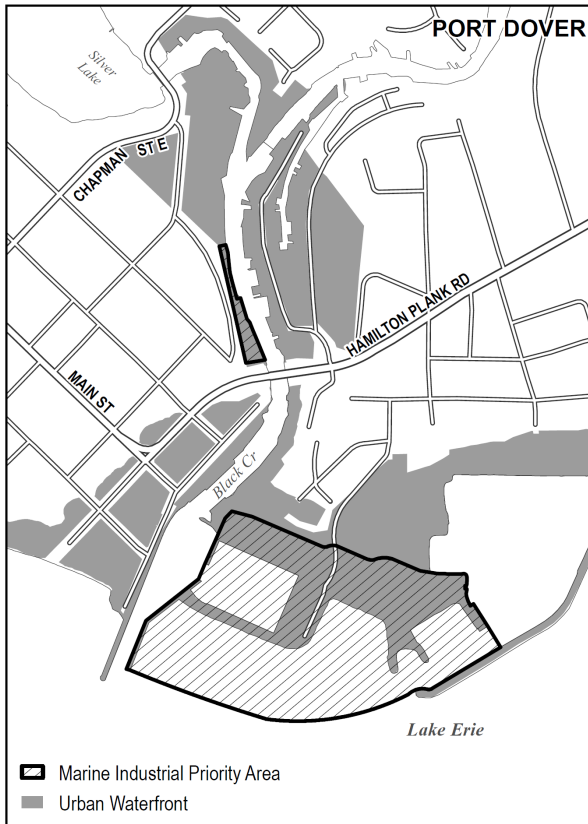
The Urban Waterfront Designation recognizes that marine industrial uses and activities are important and will continue to be important to the local economy and heritage of Port Dover, particularly with respect to the commercial fishing and marine industry. It is the intent of this Plan to protect, maintain and promote the Commercial Fishing Port as an ongoing viable commercial/industrial activity that has significant historic relevance and adds to the charm and appeal of the community.

### **7.16.1 Permitted Uses**

Subject to the other policies of this Plan, the following policies shall apply in determining uses permitted on land designated Urban Waterfront on Schedule "B".

- a) Restaurants, places of entertainment and recreation, motels, hotels, convention centres, cabins, campgrounds, marinas and related marine commercial facilities, and marine industrial uses shall be permitted, subject to Section 7.16.2 a) (Urban Waterfront Designation – Land Use Policies). In the urban area of Port Dover marine industrial uses shall be priority uses on the lands shown on Schedule B-16 and more specifically shown on Figure 2.

Figure 2



- b) Retail sales outlets and associated commercial uses shall be limited in size, scale and scope by the Zoning By-law to ensure that such uses are associated with the planned function of the urban waterfront area and to avoid uses which are better suited to the planned function of the Downtown or other commercial areas, and shall be subject to Section 7.16.2 a).
- c) Residential uses shall only be permitted as part of a mixed-use building with another permitted use located at-grade and the residential use located above grade. Notwithstanding the foregoing, bed and breakfast establishments shall be permitted within a single detached residential dwelling, provided that all the required parking is accommodated on the same lot, and subject to criteria established in the Zoning By-law. Residential uses shall be subject to Section 7.16.2 a).
- d) Private and public recreational uses, parks, open space and related uses shall be permitted, subject to Section 7.16.2(a).
- e) The policies of Sections 6.5.2.2 (Port Dover Waterfront Special Policy Area) and Section 11 – Part ii (Lakeshore Special Policy Area Secondary Plan) shall apply in interpreting permitted uses within the area designated Urban Waterfront.

- f) Uses accessory to any of the permitted uses in the Urban Waterfront Designation shall be permitted, subject to Section 7.16.2 a).

## **7.16.2 Land Use Policies**

[Ontario Municipal Board Decision # 20100005, Issued Feb 5, 2010]

The following policies apply to land designated Urban Waterfront.

- a) Certain land designated Urban Waterfront in the Port Dover Urban Area will be identified by the Long Point Region Conservation Authority as being hazard land. Consequently, the use of such land will be subject to the policies of Section 7.3.2 (Hazard Lands Designation – Land Use Policies), as determined in consultation with the Conservation Authority.
- b) The location and type of outdoor storage will be considered having regard to compatibility with adjacent uses and potential impact on future redevelopment. The Zoning By-law and/or site plan agreement may delineate where open storage may be located together with appropriate setbacks, screening and buffering.
- c) The County shall encourage the visual and functional enhancement of the area designated Urban Waterfront. As such, all new development within the designated area shall be subject to site plan control and shall be designed and sited to maximize the compatibility with abutting uses including adherence of the companion Urban Design Guidelines, and the following issues:
  - i) building design, roof lines, density, scale and massing;
  - ii) height, notwithstanding that the maximum permitted height of any new building shall be 4.0 storeys;
  - iii) setbacks, signage, lighting, and buffering of existing and proposed development;
  - iv) the use of landscaping and the provision of benches, planters and other street furniture;
  - v) the conservation of buildings and structures of cultural heritage value and interest; and ; and
  - vi) the conservation and enhancement of Natural Heritage Features.

- d) In the consideration of any Zoning By-law amendment proposing to establish any of the permitted uses, the following shall be addressed:
- i) the compatibility of the proposed use with adjacent and neighbouring land uses, particularly existing industrial uses where a residential component is included;
  - ii) adequate access to the property from a public road; and
  - iii) the provision of parking and loading facilities.

### **7.16.3 Site Specific Policy Areas**

The Site-Specific Policies embodied in this Plan reflect existing land use entitlements and approved development policies relating to specific sites.

#### **7.16.3.1 Port Dover – Bucks Orchard Beach Park Site Specific Policy Area**

On land designated Downtown – Site Specific Policy Area 7.16.3.1 and Urban Waterfront – Site Specific Policy Area 7.16.3.1, in addition to the uses permitted, residential uses in accordance with the policies of Section 7.7 shall also be permitted. In the consideration of a Zoning By-law amendment to implement the policies of this Subsection, the following shall be addressed:

- a) The compatibility of the proposed use with adjacent uses;
- b) The need for special building design incorporating height limitations, setbacks, buffering and landscaping to enhance compatibility with adjacent uses;
- c) Adequate access to the property particularly regarding emergency vehicles; and
- d) The provision of adequate parking.

Site plan control shall be utilized for new development or redevelopment projects in order to address compatibility and to ensure that such development or redevelopment creates a highly aesthetic and unique area.

**7.16.3.2 Port Dover – Dover Wharf Site Specific Policy [2-OP-2015, Amendment 63]**

On land designated Urban Waterfront– Site Specific Policy Area 7.16.3.2 on Schedule “B” to this Plan, in addition to the uses permitted, a 48 unit residential development shall be permitted.

**7.16.3.3 Port Dover – Shore Developments, Site Specific Policy Area [2-OP-2022, Amendment 142]**

- a) On lands designated as Urban Waterfront – Site Specific Policy Area 7.16.3.3, as shown on Schedule “A”, the following shall apply:
- i. Notwithstanding the policies of Section 7.16.1.c, sole residential uses shall be permitted with buildings;
  - ii. Notwithstanding the policies of Section 7.16.1.c, a maximum of six storeys is permitted to a maximum of three apartments buildings; and,
  - iii. On lands subject to this exception, existing uses and uses permitted to continue prior to any redevelopment of the lands for residential uses.
- b) On lands designated Urban Residential on Schedule “A”, as shown on Schedule “A”, the following policies shall apply:
- i. On the lands subject to this exception, existing uses and uses permitted as of the date of the adoption of the site specific amendment may be permitted to continue prior to the redevelopment of the lands for residential uses.

**7.16.3.4 Port Dover – 24 Lynn Street, Misner Landing, Site Specific Policy Area [5-OP-2022, Amendment 145]**

On land designated Urban Waterfront – Site Specific Policy Area 7.16.3.4 on Schedule “B” to this Plan, in addition to the uses and policies permitted, either a mixed use apartment with retail and other commercial uses on the ground floor or a stand alone residential apartment building is permitted, any such building may have a maximum height of 6-storeys.



## **7.17 Major Public Infrastructure Designation**

Major Public Infrastructure uses provide public services, such as drinking water, wastewater treatment and public works yards that are essential to the health and well-being of County residents and visitors and which support local economic activities and institutions. Major Infrastructure uses are to be protected from intrusions by sensitive land uses that may restrict the operations of existing or expanded municipal facilities.

### **7.17.1 Permitted Uses**

Subject to the other policies of this Plan, the following policies shall apply in determining uses permitted on land designated Major Public Infrastructure on Schedule “B”.

- a) Permitted municipal uses shall include the following:
  - i) Municipal works yards;
  - ii) Recycling operations;
  - iii) Wastewater treatment plants;
  - iv) Municipal wells, water tanks and reservoirs and water treatment plants;
  - v) Public uses and public and private utilities; and
  - vi) Ancillary office uses that specifically support the other permitted uses.
- b) A municipal landfill site may be permitted subject to an amendment to this Plan and to the Zoning Bylaw and subject to the policies outlined in Section 8.10 (Waste Management) of this Plan.

### **7.17.2 Land Use Policies**

The following policies apply to lands designated Major Public Infrastructure.

- a) Outside storage may be a component of any of the permitted uses and shall be subject to the following:

- i) All storage areas shall be located away from any adjacent existing or proposed residential uses or have adequate buffers and landscaping that will visually screen the storage area from adjacent lands;
  - ii) All buffers, fencing and screening shall visually enhance the site and shall be permanent in its construction; and
  - iii) Where natural landscaping is used, it shall be of adequate size to appropriately screen the storage area when installed.
- b) Municipal operations located on lands designated as Major Public Infrastructure are to be protected from intrusions of sensitive land uses that may restrict existing or potential future operations of the facility.
- c) Development of lands designated as Major Public Infrastructure shall have adequate parking, loading and garbage collection/storage facilities provided on site.
- d) The County may establish a specific category in the Zoning Bylaw for Major Public Infrastructure lands.
- e) Major Public Infrastructure uses shall be subject to site plan control, in accordance with the policies of Section 9.6.5 (Site Plan Control) of this Plan.
- f) The development of new municipal facilities and the expansion of existing facilities shall be subject to the requirements of Section 8.13 (Capital and Public Works) of this Plan
- g) Development of lands in the vicinity of lands designated as Major Public Infrastructure shall be in compliance with applicable Ministry of the Environment and Climate Change guidelines.



## **8.0 Networks and Infrastructure**

“Upgrading and Expanding Crucial Infrastructure”

### **8.1 Introduction**

Norfolk County’s networks and infrastructure, including all roads, trails, sewers, watermains, electric, utility, waste disposal, and telecommunications facilities, play an important role in defining the County and ensuring its sustainability. These systems are vital to economic competitiveness, community health and environmental responsiveness. The policies of this Plan, and specifically this Section, strive to ensure the efficient and cost-effective co-ordination between long-term growth management and the provision of infrastructure.

### **8.2 The Transportation Network**

Transportation plays an important role in determining the quality of life within a community through the level of service and accessibility to employment, social, recreational and shopping opportunities provided by the transportation network. Road, rail, air and water transportation all play roles in goods movement throughout the County.

The Transportation Plan, set out in Schedule “E” is based on the inter-relationship of land use and transportation. The transportation system is intended to be compatible with and supportive of the land use pattern. Roads have different characteristics, depending on the nature of the surrounding land use. A road in the rural and agricultural portion of the County will exhibit rural characteristics, matching rights-of-way with their expected function and use. However, roads that, for example, traverse historic Hamlet Areas or Urban Areas are expected to maintain the character of those areas and provide both lower speed access as well as a pedestrian environment.

The roads also facilitate the safe and efficient movement of both people and goods through the County at minimal economic, environmental and social cost. Additionally, the network is intended to promote the development pattern in the County and be supportive of economic activity.

The following shall be the policy of the County:

- a) The efficiency of the transportation network should be maximized by coordinating transportation planning initiatives and activities with other levels of government and transportation agencies.
- b) All transportation services shall be planned and constructed in a manner that supports the policies of this Plan. Upgrades to transportation services may be required to be approved in accordance with the *Environmental Assessment Act*.
- c) Corridors and rights-of-way for significant transportation facilities shall be planned for and protected to serve the long-term needs of the County. Development that could preclude the use of a corridor or right-of-way for its long-term purpose shall not be permitted.
- d) The preservation and reuse of abandoned transportation corridors for purposes that maintain the corridor's continuous linear characteristics shall be encouraged, whenever appropriate and feasible.
- e) Connectivity of the transportation network within the County and crossing into adjacent jurisdictions shall be maintained and, where possible and feasible, improved.
- f) The County shall ensure that adverse environmental effects, such as noise, vibration and air quality deterioration, will be mitigated in the planning, design, and construction of elements of the transportation network in accordance with the policies of Section 8.8 (Noise, Vibration, Odour and Light Emissions). This shall apply to all air, rail, road and water transportation facilities.
- g) The automobile will continue to be the main mode of transportation within the County due to its predominantly rural character, small and dispersed population, and size of the Urban Areas. Notwithstanding this, a land use pattern, density and mix of uses shall be promoted in the Urban Areas that reduces growth in the length and number of vehicle trips, and creates the potential for public transit viability and other alternative and sustainable transportation modes such as walking and cycling.
- h) Safe and convenient pedestrian interfaces with roads shall be encouraged.
- i) The impact of a development proposal on the transportation system, including the means of access, shall be examined through a traffic impact study. Only those development proposals that can be accommodated in the existing system will be permitted. Where the transportation system is not adequate, the County shall require, as a condition of development approval, that the proponent of the development:

- i) improve the system in the vicinity of the proposed development without the County incurring any costs;
- ii) make the necessary financial contributions for the required improvements; and/or
- iii) dedicate rights-of-way for the development of roads.

The cost of traffic impact studies and any other required supporting documentation shall be borne by the proponent. Costs incurred by the County in engaging peer review consultants to evaluate the proposal and supporting submissions shall be reimbursed by the proponent.

- j) The County may implement traffic calming measures near schools, nursing homes, hospitals and in downtowns. The County will apply the Canadian Guide to neighbourhood Traffic Calming as the guiding document for the design and installation of traffic calming measures. The County may create specific design guidelines appropriate to the local context.
- k) Complete streets are designed and operated to enable safe access for all users, including pedestrians, cyclists, motorists, transit users, commercial and emergency vehicles. The County will consider the implementation of complete street guidelines, appropriate to the local context, as roads are reconstructed and new roads built.

### **8.2.1 Movement of Goods**

The limitations on Provincial Highways and the lack of freeway access to the County have limited the accessibility to high-order road transportation. Consequently, every effort shall be made to ensure an efficient and effective road, air and water transportation system.

The following shall be the policy of the County:

- a) The County shall ensure the co-ordination between growth management and the transportation systems.
- b) The County shall work with transportation industries to facilitate the efficient movement of goods by road, water and air, by improving the level of service while maintaining community safety and minimizing risk.

- c) The County shall ensure that appropriate road service is provided to employment areas.
- d) The County shall ensure that designated commercial areas are serviced by roads with appropriate traffic volume capacity.
- e) Through the passing of by-laws, the County may establish truck routes along Provincial Highways, arterial roads and non-residential collector roads, thereby avoiding local roads in residential neighbourhoods, in order to protect residents from noise and corridor emission pollutants.
- f) The County shall maintain and encourage the protection of abandoned rail corridors for other linear uses.

### **8.2.2 Hierarchy and Classification of Roads**

Public roads in the County shall be classified into a hierarchy on the basis of jurisdiction, function, traffic characteristics, speed and interconnections. The classification of roads and the existing and proposed road system is shown on Schedule “E”.

The following shall be the policy of the County:

- a) The County shall review road corridors, in consultation with the Province, to determine if a change in road classification is necessary. The transfer of a road from one jurisdiction to another shall not require an amendment to this Plan, notwithstanding the change in classification.
- b) Any change in the function of a road shall not require an amendment to this Plan to change the classification depicted on Schedule “E”. The Official Plan may be modified as a result of such a change in the function of a road at the time of a review in accordance with Section 9.3 (Official Plan Monitoring and Review). Similarly, minor road widenings, re-alignments, by-passes, establishment of new roads, road reclassification or alteration of a proposed alignment shall not require an amendment to this Plan.
- c) The County shall, as needed, enact access control by-laws for specified County roads with present or anticipated high traffic flows. Access control by-laws may be developed for any County road where high traffic or a significant percent of truck traffic develops.

- d) Development shall only be permitted where frontage and access is to an open and public road that is maintained on a year-round basis, as determined by the County. Any road improvement required to bring a road up to a standard deemed appropriate by the County shall be at the expense of the benefiting landowner(s).
- e) Road access points shall be designed to the satisfaction of the County and be in locations that will not create a hazard due to impaired line of sight, or any other geometric, transportation or land use planning consideration.
- f) Minimum right-of-way widths are provided for each classification of road. However, in the Urban Areas and Hamlet Areas, and in certain other circumstances, the County may consider alternative development standards including reduced right-of-way widths. The County recognizes that in some existing developed areas the reconstruction of roads to the standards required by the policies of this Plan may be economically or physically infeasible due to constraints of existing buildings, existing services, access driveways and other conditions. In order to secure needed road improvements in such cases, it will be necessary to find a realistic balance between accepted engineering standards and the disruptive effects upon existing conditions. In particular, in considering improvements in the Downtown Areas, as defined on Schedule “B”, careful attention shall be given to the effects of transportation improvements upon the heritage buildings, open pedestrian areas and general character of the area.
- g) Where additional land is required for road widenings and extensions, such land shall be dedicated wherever possible, in the course of approving draft plans of subdivision or condominium, consents or site plan agreements, without amendment to this Plan. The dedication of such land shall take into account the following:
  - i) the classification of the road as indicated on Schedule “E” of this Plan and the extent of the right-of-way that may be required for that road classification as established by the policies of this Plan;
  - ii) road widenings being taken equally on either side of the centre line of existing roads. However, unequal widenings may be required where factors, such as topography, historic building locations, grade separation, channelization, existing development or other unique conditions make the dedication of equal widenings infeasible;
  - iii) the need to provide acceleration and deceleration lanes, left-turn storage lanes, medians, traffic signals or other traffic control devices, sight triangles at intersections including intersections of an arterial road and a



railway line, railway grade separations, and/or any other traffic or road engineering consideration. The extent of the widening shall be based on specific characteristics of the intersection and shall be determined in accordance with accepted traffic engineering design criteria;

- iv) any required facilities to ensure accessibility for all members of the public, including people with disabilities; and
  - v) requirements as established by County.
- h) No development or redevelopment of land shall be approved in close proximity to an intersection or railway crossing which is scheduled for improvement until the improvement has been sufficiently designed to determine the land requirement for the improvement.
- i) As a measure of maintaining a satisfactory road system, the County shall pursue a program of improving road alignments, surfaces, and pavement widths, and establishing adequate road allowances for new roads as future development occurs. Provision shall be made in the Zoning By-law for adequate setbacks for all new development, having regard for the width and function of the abutting road.
- j) Any proposals to widen, extend, realign or improve roads shall consider Natural Heritage Features and cultural heritage landscape factors and attributes of adjacent land, or views created by the road. The County may require a landscape assessment prior to approval or endorsement of any proposals to widen, extend, realign or improve roads.
- k) Paved streets, curbs and gutters shall be provided for any major new development or redevelopment in the Urban Areas to the satisfaction of the County. Sidewalks may be required to be provided in new development or redevelopment as determined by the County in accordance with the policies of this Plan. The County may consider lower development standards outside of the Urban Areas, subject to the policies of this Plan.

### **8.2.2.1 Provincial Highways**

Highways No. 3, 6 and 24 are Provincial Highways illustrated on Schedule “E” and are under the jurisdiction of the Ministry of Transportation.

The following shall be the policy of the County:

- a) Transfer of any Provincial Highway to another jurisdiction shall not require an amendment to this Plan.
- b) The Ministry of Transportation shall have jurisdiction and control over access to Highways No. 3, 6 and 24, and development within the Ministry's permit control area.
- c) Direct private access to the Provincial Highway shall be restricted and shall require the approval and permit(s) from the Ministry of Transportation. Developments and private access driveways shall be encouraged to use existing County roads and service roads wherever possible. Where access from the Provincial Highway is feasible, it shall only be considered for those properties that meet the minimum safety and geometric requirements of the Ministry of Transportation. Where access is available to a County road, access to the Provincial Highways shall not be permitted.
- d) The County shall pursue control from the Province over the Provincial Highway corridor connecting links through the Urban Areas.
- e) The Ministry of Transportation shall determine the right-of-way width for the Provincial Highways.
- f) All development adjacent to the Provincial Highway shall be subject to the safety and geometric requirements and permits of the Ministry of Transportation.
- g) Generally, open storage and loading areas shall be screened from Provincial Highways.

### **8.2.2.2 County Roads**

County roads have a range of functions, carrying high, medium and low volumes of traffic on arterial, collector and local roads, respectively. County roads serve the purpose of carrying traffic, as well as providing access to land.

The following shall be the policy of the County:

- a) The County shall address the adequacy of sight distances related to the road alignment and shall avoid multiple individual access points when reviewing development applications on County roads.
- b) On certain County roads that exhibit high traffic volumes, access limitations may be required. Access to all County roads shall be subject to the approval of Norfolk County.

### **8.2.2.3 Arterial Roads**

Arterial Roads identified on Schedule “E” are roads designed to carry high volumes of traffic from Provincial Highways and other interregional roads to the collector road system, and vice-versa.

The following shall be the policy of the County:

- a) Access from abutting properties to arterial roads shall be approved by the County.
- b) Except as noted in Section 8.2.2(g) (Hierarchy and Classification of Roads) of this Plan, the minimum basic road right-of-way width for an arterial road shall be 36 metres. Setbacks from arterial roads shall be established in the Zoning By-law.
- c) The flow of traffic on arterial roads shall take precedence over on-street parking, except in the Downtown Areas, where traffic and on-street parking needs shall be balanced.
- d) In the Urban Areas, sidewalks shall generally be constructed on both sides of an arterial road.

### **8.2.2.4 Collector Roads**

Collector roads are designed with the dual function of carrying moderate volumes of local traffic to arterial roads, and distributing arterial traffic to local roads, while providing access to abutting properties.

The following shall be the policy of the County:

- a) On-street parking may be permitted on collector roads in the Urban Areas, although location and time restrictions may be enforced in specific instances; for example, adjacent to schools or during peak periods of traffic demand.
- b) Direct access to collector roads shall be permitted, subject to geometric design considerations.
- c) Except as noted in Section 8.2.2(g) (Hierarchy and Classification of Roads) of this Plan, the minimum basic road right-of-way width for collector roads shall generally be 26 metres.
- d) In the Urban Areas, sidewalks shall generally be constructed on both sides of collector roads.

### **8.2.2.5 Local Roads**

The remainder of the streets in the County road system are classified as local roads. Local roads are intended to carry low volumes of traffic and to provide access to individual properties.

The following shall be the policy of the County:

- a) Except as noted in Section 8.2.2(g) (Hierarchy and Classification of Roads) of this Plan, local roads shall generally be two traffic lane roads with a minimum road right-of-way width of 20 metres and be designed to carry local traffic and to provide land access to abutting properties. In instances where more than two lanes of traffic are to be accommodated, the minimum right-of-way width shall be 23 metres.
- b) Local roads shall be designed to discourage high speed traffic through frequent stop signs or other appropriate design measures.
- c) Sidewalks may generally be required on one side of local roads. In instances where local roads lead directly to a school, park, community facility or other facility which generates pedestrian traffic, or where safety of pedestrians is of particular concern, sidewalks may be required on both sides of the road.
- d) Some local roads are only seasonally maintained. Nothing in this Plan shall be construed to imply specific seasonal road or maintenance improvement initiatives within the planning horizon of the Official Plan.

### **8.2.2.6 Unopened Road Allowances**

An unopened road allowance shall mean a road, street, lane or highway allowance which has not been established as a public highway by a by-law of Council or otherwise assumed for public use by the Corporation.

The following shall be the policy of the County:

- a) It is general policy of the County that unopened road allowances shall not be used for motor vehicle travel purposes, and that any cutting down of trees or grading or removing of aggregate or fill or farming on unopened road allowances is prohibited without the express approval of Council.
- b) There is no commitment on the part of the County that the unopened road allowance will be improved or developed as a public road.

- c) Development of land requiring access to an unopened road allowance will not be permitted.
- d) The crossing of unopened road allowances by private roads or driveways or the use of an unopened road allowance may be permitted subject to conditions that are satisfactory to the County.
- e) Unopened road allowances may be closed after consideration of the following matters:
  - i) that abutting properties are not land locked;
  - ii) that the road allowance is not required for service easements, utility corridors or future roads;
  - iii) that the unopened road allowance is not required for recreational activities, pathways, trail systems, and access to environmental areas.
  - iv) that the unopened road allowance is not required to access future developments; and
  - v) that the unopened road allowance does not provide access to water.
- f) An amendment to this Plan will not be required to close an existing road allowance, or alternatively to establish a new road allowance where considered desirable to do so by Council.

### **8.2.3 Parking**

Given that the automobile will continue to be the principle mode of transportation within the County, the provision of sufficient parking, in terms of size, location and quantity is an important consideration in the Plan.

The following shall be the policy of the County:

- a) Except in Downtown Areas, all new development and redevelopment, including re-use of existing buildings, shall be required to provide adequate off-street parking and loading spaces in accordance with standards established in the Zoning By-law. Access and egress to all off-street parking or loading spaces shall be limited in number and designed to minimize danger to vehicular and pedestrian traffic.

- b) Parking needs in the Downtown Areas will be assessed in order to provide adequate and convenient on- and off-street parking.
- c) All new development or redevelopment in the Downtown Areas shall be encouraged to provide sufficient parking on-site to accommodate the proposed use. Parking in Downtown Areas shall be subject to the policies of Section 7.8.2 l) (Downtown Designation) of this Plan.
- d) Where the required parking cannot be provided on site for a proposed development within the Downtown or Urban Waterfront Designations, the County may collect a cash-in-lieu payment, pursuant to Section 40 of the *Planning Act*, to be used expressly for the provision of additional parking spaces in an appropriately defined area.
- e) The provision of off-site parking, may be considered provided that the off-site parking will be within a convenient walking distance of the proposed development and subject to the satisfaction of the County. The County may reduce the Zoning Bylaw parking requirements for affordable and senior housing projects where the development proponent is able to demonstrate, to the satisfaction of the County, that the provision of a reduced number of parking spaces will adequately accommodate the on-site parking needs of residents, visitors and staff.

#### **8.2.4 Public Transit**

Transit provides opportunities to enhance the mobility options for people who do not or cannot drive to access goods, services, amenities, and local attractions.

The following shall be the policy of the County:

- a) The County will explore opportunities to enhance transit services in partnership with community and/or government partners, including adjacent municipalities.
- b) Development within Urban Areas shall, where appropriate, take into consideration the safe and convenient provision of transit services.
- c) The continued need for transit services will be considered on an on-going basis.

### 8.3 Walking, Cycling and Trails

Bicycle and pedestrian trails and paths contribute to healthy communities. This Plan recognizes and supports cycling and walking as alternative sustainable modes of travel. The County encourages the development of enhanced walking and cycling routes designed for people of all ages and abilities.

The following shall be the policy of the County:

- a) Existing and proposed trails for walking and cycling are generally illustrated on Schedule "I" to this Plan. The County shall work towards providing bicycle and pedestrian paths, separated from the roadway, on existing and proposal roads, on abandoned rail corridors, on utility corridors, and within parks and open spaces, as appropriate. Priority shall be given to the development and enhancement of routes illustrated on Schedule "I" of this Plan.
- b) The County shall consider adapting roads to provide safer travel for bicycles, where feasible and appropriate.
- c) The County shall undertake to interconnect existing walking trails and bicycle paths, where feasible and appropriate.
- d) The County shall encourage the integration of bicycle path and walkway systems into the design of transportation facilities, including transit services, by including facilities such as protected bicycle storage areas at places of employment and major community, institutional, educational, cultural and shopping locations, where appropriate.
- e) The County shall encourage the continued use and development of the multi-purpose trail system connecting Simcoe, Delhi, Waterford and other municipalities, as well as connections to the Trans Canada Trail.
- f) The County shall work towards the development of a waterfront trail between Port Dover and Long Point, the details of which shall be established through the Lakeshore Secondary Plan, further to Section 11 (Lakeshore Special Policy Area).
- g) The County shall use the design guidelines in the Integrated Sustainable Master Plan for the further development and enhancements of walking, cycling and trail facilities.

- h) The County will promote streetscape improvements that encourage the use of active transportation including the installation of benches, waste receptacles, bicycle racks, crosswalks, pedestrian scale lighting and shade.
- i) The County will require that sidewalks be well lit and be accessible for all users, including people with disabilities.
- j) The County will, where appropriate, include requirements for walking, cycling and trail infrastructure in the approval of site plan and other development applications.
- k) Schedule “I” shows off-road trails that may be located within neighbourhood and community parks, conservation lands and on other public and private lands. Changes to the off-road trail system, including the re-routing, removal and addition of off-road trails will not require an amendment to this Plan.
- l) The County may, where appropriate and in consultation with the Conservation Authority, provide infrastructure to access creeks, rivers and lakes for recreational boating.
- m) The County shall prepare and regularly up-date a Walking, Cycling and Trails Master Plan.

## **8.4 Air Transportation**

Convenient access to local and regional air travel and transportation facilities would be valuable to the residents and businesses of Norfolk County. It is anticipated that any air fields, air strips or airports within the County will play a minor general aviation role.

The following shall be the policy of the County:

- a) The County shall investigate alternatives for securing a fully functioning regional airport that is viable in the long term and shall work with all adjacent jurisdictions to study the existing level of service and operational deficiencies in the system of airports and airfields.
- b) Any airports shall be protected from incompatible land uses and development and vice-versa, in accordance with Provincial policy. If necessary, the Zoning By-law may establish an Airport Obstacle Restriction Area to prevent land uses that may cause a potential aviation safety hazard and protect any airport from obstacles penetrating into airport operating areas.



- c) The County shall cooperate with adjacent jurisdictions, Transport Canada and other applicable federal and provincial agencies in the planning of nearby inter-regional airport facilities and the John C. Munro International Airport in Hamilton.

## **8.5 Rail Lines**

Norfolk County views the existing rail line in the County as an asset, and supports the continuation of a safe and efficient railway network. While a number of rail lines have been eliminated, the remnant rail line traversing the County from the Town of Tillsonburg to the east of the Courtland Urban Area will be supported and promoted.

The following shall be the policy of the County:

- a) Any proposed new residential or other sensitive use within 300 metres of an active railway right-of-way shall be supported by noise and compatibility studies, completed to the satisfaction of the County, in consultation with the appropriate railway company and the Ministry of the Environment and Climate Change.
- b) Any proposed new development within 75 metres of an active railway right-of-way shall be supported by a vibration impact study, completed to the satisfaction of the County, in consultation with the appropriate railway company and the Ministry of the Environment and Climate Change.
- c) For development adjacent to a railway right-of-way, appropriate safety measures such as setbacks, berms and security fences will be provided to the satisfaction of the County in consultation with the appropriate railway company.
- d) Proponents of development within 300 metres of an active railway right-of-way are encouraged to consult with the appropriate railway company prior to filing formal development applications.

## **8.6 Water Transportation**

Lake Erie provides an important opportunity for recreational transportation, goods movement, and ferrying services.

The following shall be the policy of the County:

- a) The planning and development of port, docking, harbour and associated road facilities whether initiated by federal, provincial and other agencies, or the private sector, should be carried out comprehensively and should consider such matters as the:
- i) coordination of associated facilities, such as Customs facilities;
  - ii) environmental impacts both during and after construction;
  - iii) public use of and access to port facilities;
  - iv) most effective intermodal linkages with transportation facilities;
  - v) integration of functions into multi-use facilities;
  - vi) coordination and conformity with County planning policies, and other public policy matters, including prevailing Provincial policy;
  - vii) land use impacts, land use compatibility, the appropriateness of the proposed location, and urban and site design considerations;
  - viii) traffic impacts and the coordination of roads and parking;
  - ix) stormwater management;
  - x) coastal and port engineering; and
  - xi) economic and municipal fiscal impacts.

## **8.7 Utilities and Telecommunications**

The continual advancement of utilities and telecommunications technology, coupled with the need for rapid information transfer, will have a significant impact on the future development and economic vitality of the County.

The following shall be the policy of the County:

- a) The County shall facilitate co-ordination between growth management and the installation, maintenance and improvements in utilities and telecommunication services.
- b) Through the County's planning activities, existing communication and transmission corridors and networks shall be protected and enhanced.

- c) Proponents of development applications shall confirm with public and private utility and telecommunication providers that adequate servicing networks are, or will be established, to serve the proposed development and that these networks can be provided in a manner that is cost effective and efficient.
- d) The County shall support the business community in the establishment of a modern telecommunications network.
- e) The County shall work to ensure that communication and transmission corridors and towers are constructed, and maintained to minimize their impact on the community.
- f) All utilities should be planned for and installed in common trenches, wherever feasible, in a coordinated and integrated basis to minimize disruptions, to the satisfaction of the County.
- g) In accordance with the policies of Sections 8.2 (The Transportation Network) and 8.3 (Walking, Cycling and Trails), the County shall promote and encourage the shared and multiple use of telecommunications towers and corridors for utility uses. Additionally, the County shall support the use of corridors for transportation and trail uses.
- h) The County shall cooperate with commissions and utilities responsible for the regulation, transmission and delivery of utility and communication services within the County when they are planning the future development and staging of the networks in order to implement the policies of this Plan.

## **8.8 Noise, Vibration, Odour and Light Emissions**

Noise, vibration, odour and other contaminants resulting from industrial activity can impact adjacent land uses, and the residents, businesses and visitors of Norfolk County. Managing noise, vibration and odour levels in the County is important to ensuring the health and well-being of the County, and in managing appropriate relationships between sensitive land uses, land uses that emit noise, vibration and/or odour, and certain elements of the transportation network. The following policies supplement the other related policies of the Plan, and the specific policies of Sections 8.4 (Air Transportation) and 8.5 (Rail Lines), dealing with airports and rail lines, respectively.

The following shall be the policy of the County:

- a) Further to Section 6.7.2 (Industrial Influence Area), an Industrial Influence Area (IIA) shall be applied to land in proximity to the heavy industry uses in Haldimand County, as illustrated on both Schedules “A” and “B”. The IIA is designed to reduce the potential exposure of Norfolk residents to nuisance environmental conditions, and provide a commitment to industries to prevent encroachment by uses which could adversely affect the future operation and expansion of industries located there.
- b) New residential or other sensitive uses shall not be located in noise sensitive areas unless noise abatement techniques are employed to reduce the noise to an acceptable level.
- c) New residential or other sensitive uses shall not be permitted in any area where it is anticipated that noise from vehicular traffic or from the nature of the use will exceed Ministry of the Environment and Climate Change standards.
- d) The noise generated by new commercial or industrial uses shall not be transmitted to either existing or proposed residential or other sensitive areas at a level that exceeds that introduced by road traffic adjacent to or within the residential area.
- e) The development of new industrial uses shall have regard for the Ministry of the Environment and Climate Change guidelines respecting separation distances between industrial uses and sensitive uses. In locating any sensitive land use in the vicinity of any established or approved business/employment use, the County shall have regard for the relevant Ministry of the Environment and Climate Change guidelines.
- f) For any proposed development of a sensitive land use in proximity to a Provincial Highway and/or County road, a noise study may be required to be prepared by a proponent through a qualified acoustical consultant in accordance with the appropriate Provincial guideline to the satisfaction of the County, and/or other jurisdiction prior to development approval. The recommendations of the approved noise report shall be incorporated in the development agreement for implementation, as approved. The cost of noise studies and any other required supporting documentation shall be borne by the proponent. Costs incurred by the County in engaging peer review consultants to evaluate the proposal and supporting submissions shall be reimbursed by the proponent.
- g) Artificial lighting can significantly impact the night sky by reflecting and refracting light into the atmosphere hindering views of celestial bodies at night and affecting natural light cycles. While maintaining public safety, the County will endeavor to reduce light emissions in an effort to limit energy waste, decrease greenhouse

gas emissions, minimize adverse impacts on ecological systems, and enhance the visibility of the night sky through the following measures:

- i) The County will use and promote the use of responsible lighting practices that minimize the impact on the night sky.
- ii) The County may consider a By-law that would help prevent the negative impacts of excessive or misdirected light and encourage responsible lighting that is properly directed, of appropriate intensity, and energy efficient.
- iii) The County may require the proponent of an application for development to submit a lighting assessment and photometric plan in conjunction with the application.

## **8.9 Water and Wastewater Services**

Municipal water systems exist in all six of the Urban Areas. The County intends to improve and extend municipal water services throughout the Urban Areas. Municipal waste water treatment systems exist in Simcoe, Port Dover, Delhi, Waterford and Port Rowan. There are also a number of private communal water supply systems, principally serving Resort Areas. The balance of the County is serviced by private wells and individual waste water disposal systems. The County will ensure that cost-effective and adequate systems for water supply and wastewater treatment are provided to support, enhance and sustain existing and future residents and businesses in the County.

### **8.9.1 Services in Urban Areas**

The following shall be the policy of the County:

- a) The County shall ensure that both municipal water supply and wastewater treatment systems perform within permitted operating standards. Limitations on the capacity or operating performance of these systems are recognized as a constraint to further development. The County shall continue to monitor treatment capacities and operational effectiveness of these municipal systems.

- b) Development in proximity to any waste water treatment plant shall adhere to the minimum separation distances and standards of the appropriate Ministry of the Environment and Climate Change Guidelines. Prior to the approval of any development of a sensitive land use in proximity to a waste water treatment plant, the Ministry of the Environment and Climate Change shall be consulted, and its standards shall be satisfied. The County may, to deal with specific situations, require separation distances that are greater than the minimum standards set by the Ministry.
- c) All development in the Urban Areas shall be fully serviced by municipal piped water supply and waste water treatment systems, save and except for circumstances outlined in Section 8.9.1 f) (Services in Urban Areas). Notwithstanding this, appropriate development shall be permitted in the Courtland Urban Area on the basis of a municipal water system and private waste water disposal systems.
- d) In Urban Areas, priority shall be given to the development of land that is presently serviced by watermains and sanitary sewer systems, or those areas that can most easily be serviced, at minimal expense.
- e) Infilling of vacant areas within the Urban Areas which are already provided with full municipal services is encouraged, and shall be a criterion when evaluating proposed plans of subdivision and consents, with respect to the extension of services, utilities or the associated construction.
- f) In order to ensure the efficient use of land and municipal services in the Urban Areas, development on individual on-site servicing systems (water and/or waste water disposal) shall generally not be permitted. Exceptions will be considered in areas not serviced by municipal water and/or waste water sewer services on the basis of a site-specific amendment to the Zoning By-law, and satisfaction of the following criteria:
  - i) the development shall be minor in nature, constituting one or two single detached residential lots;
  - ii) the development shall be of an infilling nature in an area largely developed and presently serviced by individual on-site water and/or individual on-site waste water disposal systems; and
  - iii) the development is proposed on land situated such that there are unique circumstances which would deter the rational, efficient, cost-effective and/or timely extension of services. Such unique circumstances would include topographic constraints and the absence of any feasible future

users of municipal services, combined with excessive distances from existing services that would make future extension of services impractical. However, excessive distance from existing services alone shall not constitute a unique circumstance for the purposes of this Section.

### **8.9.2 Services Outside of Urban Areas**

The following shall be the policy of the County:

- a) The primary means of wastewater disposal in the Rural Area and the Hamlet Areas, is the septic tank and weeping tile system. It is anticipated that such systems or other private waste water disposal systems will continue to be the principal means of waste water disposal outside of Urban Areas. The installation of septic systems is subject to the approval of the authority having jurisdiction.
- b) Municipal water and waste water systems shall generally not be provided to areas outside of Urban Areas. Council may consider extension of municipal sanitary sewer or watermain services beyond the Urban Area but only to address an existing waste water disposal or water quality problem that represents a hazard to public health and safety and provided that Council is satisfied that there is positive public benefit from such action for residents of the County.
- c) The County and/or appropriate agency shall approve all new septic tank and tile or leaching bed systems. A servicing report may be required to identify the most appropriate form of servicing to ensure environmental protection. At the time of approval of new lots, the County shall ensure that there is capacity for hauled waste water at a municipal facility.
- d) Communal servicing systems to service new development shall not be permitted except under specific circumstances outlined in this Plan. Communal servicing systems may only be considered in an existing Hamlet Area or Resort Area to resolve existing servicing malfunctions, physical constraints and/or deficiencies, posing potential public health risks.
- e) The County shall not assume any communal servicing systems in the County, and shall generally not execute responsibility agreements in relation to such systems. However, in the event that execution of a responsibility agreement is required as a result of circumstances outlined in this Subsection, prior to executing the agreement, the County shall be satisfied with the design and

economic sustainability of the system and shall require that certain securities be posted, and that a separate financial and maintenance agreement be executed between the owner of the system and the County.

- f) Holding tanks shall not be permitted for new development. Holding tanks will only be permitted for existing development where the County is satisfied that there is no other alternative to solving a deficiency with an existing septic system. Should a holding tank be permitted, the County shall ensure that appropriate provisions are in place for disposal at an approved facility, or that there is capacity for hauled waste water at a municipal facility.
- g) Any lot affected by an application for consent or plan of subdivision shall be sized such that there is sufficient area for attenuation of nitrates, space for a building envelope, sewage envelope, sewage system contingency area, and potable water supply.

### **8.9.3 Servicing Allocation and Phasing**

The following shall be the policy of the County:

- a) When unallocated servicing capacity does not exist for a proposed development, the County shall defer the processing of the planning application until capacity is available, or until a servicing agreement is in place to ensure that such capacity will be available to service the development. Draft approved plans of subdivision may only proceed to registration if sufficient servicing capacity continues to exist.
- b) The timing of development in the Urban Areas shall be managed so that:
  - i) there is a logical extension of municipal services that avoids the “leap-frogging” of large undeveloped tracts of land between the existing urban development area and the proposed development;
  - ii) a compact form and pattern of development is maintained;
  - iii) the provision of all municipal services, as appropriate, proceeds in an economically viable manner; and
  - iv) first priority is given to reserving servicing capacity for infilling, intensification and redevelopment.
- c) When conditions of development approval, draft plan approval or otherwise, are not fulfilled within a reasonable time period for which development approval has



been granted, the County may not support the extension of development approval and assign the servicing allocation to other developments or areas of the County, or hold the capacity in reserve. Prior to the lapsing of development approval, the development proponent may request an extension to fulfill the conditions of approval. Provided Council is satisfied with the merits of the request for an extension of development approval, Council may choose to extend the approval period. No extension is permissible if draft plan of subdivision or condominium approval has lapsed before the extension is given.

- d) Where a proposed development requires a pumping station to connect to the County's sanitary sewer system, the County shall be satisfied as to the following:
  - i) the proposed pumping station, including any system redundancies required to ensure continued operation, shall be constructed to the satisfaction of the County;
  - ii) the complete cost of the pumping station, including its design and engineering, construction and connection to the County's sanitary sewer system shall be the responsibility of the applicant;
  - iii) that financial arrangements are in place to cover the cost of constructing, operating and maintaining the pumping station; and
  - iv) the pumping station is located within the urban area boundary.
- e) The County may insert a clause in the conditions of development approval, including conditions of draft plan approval, reflecting the policies of this Section.

#### **8.9.4 Stormwater Management**

In the Urban Areas, impermeable surfaces such as building rooftops and parking lots reduce the ability of the land to absorb storm flows. Additionally, the water runs off the land at an increased rate. The impact of this often results in flooding, changes to adjacent watercourses such as erosion of banks, and potential pollution of watercourses. This impacts the quality of surface water as well as the natural environment. Norfolk County shall apply best management practices in dealing with stormwater management to improve the quality of storm water and to minimize flooding.

The following shall be the policy of the County:

- a) Stormwater management facilities for all new developments shall be designed, constructed and managed to the satisfaction of the County. Where feasible, regional stormwater management facilities that serve a drainage area that may include several developments will be encouraged by the County.
- b) Storm water management facilities must be located within the Urban Area or Hamlet Area in which the development is located.
- c) Stormwater management facilities shall be designed to manage stormwater quality and quantity through a treatment train approach, at an appropriate level, as defined in consultation with the appropriate Conservation Authority. The integration of natural vegetative features in new facilities shall be required and the naturalization of existing stormwater management facilities is encouraged. The installation of low impact development measures and green infrastructure will be encouraged.
- d) Prior to the approval of a development application, the County shall require the preparation and approval of a stormwater management plan which either implements the management concept of the Subwatershed Study, if prepared, or is completed in accordance with guidelines of the appropriate Conservation Authority and the current Ministry of the Environment and Climate Change Stormwater Planning and Design Manual. At its sole discretion, the County may, defer these requirements to the detailed design phase, and implement the policies of this Subsection as a condition of development approval.
- e) Prior to development approval, the development proponent shall consider, where appropriate, enhancing the vegetation, wildlife habitats and corridors in and along the stormwater management system and the receiving watercourses. Additionally, the proponent shall provide, where appropriate, public access to and along the stormwater management system and the receiving watercourse where such areas can be used to form part of a trail or open space system. In order to ensure that the size, configuration and grade of the land surrounding the facility can be efficiently programmed as a component of a trail or open space system, it may be necessary to prepare a landscape design prior to development approval.
- f) The implementation of storm water management practices shall take into consideration the potential impact of climate change, including the following:
  - i) More extreme thermal impacts on aquatic and terrestrial ecology;
  - ii) Increased seasonal evapotranspiration rates;
  - iii) Uncertainty in hydrologic predictions and models;

- iv) Potential for more extreme high-contaminant concentrations in storm water;
  - v) Increased stress in water supply and treatment affecting water quality; and
  - vi) the potential for increased frequency and intensity of major storm events.
- g) The County shall ensure that the design of stormwater management facilities considers long-term maintenance, public health and safety requirements.
- h) The cost of stormwater management facilities, including its design, engineering, and construction, shall be the responsibility of the applicant. Before development approval, the County shall be satisfied that the necessary financial arrangements, including any cost-sharing agreements or mechanisms involving other properties, are in place to cover the cost of constructing, operating and maintaining the storm water management facility.
- i) The Ministry of Transportation shall be consulted in relation to stormwater management plans and facilities in proximity to Provincial Highways.
- j) The County may develop a comprehensive storm water management asset database, including installed low impact development measures, to assist in the management and maintenance of storm water management systems.

## **8.10 Waste Management**

Certain municipal resources are required to manage the solid waste generated by residences and businesses in Norfolk County. Reducing the volume of solid waste through the recycling program will help to ensure a sustainable natural environment and municipal sustainability. Norfolk County shall effectively and efficiently manage the solid waste generated within the County.

The following shall be the policy of the County:

- a) Waste management shall include waste diversion (recycling), waste disposal and waste as a potential resource. The County recognizes and supports the Provincial initiative of reducing waste through a diversion action plan, and may initiate its own diversion plan.
- b) A recycling collection box system shall be available throughout the County.

- c) Residential composting shall be encouraged.
- d) The County shall co-operate with all levels of government and other agencies in promoting public awareness of waste issues and in promoting waste diversion strategies as well as other alternative waste management techniques.
- e) Wherever practical, methane or other greenhouse gas emissions from waste management operations shall be captured and used as an alternative energy source.
- f) Closed Waste Disposal Sites and Waste Transfer Sites are identified on Schedule “J” to this Plan. Notwithstanding the general nature of the denotation of Waste Disposal Sites in this Plan, new or the expansion of existing waste disposal sites shall proceed by way of Official Plan Amendment, in accordance with Section 9.6.1 (Official Plan Amendments) of this Plan. Prior to approval of the Official Plan Amendment, new Waste Disposal Sites or expansions, shall obtain an Environmental Compliance Approval from the Ministry of the Environment and Climate Change. New or expanding Waste Disposal Sites shall be re-designated as a site-specific policy area within the Major Public Infrastructure Designation and be subject to the applicable policies of Section 7.17 (Major Public Infrastructure Designation) of this Plan.
- g) Development proposals within 500 metres of either an active or closed Waste Disposal Site shall be accompanied by a hydrogeologic/engineering study prepared by the proponent that satisfies the County and the requirements of the Ministry of the Environment and Climate Change guidelines related to land uses on or near landfills and dumps. The study shall address any mitigation measures required. The requirement for a hydrogeologic/engineering study within 500 metres of either an active or closed Waste Disposal Site may be modified as follows:
  - i) Where hydrogeologic/engineering studies have determined the actual influence area to be less than 500 metres, the study area can be reduced to coincide with the actual influence area; or
  - ii) Where hydrogeologic/engineering studies have determined that significant impacts may be encountered at or beyond 500 metres, the area in which an assessment for a change in land use shall be required shall be extended beyond the 500 metre area.
- h) Redevelopment of closed Waste Disposal Sites may be permitted by way of Official Plan and Zoning By-law amendments, upon the County consulting with

the Ministry of the Environment and Climate Change and/or other appropriate jurisdiction, and subject to the following policies:

- i) written approval has been received from the Ministry of the Environment and Climate Change, and/or other appropriate jurisdiction, that the development satisfies the provisions of the *Environmental Protection Act*;
  - ii) the studies required by the Ministry of the Environment and Climate Change shall be carried out to the satisfaction of the Ministry and the County and shall demonstrate that development is compatible and can proceed without unmitigated negative impact;
  - iii) the County shall require the construction and phasing of all development to coincide with the control of any problems identified by the engineering studies;
  - iv) the required studies of methane gas, leachate and hydrogeology shall be completed to the satisfaction of the County in consultation with the Ministry of the Environment and Climate Change; and
  - v) the County shall be satisfied with respect to any matter regarding structural stability, safety and integrity of any and all structures
- i) The County may establish appropriate standards for new development near Waste Transfer Sites to minimize conflicts between the proposed use and the operations of the Waste Transfer Site.

## 8.11 Energy Supply and Transmission

- a) When commenting on applications for renewable energy projects, the County will give consideration to the following:
- i) Whether the nature, scale and impact will be appropriate, understood and any identified impacts can be mitigated;
  - ii) The impact on the viewsapes and countryside character in the vicinity, ensuring no undue adverse impacts are created.
  - iii) The impact on agricultural operations, forestry, significant cultural heritage resources, natural environmental features and the habitat of species at risk; and

- iv) Access to the site for maintenance.
- b) The County will not support ground mounted solar farms on prime agricultural lands.
- c) The County may suggest limits on the extent, height and location of any proposed energy generation and/or transmission facility.
- d) The County, in partnership with the Province, as appropriate, shall ensure that the necessary agreements are in place to deal with ongoing operation and maintenance of any green energy facilities, as well as appropriate protocols for their ultimate decommissioning.

## **8.12 Emergency Services**

- a) The County shall ensure that emergency services are provided in a manner that achieves appropriate response time targets and standards. To support the effective and efficient delivery of emergency management services, the County shall consider the following:
  - i) locate emergency services where effective delivery of services can meet established targets and standards;
  - ii) plan for a transportation system that facilitates meeting emergency response time targets;
  - iii) the potential impact on traffic calming initiatives on emergency response times;
  - iv) review the proposed access for emergency services in all development applications;
  - v) require the provision of a secondary access for emergency vehicles for all new cul-de-sacs that exceed 250 metres in length, as a condition of development approval; and
  - vi) the potential impact of climate change.

### **8.13 Capital and Public Works**

The extension or construction of capital or public works shall be carried out in accordance with the policies of this Plan. Council shall prepare annually and adopt without amendment to this Plan, a ten-year capital works program in accordance with the policies of this Plan. This program shall be cognizant of changing conditions of supply and demand for services, and significant changes in economics and technology.

Public buildings, structures, infrastructure, easements or rights-of-way may be considered within any designated area if suitable buffering and screening from adjacent uses is provided. In the design, placement, construction, and operation of public buildings, structures, and infrastructure, the County shall consider the potential impacts of climate change.

Any public works undertaken by the County shall be subject to the requirements of the Municipal Engineers Association's Class Environmental Assessment (MEA Class EA) and if not, could be subject to the requirements of the *Environmental Assessment Act*.

## 9.0 Implementation and Monitoring

“A Well Governed, Well Planned and Sustainable County”

### 9.1 Introduction

This Official Plan shall be implemented by means of the powers conferred upon the County by the *Planning Act*, the *Municipal Act* and other statutes as may be applicable. In particular, the Official Plan shall be implemented by the enactment of zoning by-laws, property standards and occupancy by-laws, the planning tools available to the County, development control under *Planning Act*, and the undertaking of public works.

### 9.2 The Planning Period

This Plan is based on a 20-year planning horizon to the year 2036, which principally relates to the population and employment projections and designated land supply. The effect of most of the land use policy will have implications well beyond the 20-year timeframe and will accordingly represent a long-term or permanent commitment. Policies protecting natural heritage features and resources require an indefinite timeframe to be effective. Buildings, water and sewer servicing, and other similar facilities also have a relatively long life span, and therefore require a long-term commitment beyond the scope of a 20-year planning horizon.

### 9.3 Official Plan Monitoring and Review

Changing conditions may necessitate amendments to this Plan. The policies are based on the vision and strategic goals and objectives developed through the extensive public consultation undertaken during the preparation of this Official Plan. Furthermore, the policies of the Plan are based on assumptions and a regulatory environment that are subject to change over time. Therefore, Plan monitoring and review is required to identify trends in planning issues in the County, to analyze the effectiveness of the policies of the Plan and to allow for adjustments and updating.

The following shall be the policy of the County:



Norfolk County Official Plan  
Consolidated to January 1, 2023

- a) As provided for in the *Planning Act*, the County shall provide the opportunity for interested citizens and organization to present submissions on the Plan at least every five years. Through this process, the County shall determine the need to amend the Plan to ensure that the policies remain realistic and appropriate with regard to changing social, economic and environmental circumstances.
- b) Monitoring of specific policies is prescribed in the policies of the Plan, and shall be undertaken in accordance with those policies.
- c) The County shall continue to prepare servicing monitoring analyses of the Urban Areas to determine allocated servicing for water supply and sanitary services, reserve capacity and systems utilization.
- d) The County shall continue to develop and maintain a County geographic information system for planning and management purposes, and provide updated mapping information, statistics, forecasts and analyses related to planning issues and Plan policies.
- e) In response to any changes in the regulatory environment, changes to the planning policies of the Province of Ontario, or other planning initiatives, the County may initiate an amendment process at any time.
- f) Where judicial or quasi-judicial decisions, including those of the Ontario Municipal Board, materially impact the County's interpretation or intent in the policies of this Plan, Council may choose to initiate a review of any or all of the policies at any time.
- g) The County shall monitor development and report annually on the following:
  - i) residential development trends to determine if the Plan's affordability, infill and density targets are being achieved;
  - ii) residential land supply to determine if the 3-year short-term and 10-year long-term supply targets are being achieved;
  - iii) industrial land supply including the amount of serviced land and long-term future supply; and
  - iv) commercial development activity, including downtown vacancy rates.

## **9.4 Zoning By-law and Other By-laws**

### **9.4.1 Zoning By-law**

The County shall prepare, and Council shall adopt, a Comprehensive Zoning By-law that shall be in conformity with the principles, policies and land use designations contained in this Plan. The By-law shall include adequate development standards. The By-law shall establish specific zones and permitted uses that reflect the policies and land use designations of this Plan. Within each land use designation, more than one zone may be established to ensure that the policies of this Plan are properly implemented. It is not the intent of this Plan to necessarily zone all land for uses designated in this Plan. Existing uses may be recognized in the implementing Zoning By-law.

Notwithstanding the list of permitted uses for each land use designation, nothing in this Plan requires that every permitted use shall be permitted on every site. The Comprehensive Zoning Bylaw shall establish the appropriate range of permitted uses on a site specific or area-wide basis. Furthermore, the full range of permitted uses may not be permitted in instances where the property is subject to site specific policies contained in this Plan.

### **9.4.2 Holding Provisions**

Holding zones may be established in order to achieve orderly development and ensure that policies established in this Plan have been met. Council may place a holding symbol on the zone that prevents development from occurring until the County is satisfied that certain conditions have been met, allowing Council to indicate support for the development in principle, while identifying the need for additional actions prior to development proceeding. Specific actions or requirements for the lifting of the holding provision shall be set out in the County's Zoning By-law or the amendment thereto.

These actions or requirements include, but are not necessarily limited to, the following:

- a) The allocation of municipal servicing capacity on the part of Council;
- b) The phasing and logical progression of development;
- c) The provision of adequate service or road infrastructure and works;

- d) The completion and confirmation that environmental contamination remediation has occurred on site, or that satisfactory verification of suitable environmental site condition is received by the County;
- e) The completion of an appropriate supporting study(ies) to the satisfaction of the County, in consultation with other agencies, as required;
- f) Confirmation that the requisite permits and approvals from external authorities have been received;
- g) The completion of a development or the subdivision of land, including the negotiation of a development or subdivision agreement;
- h) That site plan approval has been granted by the County, and a site plan agreement has been entered into, pursuant to the provisions of the *Planning Act*; and/or
- i) That the specific policies of this Plan have been complied with.

#### **9.4.2.1 Delegation of Authority**

- 1) Subject to the policies of this section and plan, the authority for passing a by-law under the *Planning Act* with the effect of lifting or removing of a holding provision for a property or properties pending confirmation of justification to do so may be delegated by by-law from Council to the appropriate municipal staff having oversight of the planning and development function (such as the Director of Planning). This may include provisions for referral of a specific holding by-law removal to a Committee of Council (such as a Planning Advisory Committee) or Council as necessary.

#### **9.4.3 Interim Control By-laws**

The County may establish interim control by-laws in accordance with the relevant sections of the *Planning Act*, in order to control the use of land, buildings or structures within specifically identified areas for a specified period of time not exceeding two years in length.

#### **9.4.4 Temporary Use By-laws**

The County may pass a temporary use by-law to allow a use otherwise prohibited by the Zoning By-law. A temporary use by-law will define the land to which it applies, and shall prescribe the period of time during which it is in effect. Council may extend this period by passing further by-laws, subject to the specific policies of this Plan.

Temporary use by-laws shall not be passed for the purpose of permitting uses that are not in conformity with this Plan.

In enacting a temporary use by-law, Council shall consider the following:

- a) The compatibility of the proposed use with the surrounding land uses;
- b) The adequacy of any services that may be required for the proposed use;
- c) Access and parking requirements;
- d) Traffic impacts; and
- e) The conformity of the proposed temporary use with the policies of this Plan.

##### **9.4.4.1 Delegation of Authority**

1. Subject to the policies of this section and plan, that the authority for passing a by-law under the *Planning Act* with the effect of a new or renewed temporary use by-law for a property or properties, pending confirmation of justification to do so, may be delegated by by-law from Council to the appropriate municipal staff having oversight of the planning and development function (such as the Director of Planning). This may include provisions for referral of a specific temporary use by-law to a Committee of Council (such as a Planning Advisory Committee) or Council as necessary.

#### **9.4.5 Property Standards By-law**

Council may enact by-laws pursuant to the Ontario *Building Code Act*, setting out minimum standards for the maintenance and occupancy of all buildings and properties. Any such by-law shall apply to part of the County, or throughout the County, to be determined at Council discretion. These by-laws will have regard for any or all of the following matters and set appropriate standards or conditions for:

- a) The physical conditions of vacant land, yards and passageways including the accumulation of debris and rubbish;
- b) The adequacy of sanitation including drainage, waste disposal, garbage and pest control;
- c) The physical condition of accessory buildings; and
- d) The physical conditions of dwellings or dwelling units, institutional, commercial and/or industrial buildings, structures and properties.

Any such by-law may require that substandard properties be repaired and maintained to comply with the standards, prohibit the use of a substandard property and require the demolition and clearing of such property which the owner does not intend to repair and maintain.

Upon passing a Property Standards By-law, Council shall appoint a Property Standards Officer who will be responsible for administering and enforcing the By-law. Council shall also appoint a Property Standards Committee for the purpose of hearing appeals against any order issued by the Property Standards Officer.

#### **9.4.6 Minor Zoning By-laws**

Subject to the policies of this section and plan, that the authority for passing a by-law under the *Planning Act* with the effect of a minor zoning by-law amendment for a property, properties, general or specific zoning provisions that may apply to portions of or the entire municipality, pending confirmation of justification to do so, may be delegated by by-law from Council to the appropriate municipal staff having oversight of the planning and development function (such as the Director of Planning). This may include provisions for referral of a specific temporary use by-law to a Committee of Council (such as a Planning Advisory Committee) or Council as necessary. For the purposes of this policy “minor” may include:

- Technical update amendment to the zoning by-law (e.g. “housekeeping”)
- Deeming by-laws (e.g. to deem the merging of two or more registered lots to be considered as one)
- Rezoning one or more parcels of land whereby the new zoning would directly implement and comply with the Official Plan designation in force for the subject lands and not require any site specific special provisions or other relief (e.g. for a

property to go from an existing agricultural zone to a hamlet residential zone that would entirely comply with the hamlet residential designation of the Official Plan).

Additional types of “minor” zoning by-laws may be added via amendment to this plan and implementing delegation by-law.

## 9.5 Planning Tools

### 9.5.1 Secondary Plans

Secondary plans shall be prepared to plan for growth and development on large tracts of land within the County or existing portions of the County that require special land use policies. Should tracks of land for growth and development be identified that are beyond the existing Urban Area boundaries as a result of subsequent reviews of this Plan, a secondary plan shall be required prior to development. The following policies shall apply to the preparation of secondary plans:

- a) The establishment of a secondary plan area shall account for any existing uses within the area.
- b) Secondary plans may be used to establish unique or more detailed land use policies or land use designations than that of this Plan.
- c) Secondary plans shall establish the location of key community services and amenities including schools, parks and related uses.
- d) Secondary plans shall be adopted as amendments to this Plan and shall be placed in Part II of this Plan. .
- e) The preparation of a secondary plan and establishment of a secondary plan area shall be approved by resolution of Council.
- f) The costs of preparing a secondary plan shall be borne by the affected landowners, and not the County. Should Council direct that a secondary plan be undertaken for an area that requires special land use policies, the County may either share in the costs of preparing the secondary plan, or choose to assume the costs without landowner participation.
- g) The goals, objectives and policies of this Plan shall be maintained in any secondary plan.

#### 9.5.1.1 Supporting Requirements for Secondary Plans

The County, in order to provide the appropriate background information for the any secondary plan, may require the undertaking of a number of background reports. These may include, but shall not be limited to:

- a) A determination of environmental protection and natural heritage areas;
- b) A master servicing plan;
- c) A stormwater management study;
- d) A traffic impact analysis;
- e) An urban design master plan;
- f) An agricultural impact assessment; and
- g) A planning rationale report.

The requirements of Subsections (a) through (e) may be embodied in an integrated and comprehensive study known as a Master Environmental Servicing Plan (MESP).

#### **9.5.1.2 Planning Rationale for Secondary Plans**

The planning rationale report required by Section 9.5.1.1 shall address the following:

- a) The integration of proposed new development with the existing development;
- b) The distribution of proposed land uses;
- c) The range of housing styles and densities;
- d) Neighbourhood commercial uses to service the residential areas;
- e) Linkages between the residential areas, parks, schools, recreational areas and institutional facilities; and
- f) The impact on adjacent agricultural operations, including consideration of Minimum Distance Separation Formulae.

#### **9.5.1.3 Contents of Secondary Plans**

Secondary Plans shall generally include the following:

- a) A statement of the basis or rationale for the preparation of the Secondary Plan;
- b) A description of the area under study and the role and relationship of the area to the County as a whole;



- c) A description of the current land use, ownership, built and natural environment, and infrastructure in the area;
- d) A statement of the desired land use arrangement for the area;
- e) Goals and objectives appropriate for the area including a statement of how they are in keeping with the Goals and Objectives of this Plan;
- f) Concept plan(s) showing, where appropriate, the following:
  - i) land use designations of the desired type and pattern of development with due consideration to the community design policies of this Plan,
  - ii) the nature and location of public facilities,
  - iii) the desired transportation network for the area and its links to the existing transportation network of the County,
  - iv) the nature and location of municipal services,
  - v) the identification, protection and integration of significant cultural heritage resources and Natural Heritage Features, and
  - vi) the phasing of development and infrastructure;
- g) Specific policies and strategies for achieving the goals and objectives established for the area that complement the policies of this Plan; and
- h) Implementation measures to ensure the orderly delivery of the planned development.

### **9.5.2 Community Improvement**

The County shall work to maintain and promote an attractive, well maintained and safe living and working environment through community improvement. The Community Improvement provisions of the *Planning Act* give Norfolk County planning tools to proactively stimulate community improvement, rehabilitation and revitalization. In designated Community Improvement Project Areas, the preparation of Community Improvement Plans will provide Norfolk County with various powers to promote community improvement. This includes incentives to stimulate or leverage private and/or public sector investment.

The following shall be the policy of the County:

- a) Community Improvement in Norfolk County shall be accomplished through the following measures and activities:
- i) the ongoing maintenance, rehabilitation, redevelopment and upgrading of areas characterized by deficient, obsolete and/or deteriorated buildings, land use conflicts, environmental contamination, deficient municipal hard services, social, community, recreational services, or economic instability;
  - ii) the establishment of programs to encourage private sector redevelopment and rehabilitation that addresses identified economic development, land development, environmental, housing, and/or social development issues/needs;
  - iii) the designation by by-law of Community Improvement Project Areas, the boundary of which may be the whole of Norfolk County or any part thereof; and
  - iv) the preparation, adoption and implementation of Community Improvement Plans, pursuant to the *Planning Act*.
- b) The designation of Community Improvement Project Areas shall be based on one or more of the following conditions being present:
- i) buildings, building facades, and/or property, including buildings, structures and land of cultural heritage value or interest, in need of conservation, restoration, repair, rehabilitation, or redevelopment;
  - ii) non-conforming, conflicting, encroaching or incompatible land uses or activities;
  - iii) deficiencies or deterioration in physical infrastructure including, but not limited to, the sanitary sewer system, storm sewer system, and/or watermain system, roads, parking facilities, sidewalks, curbs, gutters, streetscapes and/or street lighting;
  - iv) poor road access and/or traffic circulation;
  - v) deficiencies in community and social services including, but not limited to, public open space, municipal parks, neighbourhood parks, community centres, libraries, arenas, other recreational facilities, and public social facilities;
  - vi) inadequate mix of housing types;

- vii) known or perceived environmental contamination;
  - viii) poor overall visual quality, including but not limited to, streetscapes, urban design and other physical amenities;
  - ix) built or natural heritage resources that need to be preserved, rehabilitated or renewed;
  - x) high commercial or industrial vacancy rates;
  - xi) shortage of land to accommodate widening of existing rights-of-way, building expansion, parking and/or loading facilities;
  - xii) other impediments to the repair, rehabilitation or redevelopment of underutilized land and/or buildings;
  - xiii) any other economic, environmental, or community development reasons; and/or
  - xiv) there is the potential for, or existence of, a Business Improvement Area.
- c) Community Improvement Plans shall be prepared and adopted to:
- i) encourage the renovation, repair, rehabilitation, remediation, redevelopment or other improvement of land and/or buildings;
  - ii) encourage residential and other types of infill and intensification;
  - iii) upgrade and improve municipal services and public utilities such as sanitary sewers, storm sewers, watermains, roads and sidewalks;
  - iv) encourage the conservation, restoration, adaptive reuse and improvement of buildings exhibiting significant cultural heritage value or interest;
  - v) encourage the construction of a range of housing types and the construction of affordable housing;
  - vi) improve traffic circulation within the Community Improvement Project Areas;
  - vii) encourage off-street parking and provide municipal parking facilities where feasible and appropriate;

Norfolk County Official Plan  
Consolidated to January 1, 2023

- viii) promote the ongoing viability and revitalization of the Downtown Areas as the focus of pedestrian oriented retail, commercial, office, civic, cultural, entertainment and government uses;
  - ix) facilitate and promote community economic development;
  - x) improve social, community or environmental conditions;
  - xi) improve community quality, safety and sustainability;
  - xii) improve energy efficiency;
  - xiii) upgrade and improve tourism infrastructure, including agri-tourism facilities;
  - xiv) improvements or alterations to agricultural properties, buildings, facilities and structures;
  - xv) improve landscaping, signage, parking and pedestrian access and storm drainage facilities; and/or
  - xvi) encourage environmental remediation, including environmental site assessments on contaminated or potentially contaminated properties.
- d) In order to implement Community Improvement Plans within designated Community Improvement Project Areas, Norfolk County may undertake a range of actions, including:
- i) the municipal acquisition of land and/or buildings within Community Improvement Project Areas, and the subsequent:
    - clearance, grading, or environmental remediation of these properties;
    - repair, rehabilitation, construction or improvement of these properties;
    - sale, lease, or other disposition of these properties to any person or governmental authority; and/or
    - other preparation of land or buildings for community improvement.
  - ii) provision of public funds such as grants, loans and other financial instruments;

- iii) application for financial assistance from senior level government programs;
- iv) participation in any senior level government programs that provide assistance to private landowners for the purposes of community improvement;
- v) provision of information on municipal initiatives, financial assistance programs, and other government assistance programs;
- vi) supporting heritage conservation through the *Ontario Heritage Act* and the Norfolk Heritage Committee;
- vii) supporting the efforts of the Chambers of Commerce, Boards of Trade and Business Improvement Associations to revitalize the Downtown Areas through the implementation of various programs, including façade rehabilitation;
- viii) encouraging the continuation and enlargement of the Business Improvement Area to enhance and maintain the viability of the commercial area;
- ix) supporting the efforts of the Chambers of Commerce, Boards of Trade and Business Improvement Associations to improve tourism infrastructure throughout the County;
- x) supporting the agricultural community in improving farming operations and the development of on-farm diversified activities to supplement farm incomes; encouraging off-street parking and providing municipal parking facilities where feasible and appropriate;
- xi) encouraging infill development in appropriate areas;
- xii) enforcing the Property Standards By-law;
- xiii) co-operating with school boards, local municipal boards, service clubs, business organizations, educational institutions and other organizations to promote and facilitate the utilization of existing facilities and, where feasible, to rehabilitate these facilities to offer new and/or better services to the community;
- xiv) encouraging the rehabilitation of private buildings by advising property owners of government subsidies and programs, and assisting where possible, the property owners in obtaining grants; and/or

- xv) where conflicting land uses occur in Community Improvement Project Areas, endeavouring to limit the expansion of these uses and encouraging and/or assisting in the relocation of the offensive use.
- e) Throughout the identification of a Community Improvement Project Area and the development of a Community Improvement Plan, the Municipality shall involve the residents of the affected areas in the identification of service level deficiencies and priorities.

### 9.5.3 Pre-Consultation and Complete Application

- a) Consultation with the County and external agencies will streamline and expedite the planning process and therefore prior to the submission of an application requiring a *Planning Act* approval, formal consultation with the County and appropriate external agencies shall be required, unless exempted by the Manager of Community Planning or designate or Council. This shall generally apply to Official Plan Amendments and Zoning By-law Amendments, Draft Plans of Subdivision and Condominium and Site Plan applications. Exemptions shall be granted for Committee of Adjustment and for minor development applications and/or minor amendments to previously processed applications for which other *Planning Act* approvals have previously been granted.
- b) Consultation will identify the plans, reports and technical studies that will be required to be submitted along with a formal *Planning Act* application in order to deem the application complete.
- c) The scale, scope and timing of any required reports and technical studies is dependent on the nature of the proposal, its relationship to adjacent land uses and the type of planning approval required.
- d) All required reports and technical studies shall be prepared in accordance with any/all standards and specifications applicable within the County by a qualified professional retained by and at the expense of the applicant. The County shall review all reports and studies and may also require a peer review by an appropriate public agency or professional consultant retained by the County at the applicant's expense. A peer review would be required if the County does not have the sufficient resources to address the reports and/or studies.
- e) Preparation of a Planning Justification Report provides background context, an overview of the purpose and effect of the application, and establishes a

professional planning rationale for the application by demonstrating how a proposal conforms to applicable planning policy documents and good planning principles. It is acknowledged that reports may vary in content and detail depending on the level of development proposed, however, the basic framework of a report should address the following:

- i) Introduction and description of a proposal;
  - ii) Site and location information;
  - iii) Policy and planning analysis of all applicable local and provincial policy;
  - iv) Land use and neighbourhood compatibility;
  - v) Summary; and
  - vi) Associated maps, plans, pictures or appendices.
- f) The Manager of Community Planning or designate may determine at the consultation stage that a Planning Justification Report is required. For larger and more complex projects, the Manager of Community Planning or designate may determine that the required Planning Justification Report must be prepared and sealed by either a Registered Professional Planner (RPP) or a Certified Planning Technician (CPT). For smaller and straightforward applications, this professional designation may not be required.
- g) In addition to the reports and technical studies identified through the consultation process, a development application as required by the *Planning Act* must also be submitted with all relevant sections completed and signed by the required parties.

## **9.6 Development Control**

### **9.6.1 Official Plan Amendments**

The County shall consider all applications to amend this Official Plan, and shall notify the public and various Provincial Ministries and other agencies in accordance with the requirements of the *Planning Act*.

The following shall be the policy of the County:

- a) Applications to amend this Plan shall include a planning rationale report for the proposed change, prepared by the applicant. This shall include, but not be limited to, information regarding the proposed use, servicing, density if applicable, floor area if applicable, lot layout, site plans as appropriate and applicable, and the criteria outlined in Section 9.6.1(c) of this Plan. The County, at its sole discretion, may waive the requirement for a planning rationale report for minor and/or site-specific amendments.
- b) Any specific Official Plan amendment procedures outlined in the policies of this Plan shall apply to the consideration of the application.
- c) The County shall consider the following criteria when reviewing applications to amend this Plan:
  - i) the manner in which the proposed amendment conforms to prevailing Provincial policy and regulations;
  - ii) the manner in which the proposed amendment conforms to the Strategic Plan prepared in support on this Plan;
  - iii) the manner in which the proposed amendment conforms to the Goals and Objectives, and policies of this Plan;
  - iv) the impacts of the proposed amendment on the provision of and demand for municipal services, infrastructure and facilities;
  - v) the adequacy of the proposed servicing solution with respect to the servicing policies of this Plan;
  - vi) the impact of the proposed amendment on surrounding land uses, the transportation system, municipal services and community amenities and services;
  - vii) the impact of the proposed amendment on the community structure and nature of the Urban Areas and/or Hamlet Areas;
  - viii) the impact of the proposed amendment on cultural heritage resources and/or Natural Heritage Features;
  - ix) the impact on agricultural uses and land;
  - x) the impact of the proposed amendment on the financial sustainability of the County; and



- xi) any other information determined by the County, in consultation with the appropriate agencies, to be relevant and applicable.
- d) Technical revisions to this Plan will not require an Official Plan Amendment provided they do not change the intent of the Plan. Technical revisions include:
- i) Changing the numbering, cross-referencing and arrangement of the text, tables, Schedules and maps;
  - ii) Altering punctuation, capitalization or language for consistency;
  - iii) Correcting grammatical, dimensional and boundary, mathematical or typographical errors;
  - iv) Updating the delineation of Provincially Significant Wetlands based on mapping provided by the Ministry of Natural Resources and Forestry consistent with Section 7.4.2 a) Provincially Significant Wetland Designation) of this Plan;
  - v) Updating the delineation of Hazard Lands boundaries based on mapping provided by the appropriate Conservation Authority consistent with Section 7.3.2 d) (Hazard Lands Designation) of this Plan; and
  - vi) Adding technical information to maps or Schedules.

### **9.6.2 Zoning By-law Amendments**

Pursuant to Section 9.4.1 (Zoning By-law) of this Plan, the County shall prepare a Zoning By-law. The Zoning By-law shall be maintained and administered by the County, and may be amended at Council's discretion provided the amendments are in keeping with this Plan. The County shall consider all applications to amend the Zoning By-law and shall provide notice of such application in accordance with the provisions of the *Planning Act*. Applications for Zoning By-law amendments shall be evaluated based on the same or similar criteria as those outlined for Official Plan amendments in Section 9.6.1.

### **9.6.2.1 Increased Height and Density of Development**

- a) The County may pass a site-specific Zoning By-law amendment to authorize increases in the height and density of development above what is permitted in the Zoning By-law, in return for the following:
  - i) the provision of affordable or rental housing;
  - ii) The preservation of built heritage or cultural heritage landscape features;
  - iii) The enhancement of Natural Heritage Features;
  - iv) Parkland greater than that required by this Plan;
  - v) The provision of community centres, day care facilities or other public service facility; and/or
  - vi) Public art.
- b) The County may enter into an agreement with the owner of the lands dealing with the facilities, services or matters relating to the authorizing of the increase in height and density of development.

### **9.6.3 Activities of the Committee of Adjustment**

#### **9.6.3.1 Minor Variances**

The Committee of Adjustment shall deal with all applications for minor variances to the provisions of the Zoning By-law and other by-laws, as delegated by Council. The Committee of Adjustment shall deal with such applications in accordance with the relevant provisions of the *Planning Act*. The decisions of the Committee of Adjustment shall also comply with the general intent of this Plan and the Zoning By-law.

#### **9.6.3.2 General Consent to Sever Land Policies**

Applications for consent to sever land shall be considered on the basis of the policies of this Section, the underlying land use designation and the associated policies of this Plan. The Committee of Adjustment shall deal with all applications for consent in accordance with the relevant provisions of the *Planning Act*. The decisions of the Committee of Adjustment shall also be consistent with prevailing Provincial policy.

In addition to the specific land division and consent policies associated with the underlying land use designation, the following policies shall apply to applications for consent:

- a) Plans of subdivision shall be the preferred method of land division. Consents should only be granted when it is clearly not necessary or in the public interest that the land be developed by plan of subdivision. Plans of subdivision shall be required and applications for consent shall not be approved under the following circumstances:
  - i) more than three (3) lots (two severed and one retained) from a land holding are being created;
  - ii) lots created require a new public road for the provision of access;
  - iii) the provision or extension of municipal services (water and/or sewer, as appropriate) is required; or
  - iv) other matters that may arise during the review of the proposed development.
- b) Notwithstanding Section 9.6.3.2 a) i), the requirement for a plan of subdivision may be waived for infilling or redevelopment of up to four (4) lots having frontage on a public road that is maintained on a year-round basis in an Urban Area serviced by municipal water and sanitary sewers.
- c) If a plan of subdivision is not deemed necessary, regard shall be had to the other policies within this Plan and to the following criteria when considering an application for consent:
  - i) consents shall only be granted when the land fronts onto an existing, assumed public road that is maintained on a year-round basis;
  - ii) consents shall have the effect of infilling in existing areas and not extending existing development;
  - iii) creation of the lot does not compromise the long-term use of the remaining land or retained parcel; and
  - iv) consents may be considered for large parcels, where future development of the large parcels is to proceed by plan of subdivision.
- d) The size of any parcel of land created by consent should be appropriate for the use proposed, considering the level of services available, the soil conditions, and other factors. No parcel shall be created which does not conform to the

provisions of the Zoning By-law, except where a minor variance has been secured, in accordance with Section 9.6.3.1 (Minor Variances) of this Plan.

- e) A hydrogeological study to confirm soil conditions and suitability for potential future private services may be required where the retained or severed parcel(s) is(are) sufficiently large to accommodate subsequent lots.
- f) Consents for building purposes shall not be permitted under the following circumstances:
  - i) the land is located within any Natural Heritage Features, as defined by this Plan, and a suitable building site cannot be found through the evaluation completed in an Environment Impact Study;
  - ii) the land is located in a floodplain;
  - iii) the land is located on or within 500 metres of a Bedrock Resource Area, 300 metres of a Sand and Gravel Resource Area, or 75 metres of mineral or petroleum resource deposits or an active petroleum well, as identified in the Oil, Gas and Salt Resources Library of the Ministry of Natural Resources and Forestry;
  - iv) Provincial or County transportation objectives, standards or policies cannot be maintained; or
  - v) the created and retained parcels cannot be provided with an adequate level of service.
- g) On the granting of an application for consent, conditions may be imposed on the severed and retained parcels.
- h) Compliance with the Minimum Distance Separation Formulae shall be required subject to the policies of Section 7.2 (Agricultural Designation).
- i) Subject to the specific policies of this Plan, consents may be permitted for the purposes of making lot boundary corrections, for the purposes of granting easements, for conveyances and consolidations, and other such administrative or technical matters, provided that such matters are minor in nature. The County shall support the consolidation of undersized lots.

#### 9.6.4 Draft Plan of Subdivision and Condominium Approval

Applications for approval of a draft plan of subdivision or condominium shall be considered on the basis of the underlying land use designation and the associated policies of this Plan. While the County shall deal with all applications for draft plan approval in accordance with the relevant provisions of the *Planning Act*, applications that do not conform to the policies of this Plan shall not be approved.

The following policies shall apply to plans of subdivision:

- a) The provisions of the *Planning Act* relating to subdivision control, including subdivision agreements, shall be used by Council to ensure that the land use designations and policies of this Plan are complied with, and that a high standard of design is maintained in all development.
- b) Prior to approval of an application for plan of subdivision or plan of condominium, the County shall confirm the availability of adequate servicing infrastructure and allocation in accordance with Section 8.9.3 (Servicing Allocation and Phasing), waste collection and disposal services, and roads.
- c) Applications for plan of subdivision or plan of condominium approval shall be considered premature if appropriate services and servicing capacity is not available. Additionally, Council may consider other criteria as reason to deem an application for plan of subdivision or plan of condominium approval to be premature.
- d) The review of plans of subdivision or plan of condominium shall be based in part on the consideration of the community design policies included in Section 5.4 (Community Design) and Section 11.8 (Community Design Strategy) of the Lakeshore Special Policy Area Secondary Plan of this Plan.
- e) All lots within a plan of subdivision shall have frontage on a public road maintained on a year-round basis, constructed to an acceptable County standard. Plans of condominium shall have access to a public road maintained on a year-round basis, however, it is recognized that development within the condominium plan may occur on private roads.
- f) Provincially Significant Features and Natural Heritage Features shall be protected and preserved in the design of any plan of subdivision or condominium.
- g) Plans of subdivision or condominium shall be appropriately phased to ensure orderly and staged development.

- h) All plans of subdivision shall be subject to a subdivision agreement between the County and the development proponent.
- i) All plans of condominium shall be subject to a development agreement between the County and the development proponent.
- j) Parkland dedication shall be provided pursuant to Section 9.10.5 (Parkland Dedication) of this Plan. Land to be dedicated for park purposes must be acceptable to the County. Under no circumstances shall the County be obligated to accept parkland being offered in a proposed plan of subdivision.
- k) The County shall consult with the appropriate Conservation Authority and the Province, as well as other relevant agencies, in considering an application for approval of a plan of subdivision or condominium.

### **9.6.5 Site Plan Control**

Norfolk County shall utilize site plan control as provided for in the *Planning Act*. Site plan control applications can vary significantly in their complexity and need for review by County departments and external agencies. The Site Plan Control Bylaw for the County may establish different categories of site plan control applications, with a corresponding fee structure, relating to their complexity. The following policies shall apply to site plan control:

- a) Subject to the policies of this Plan, the site plan control area shall apply to the entire County.
- b) Where development consists of single detached, duplexes or semi-detached dwellings, site plan control shall not apply, except in cases where specifically required by this Plan, such as in cases where development is proposed on identified Hazard Lands.
- c) Where development consists of farm operations, farm buildings and the residence of the farm operator, site plan control shall not apply, except in cases where specifically required by this Plan, such as where an on-farm diversified use or agriculture-related commercial or industrial use is proposed, in accordance with Section 7.2.2 (Agricultural Designation- Land Use Policies) of this Plan.
- d) Site plan control shall be used to achieve well-designed, functional, accessible, safe and sustainable built form and public spaces. Proposed development or

redevelopment subject to site plan control will not be permitted until the County has approved drawings for all buildings, structures and site development displaying the following:

- i) Exterior building design;
  - ii) Design elements within and adjacent to the road right-of-way; and
  - iii) site development works.
- e) Proponents of site plan control applications shall have regard to the design policies of Section 5.4 (Community Design) and Section 11.8 (Community Design Strategy) of the Lakeshore Special Policy Area Secondary Plan and to the relevant land use and development policies of this Plan.
- f) The County shall acquire the widening of road rights-of-way, turning lanes, sight triangles at intersections and other road widening requirements, in accordance with the policies of Section 8.2.2 (Hierarchy and Classification of Roads), as a condition of site plan approval.
- g) The County may require proponents to execute a site plan agreement under circumstances where there is construction of more than one building or structure, where the size of a building is to be substantially increased, where there is the development of a parking lot, and/or in other circumstances deemed appropriate by Council.
- h) The County shall consult the appropriate Conservation Authority and any other relevant agency when considering applications for site plan approval, where applicable.
- i) The County may apply certain conditions to site plan approval, and may require that a certain standard of design be applied.
- j) The County shall require financial security through bonding or other financial arrangement prior to development.

### **9.6.6 Demolition Control**

To prevent the premature demolition of residential buildings and to avoid the creation of vacant parcels of land in stable neighbourhoods within designated areas of the County, Council may prepare and enforce a Demolition Control By-law in accordance with the provisions of the *Planning Act*.

## **9.7 Development Application Supporting Requirements**

Under circumstances outlined in this Plan, the preparation of one or more studies may be required in support of a development application. At the County's sole discretion, any report or study required in support of a development application, in addition to those referenced in this Section, may be subject to a County peer review study completed at the cost of the proponent.

The following policies relate to the requirements for the supporting studies required by this Plan.

### **9.7.1 Environmental Impact Study**

The following shall apply to circumstances where the policies of this Plan require the preparation of an Environmental Impact Study (EIS).

The EIS required in this Section shall be prepared to the satisfaction of the County, after considering input from the Norfolk Environmental Advisory Committee, Long Point Region Conservation Authority, Grand River Conservation Authority and/or the Ministry of Natural Resources and Forestry, where appropriate and/or required. The Ministry of Natural Resources, as required, and Long Point Region or Grand River Conservation Authority may be consulted as to the nature and extent of the physical hazard and/or sensitive features. The Ministry of the Environment and Climate Change, or other appropriate agencies, may also be consulted in this regard.

In consultation with the Norfolk Environmental Advisory Committee, Norfolk County Planning, and the appropriate Conservation Authority where appropriate, a scoped EIS may be prepared for minor planning applications. The nature and scope of a particular development proposal shall serve to define the type of EIS and review criteria to be addressed. Draft Terms of Reference are subject to the approval of NEAC for both full and scoped Environmental Impact Studies.

In circumstances where there is a low likelihood of impact on the natural environment, and/or intervening development between the land subject to the planning application and the feature triggering the EIS requirement, the County, in consultation with the appropriate Conservation Authority where required, may waive the requirement for the EIS. The decision to waive an EIS is at the sole discretion of the Director of Planning.



The County may consider waiving the requirement for the preparation of an Environmental Impact Study where one or more of the following applies:

- a) A development is subject to a duplicate or similar process, such as an environmental assessment (EA) where the EA addresses the same minimum requirements as an EIS;
- b) A development is minor in nature; for example, no new building or structure is proposed;
- c) A building or structure is being renovated or reconstructed on the same or similar footprint;
- d) The site conditions for a development are such that the preparation of an Environmental Impact Study would serve no useful purpose for the protection of natural heritage features in the context of the proposed development.

To assist the County in determining the adequacy of the EIS, the County may require a peer review, paid for by the proponent, and may request the review of the Norfolk Environmental Advisory Committee, appropriate Conservation Authority and Ministry of Natural Resources and Forestry.

**9.7.1.1 The EIS shall include:**

- a) A Proposal Description including a description of the proposed use:
  - i) a description of the study area;
  - ii) current land use, existing land use regulations, and ownership of the subject land and land adjacent to the proposed location;
  - iii) the timing of construction/development, including any phasing of the development;
  - iv) alternative forms the development may take;
  - v) activities associated with the proposal, and its alternatives that may have environmental impacts (e.g., work on stream banks, tree-cutting, removal of vegetation, earth-moving, excavation and post-construction activities);
  - vi) a list of relevant reports and supporting studies that have been completed for the site; and

- vii) a general map showing main roads, proposed lot lines, building envelopes, laneways, septic systems, wells and waterline locations, the extent of the proposed vegetation removal, surrounding natural heritage features or areas, and other features as requested through the EIS pre-consultation.
- b) A Biophysical Inventory of the Resource, including:
- i) unless specified during the EIS pre-consultation, an explanation and justification of the level of investigation undertaken whether data is gathered from existing sources, or a limited or detailed field inventory is undertaken; and
  - ii) unless specified in the EIS pre-consultation biophysical inventory, identifying:
    - physical and hydrologic features including:
      - soil types and drainage characteristics;
      - overburden and bedrock geology;
      - areas of high water table;
      - areas of groundwater recharge and discharge;
      - location and usage of wells;
      - drainage patterns;
      - basin boundaries and watercourses;
      - existing erosion sites; and
      - areas of shallow soil.
    - the environmental significance of the site based on criteria outlined in the current natural areas inventory for the County;
    - the classification of the subject land under the Ministry of Natural Resources Ecological Land Classification for Southern Ontario;
    - the delineation and mapping of wetland boundaries using the Ministry of Natural Resources Ontario Wetland Evaluation System for Southern Ontario;

- a detailed flora and fauna inventory specific to each Ecological Land Classification unit, including at a minimum:
    - the location of native plant and animal species;
    - physical and hydrologic features;
    - the location of potential linkages to connect woodlands within and adjacent to the proposed development site;
    - current management practices being employed in the area; and
    - the presence of trees 150 years or older;
  - the location and presence of Species at Risk (SAR) as identified federally or provincially;
  - any other natural features such as hedgerows, windbreaks, isolated tree groupings, wildlife nesting or staging areas, linkages with other natural areas and wildlife corridors; and
  - the reasoning behind the choice of study areas within and adjacent to the proposed development site, and the seasons and times of year of the inventory.
- c) An assessment of the impacts of the proposal describing the significance of any negative or positive effects on the surrounding Provincially Significant Features, Natural Heritage Features, functions or areas. Specifically, the assessment should include:
- i) direct on-site effects (e.g. elimination of habitat);
  - ii) indirect effects (e.g., sediment transported downstream);
  - iii) effects on the significant characteristics of the natural heritage feature, function or area;
  - iv) short-term and long-term effects;
  - v) secondary effects (e.g. changes to the aesthetic qualities or the educational value of the area, obstructions of greenway connections);
  - vi) external effects (e.g., effect on groundwater table);

- vii) effects on the use of natural heritage features, functions, or areas by people (e.g. recreational or educational uses); and
  - viii) an explanation of the method used to determine the effects.
- d) Identification and evaluation of impact avoidance, enhancement and mitigating measures proposed including, but not limited to:
- i) the assessment of all feasible mitigating measures;
  - ii) those effects that can be reduced or eliminated by the various mitigating measures;
  - iii) a detailed description of the proposed mitigating measures to eliminate or reduce the negative effects;
  - iv) the relative effectiveness of implementing these mitigating measures should be estimated, and the extent of any remaining impacts discussed; and
  - v) opportunities for the enhancement of the Natural Heritage Feature, function, or area resulting from positive effects.
- e) Recommendations and conclusions based on the above evaluation of impact avoidance, enhancement and mitigating measures shall outline the preferred alternative for impact avoidance, enhancement and mitigation including:
- i) modifications to the concept plan or site plan;
  - ii) construction requirements or constraints;
  - iii) integral components of detailed designs or site plans, such as surface water/stormwater management plan, erosion control plan, tree protection plan, rehabilitation/landscape management plan, or wildlife management plan;
  - iv) appropriate buffers/setbacks; and
  - v) other environmental protection measures.
- f) Summary consisting of a brief overview of the proposal, the effects on the environment and a statement of opinion from a qualified person on whether or how the development could proceed without negatively impacting the values of the natural heritage feature, function or area.

### 9.7.1.2 Scoped Environmental Impact Study

The following shall apply to circumstances where the policies of this Plan require the preparation of a Scoped Environmental Impact Study (SEIS) for minor planning applications.

The SEIS shall include:

- a) A Proposal Description in accordance with Section 9.7.1 (Environmental Impact Study), including a description of the study area, the reasoning behind the choice of study area to assess the proposed development or site alteration; the choice of Natural Heritage Features and functions to be examined; and, the choice of seasons and times of year to conduct the biophysical inventory;
- b) A Biophysical Inventory of the subject land, and potentially affected adjacent lands, in accordance with Section 9.7.1 (Environmental Impact Study);
- c) A classification of the subject land, and affected adjacent lands, using the Ministry of Natural Resources and Forestry Ecological Land Classification for Southern Ontario, in accordance with Section 9.7.1 (Environmental Impact Study);
- d) A classification and evaluation of unevaluated wetlands on the subject land, and affected adjacent lands, using the Ministry of Natural Resources and Forestry Ontario Wetland Evaluation System for Southern Ontario, in accordance with Section 9.7.1;
- e) An assessment of the significance of the natural heritage features and functions on the subject land, based on criteria outlined in the current natural areas inventory for the County, and the Ontario Ministry of Natural Resources and Forestry Significant Wildlife Habitat Technical Guide;
- f) An assessment of the impacts of the proposed undertaking, in accordance with Section 9.7.1 (Environmental Impact Study) and Section 11.5.3 c) and (e), including the identification and evaluation of:
  - i) on-site effects (e.g., elimination of habitat);
  - ii) off-site effects (e.g., sediment transported downstream);
  - iii) short-term and long-term effects;
  - iv) the hydrological function of the wetland; and

- v) effects on the use of natural heritage features, functions, or areas by people (e.g., recreational or educational uses);
- g) The identification and evaluation of impact avoidance, enhancement and mitigation measures, in accordance with Section 9.7.1 (Environmental Impact Study); and,
- h) Recommendations and conclusions, in accordance with Section 9.7.1 (Environmental Impact Study).

### **9.7.1.3 Policies**

The following policies shall apply to the preparation of Environmental Impact Studies and Scoped Environmental Impact Studies:

- a) In the preparation and review of an EIS or SEIS, the Ministry of Natural Resources and Forestry, the Ministry of the Environment and Climate Change and other appropriate agencies may be consulted as to the nature and extent of the physical hazard and/or sensitive features. The EIS shall be prepared to the satisfaction of the aforementioned agencies if their approval is required.
- b) If the County is of the opinion, upon reviewing the EIS, that the proposed use will have a detrimental impact on the Natural Heritage Feature, hydrological function, and/or physical hazard, and mitigative techniques are required, the County may permit the proposed use subject to such terms and conditions that the County deems appropriate.
- c) If the detrimental impact of the proposed use on the Natural Heritage Feature and/or the physical hazard cannot be adequately mitigated, then the development shall not be permitted.
- d) The acceptance of an EIS or SEIS is independent of any required approvals under the Planning Act, and does not guarantee that a planning application will be approved.

### **9.7.2 Retail Market Impact Study**

Retail market studies, where required by this Plan, shall be completed to the satisfaction of the County. To assist the County in determining the adequacy of the retail market impact study, Council may require a peer review, paid for by the proponent.

- a) A retail market impact study shall demonstrate that there is sufficient market support for the proposed additional retail space and that the entry of the new space will not cause store closures sufficient to prejudice the planned function of the Downtown Areas, lands designated Shopping Centre Commercial or lands designated Commercial. Council will not support applications which result in market impacts sufficient to create urban blight or those which result in an area of the County becoming commercially under serviced.
- b) A retail market impact study shall:
  - i) Identify the type and size of retail facility that is warranted or will be warranted by a certain year;
  - ii) Provide updated information on the performance of the County's retail sector or sub-sector that may potentially be impacted by the proposal, and identify the impact of the proposed development on other retail locations, particularly Downtown Areas. The retail market study, in its analysis, must allow for a healthy downtown retail space.;
  - iii) Assess the appropriateness of the proposed development from the perspectives of both market justification and impact and in particular that the planned function of other commercially designated lands, particularly the Downtown Area, will not be prejudiced. The retail market study shall consider the County-wide retail market structure and provide detailed floor space inventories on a County-wide basis. Vacant commercial floor space in Downtowns and other commercial areas should not be discounted;
  - iv) Provide satisfactory justifications for assumptions made on changes in income and expenditure levels over the forecast period and for the assumptions made on the tolerance for the Downtowns and other commercial centres for any negative impacts that may result from the proposed development; and
  - v) Enable the County to identify the specific requirements and limitation which should be included in the amendments to this Plan, Zoning Bylaw amendments, site plan agreements, or otherwise made a condition of approval.
- c) The cost of retail market impact studies and any other required supporting documentation shall be borne by the proponent. Costs incurred by the County in engaging peer review consultants to evaluate the proposal and supporting submissions shall be reimbursed by the proponent.

- d) At the discretion of Council, based on advice from the County's peer review consultant(s), the preceding study requirements may be varied or waived where Council is satisfied that sufficient information is already available to permit the above-noted requirements to be considered, or where a change in the content of required studies is deemed appropriate by Council in order to generate information relevant to the intended implementation of the policies of the plan.

## 9.8 Public Consultation and Participation

The public actively participated in the development of this Plan. The County shall take steps to ensure the continuation of a proactive public consultation program, to actively involve the public in the monitoring of this Plan, and to ensure that alternative means to resolve planning disputes and objections are pursued.

The following shall be the policy of the County:

- a) The County shall provide the opportunity for residents and property owners to become involved and participate in the planning process related to the implementation of this Plan in accordance with the policies of this Plan and the requirements of the *Planning Act*. The following policies shall apply to public consultation and participation:
  - i) the County shall use a variety of techniques to encourage the participation of the public when Council is considering changes to this Plan. Subject to the requirements of the *Planning Act*, Council may establish the public consultation program it feels will best deal with the matters before it.
  - ii) the County shall provide notification of any amendment to this Plan in accordance with the requirements of the *Planning Act*, and may consider additional notice to ensure that the potentially affected residents in the County are aware of the amendment.
  - iii) the County shall encourage a pre-submission consultation on privately-initiated applications processed under the *Planning Act*.
  - iv) Council recognizes that the provisions of the *Planning Act* require it to take action on a development application within a prescribed period of time, subject to the application being complete and the provision of adequate information about the proposal being available to the public and Council so that informed decisions can be made.



- b) The County shall actively seek the views and participation of the public prior to making any decisions regarding amendments to this Plan or the Zoning By-law. In each case involving such planning matters, at least one public meeting shall be called and the public shall be encouraged to offer their opinions and suggestions. Calling and holding public meetings on planning matters shall be the responsibility of the Council or, in cases where Council has delegated the responsibility, a formal Committee of Council.
- c) In order to provide ample opportunity to the general public to review and discuss proposed Official Plan and or Zoning By-law amendments and to prepare their comments, at least 14 days advance notice of the public meeting shall be given for site specific Zoning By-law amendments and 14 days for site specific Official Plan amendments. Notice of the public meeting shall be given by the County Clerk in the following manner:
  - i) by personal service or prepaid first class mail, to every owner of land in the area to which the proposed amendment would apply, and within 120 metres of the area to which the proposed amendment would apply, as shown on the last revised assessment roll, at the address shown on the roll. Where the County Clerk has received written notice of a change of ownership of land, notice shall be given only to the new owner at the address set out in the written notice;
  - ii) notice of a public meeting for the purpose of informing the public in respect of a site specific Official Plan amendment or site specific Zoning By-law amendment shall be given by personal service or prepaid first class mail to every person and agency that has given the County Clerk a written request for such notice in respect of the proposed Official Plan or Zoning By-law amendment; and
  - iii) a written request given under subsection (ii) shall show the person's or agency's address.
- d) The notice of public meeting shall be completed in accordance with the requirements of the *Planning Act*, and where appropriate shall contain the following information:
  - i) date, time, and place of meeting;
  - ii) a key plan showing the location of the subject site; and

- iii) a description of the proposal, or a description of the matters which may be addressed in an amendment to the Official Plan or Zoning By-law in the event that the application is approved.
- e) In addition to the notice of public meeting, the applicant in the case of a site specific amendment to the Official Plan or Zoning By-law or an application before the Committee of Adjustment, shall be required to post a sign on the property to the satisfaction of the County, clearly visible to the public, which would briefly describe the development proposal. The sign shall be in place at least thirty (30) days in advance of the public meeting.
- f) Notwithstanding the notice period prescribed, a minimum 20 day notice period, as set out in the *Planning Act*, shall apply in instances of a general Official Plan or Zoning By-law amendment, where there is no public notice sign placed on a property, or where Council considers a development proposal to be of a scale which may impact significantly on neighbouring properties.
- g) Mediation and alternative dispute resolution techniques shall be supported and be the preferred method of resolving land use disputes.

## 9.9 Financial Management

The County ensures optimal service delivery and implementation of the Plan. With increasingly constrained financial resources available to all levels of government, the implementation of this Plan must be financially viable. This Plan shall be managed to ensure that the required capital expenditure to provide the services for development and improvement are paid in an equitable and appropriate manner. The County will strive to maintain financial sustainability and integrity by managing its financial resources and by undertaking development in a fiscally responsible manner.

The following shall be the policy of the County:

- a) The County may use the population, dwelling and employment targets in the Plan in budget planning, and to coordinate public works and related initiatives. The County may also choose to use more conservative projections in municipal activities to ensure wise financial management.
- b) The County shall diligently seek the maximum revenues possible from senior levels of government to compensate it for any federal or provincial responsibilities transferred to it in relation to the provision of public infrastructure, community soft services, and land use planning.

- c) Where possible, the County shall use financial mechanisms available to it under any legislative authority, including the *Municipal Act*, *Development Charges Act*, *Planning Act* and any other applicable legislation.
- d) The County shall recover all growth-related capital costs for all eligible services through development charges, in accordance with Provincial legislation. The County may pass development charges by-laws that apply to the County, as a whole and/or that apply to specific geographic areas within the County.
- e) The County reserves the right to request a Municipal Financial Impact Assessment for any development application. The contents of such a study shall be determined by the County at the time of the request and may consider operating and long-term maintenance costs in addition to the capital costs that may be involved in servicing the proposed development. The Study shall be prepared and shall be peer reviewed at the cost of the development proponent. Development applications or proposals that otherwise comply with the relevant policies of this Plan may be refused on the basis of financial impact and burden on the County, if suitable mitigation measures are not available.
- f) Where appropriate, the County may use its Development Charges Bylaw and/or Community Improvement Plans to provide incentives to encourage environmental remediation and other activities in association with the community improvement policies of this Plan.

## **9.10 Plan Administration**

### **9.10.1 Existing Uses**

The following shall be the policy of the County:

- a) Nothing in this Plan shall affect the continuance of uses legally existing on the date this Plan was adopted by Council.
- b) The County may recognize the existing use of land in the implementing Zoning By-law. However, Council in co-operation with residents will attempt to reduce the number of non-conforming uses whenever and wherever possible according to the policies of this Plan.

### **9.10.2 Non-Conforming Uses**

The County recognizes that some existing uses will not be consistent with all of the policies of this Plan. Notwithstanding the policies of this Plan to the contrary, such uses may be permitted in the Zoning By-law in accordance with the legally existing standards on the date of adoption of this Plan. To recognize such uses, the County may also develop suitable zone categories with appropriate standards in the Zoning By-law, provided that:

- a) The specific zone category shall not permit a change of use that would aggravate any situation detrimental to adjacent uses;
- b) The use or uses permitted shall not constitute a danger to surrounding uses and persons by creating any hazardous situations;
- c) The use or uses do not interfere with the desirable development of adjacent areas; and
- d) Minor adjustments to the boundaries of sites, or minor extensions of sites containing non-conforming uses that are recognized in the Zoning By-law shall be deemed to conform to this Plan.

### **9.10.3 Non-Complying Uses**

Where an existing use of land is permitted within the applicable zone in the County's Zoning By-law, but the lot, buildings or structures located on the property do not meet one or more of the provisions or regulations of the applicable zone, the use shall be considered to be legal non-complying. Applications for the expansion, alteration or addition of the non-complying use shall be considered by way of Zoning By-law amendment or minor variance, depending on the nature of the proposal.

### **9.10.4 Land Acquisition**

The County may acquire land to implement any element of this Plan in accordance with the provisions of the *Municipal Act*, the *Planning Act*, or any other Act. Municipal land assembly shall be permitted for residential, commercial, industrial, institutional or open space uses, provided such activity complies with the policies of this Plan.

The County will consider all options for the acquisition of land, including:

- a) Dedication;
- b) Assistance from other levels of government, agencies and charitable foundations;
- c) The increased height and density provisions of the *Planning Act*, subject to the other relevant policies of this Plan;
- d) Density transfers;
- e) Land exchange;
- f) Long-term lease;
- g) Easement agreements;
- h) Land trusts; and
- i) Placing conditions on development approval.

Notwithstanding the preceding, the County shall not be obliged to acquire or purchase any land.

### **9.10.5 Parkland Dedication**

The County shall secure the maximum benefit of the *Planning Act* with respect to land dedication for park development and shall strive to meet the policies of Section 7.5.1 (Parks) of this Plan relating to park development. The following policies shall apply to parkland dedication:

- a) Parkland dedication shall be calculated based on the total gross area of the land within the plan of subdivision and/or site plan.
- b) Where land is to be developed for residential purposes, Council may require the conveyance of land for park purposes or the equivalent cash-in-lieu in accordance with the maximum of the following criteria or combination thereof:
- c) five percent (5%) dedication of the gross area of the land proposed for development; and/or
- d) dedication at a rate of one hectare per 500 units.

- e) Where land is developed or redeveloped for industrial or commercial purposes, Council may require conveyance of land for park purposes or equivalent cash-in-lieu at a rate of two percent (2%) of the gross area of the land proposed for development.
- f) Where land in a draft plan of subdivision is to be used for any use other than residential, industrial or commercial purposes, Council may require conveyance of land for park purposes or equivalent cash-in-lieu at a rate of five percent (5%) of the gross area of the land proposed for development.
- g) The County may accept cash-in-lieu of the land dedication to be paid into a special account and used as specified in the *Planning Act*. Council will consider cash-in-lieu of parkland dedication under the following circumstances:
  - i) where the required land dedication fails to provide an area of suitable shape, size or location for development as public parkland;
  - ii) where the required dedication of land would render the remainder of the site unsuitable or impractical for development; and/or
  - iii) where it is preferable to have consolidated parkland of a substantial size servicing a wide area.
  - iv) The County may establish a flat rate for cash-in-lieu payments for parkland dedications from new residential, commercial and industrial lots created by consent.
- h) The County may waive or reduce parkland dedication rates to encourage specific classes of development such as industrial development and affordable housing.
- i) Where new development is proposed on a site, part of which has physical limitations such as Provincially Significant Wetlands and other Significant Natural Heritage Features, ravine lands, Hazard Lands, utility corridors and storm water management ponds, then such land shall not be acceptable as part of the parkland land dedication under the *Planning Act*. All land dedicated to the County shall be conveyed in a physical condition satisfactory to the County, and shall meet minimum standards in terms of drainage, grading and general condition.
- j) As a condition of development approval, a proponent shall be required to provide a park facilities design satisfactory to the County for any park within the development. The park facility design shall have regard to Section 5.6.1 (Parks) of this Plan. However, in order to ensure that the size, configuration and orientation of the park is such that it can be programmed in an efficient manner, it

may be necessary to prepare a park facilities design prior to development approval.

## 9.11 Interpretation

Norfolk County Council, appointed Committees and County staff shall be responsible for interpreting all aspects of the Plan. Where policies may reference specific issues of significance to the Province, the interpretation of this Plan shall be conducted in conjunction with the Ministry of Municipal Affairs. As the sections of the Plan and Schedules are interrelated, the Plan shall be read and interpreted in its entirety.

The following shall be the policy of the County in relation to the interpretation of this Official Plan:

- a) The boundaries of Urban Areas, Hamlet Areas and Resort Areas as illustrated on Schedules “A” and “B” are intended to be precise and shall be interpreted as such by the County. Actual measured distances and boundaries in relation to the Urban Areas, Hamlet Areas and Resort Areas shall be determined based on the schedules of the Zoning By-law.
- b) The boundaries between land uses designated on Schedule “B” are approximate except where they coincide with roads, railways, rivers, other bodies of water or other clearly defined physical features. Future streets shown on Schedules to this Plan are shown in approximate locations only. Provided that the intent of this Plan is maintained, minor adjustments to the location of boundaries shown on the Schedules to this Plan shall not require an amendment to the Plan.
- c) Boundaries of Natural Heritage Features identified on Schedule “C” and Natural Resource Areas identified on Schedule “J” may be further refined through an Environmental Impact Study (EIS) or an update to a natural areas inventory. Where the general intent of the Plan is maintained, and subject to consultation with the Ministry of Natural Resources and Forestry, minor adjustments to boundaries shall not necessitate an amendment to this Plan.
- d) Any reference to numerical values such as quantity, area, density, or population and employment targets shall be considered as approximate only and not absolute. Minor changes shall not necessitate an amendment to this Plan.
- e) In the case of a discrepancy between the policies in the text and related schedule, the policies in the text shall take precedence.

- f) In the case of a perceived discrepancy between the policies, the more restrictive policy, as determined by the County, shall apply.
- g) Wherever a use is permitted in a designated area, it is intended that uses, buildings or structures normally incidental, accessory and/or essential to that use shall also be permitted.
- h) Unless otherwise defined or interpreted to be defined through the policies of this Plan, terms and words used in this Plan shall be interpreted as defined in the Provincial Policy Statement or the Zoning By-law, where such terms are defined by said documents. In the case of a discrepancy between the Provincial Policy Statement and the Zoning By-law, the Zoning By-law shall prevail in the definition of a term or word. The County shall ensure that the definitions in the Zoning By-law are consistent with the Provincial Policy Statement. Words in the singular number shall be deemed to include the plural and words in the plural shall be deemed to include the singular.
- i) Municipal buildings, activities, services and utilities shall be permitted in any land use designation, providing the County has appropriate regard for the policies of this Plan. This shall be deemed to include activities and services provided under the *Municipal Act*, *Drainage Act* or any other legislation.
- j) Where any Act or portion thereof is referenced in this Plan, it is intended that such references should be interpreted to include any subsequent legislation that may amend or replace the specific statute.
- k) Where any guideline, manual, or portion thereof, is referenced in this Plan, it is intended that such references should be interpreted to include any subsequent guideline or manual that may amend or replace the referenced document.
- l) The effect of this Plan is such that no municipal public works shall be undertaken, and no municipal by-law passed for any purpose, that does not conform to and comply with this Plan.
- m) Public works undertaken by all other levels of government or public agencies, including the Government of Canada and the Province of Ontario, shall also be required to conform to this Plan, except where exempted under specific Federal or Provincial legislation.
- n) The quotes beneath the Section titles shall not be considered to be operative components of this Plan. Save and except for figures and tables specifically referenced in the policies of this Plan, the words, images or other elements in the margins shall not be considered operative components of this Plan.



Norfolk County Official Plan  
Consolidated to January 1, 2023

- o) The references to “Norfolk County” or “the County” in this Plan shall mean the Corporation of Norfolk County, a municipality in the Province of Ontario to which this Plan applies.
- p) Sections 1 through 10 in Part I, inclusive and Section 11 of Part II, are considered operative components of this Plan. Any appendix to this Plan shall not be considered to be an operative component. Any changes to an appendix to this Plan shall not require an amendment.
- q) In the Plan, some of the Schedule “B” maps overlap in area with other Schedule “B” maps. Where an amendment is made to one Schedule “B”, a corresponding amendment is also immediately made to any other overlapping map in Schedule “B”.

## 10.0 Schedules

The following Schedules form part of this Plan and must be read and interpreted in conjunction with the text and policies. References to a specific schedule in the policies of this Plan shall be deemed to include any or all relevant maps associated with the schedule, except where a map to a schedule is specifically referenced.

### Part I

#### Schedule “A” – Community Structure

Schedule “A” Community Structure

#### Schedule “B” – Land Use

Schedule “B” (Key Map)		Land Use (Key Plan)
Schedule “B-1”	-	Land Use (Rural Area)
Schedule “B-2”	-	Land Use (Rural Area)
Schedule “B-3”	-	Land Use (Rural Area)
Schedule “B-4”	-	Land Use (Rural Area)
Schedule “B-5”	-	Land Use (Rural Area)
Schedule “B-6”	-	Land Use (Rural Area)
Schedule “B-7”	-	Land Use (Rural Area)
Schedule “B-8”	-	Land Use (Rural Area)
Schedule “B-9”	-	Land Use (Rural Area)
Schedule “B-10”	-	Land Use (Rural Area)
Schedule “B-11”	-	Land Use (Rural Area)
Schedule “B-12”	-	Land Use (Rural Area)

- Schedule “B-13” - Land Use (Rural Area)
- Schedule “B-14” - Land Use (Rural Area)
- Schedule “B-15” - Land Use (Simcoe)
- Schedule “B-16” - Land Use (Port Dover)
- Schedule “B-17” - Land Use (Delhi)
- Schedule “B-18” - Land Use (Waterford)
- Schedule “B-19” - Land Use (Port Rowan)
- Schedule “B-20” - Land Use (Courtland)

### **Schedule “C” – Natural Heritage**

- Schedule “C” (Key Plan) Natural Heritage (Key Plan)
- Schedule “C-1” - Natural Heritage
- Schedule “C-2” - Natural Heritage
- Schedule “C-3” - Natural Heritage
- Schedule “C-4”- - Natural Heritage
- Schedule “C-5” - Natural Heritage
- Schedule “C-6” - Natural Heritage
- Schedule “C-7” - Natural Heritage
- Schedule “C-8”) - Natural Heritage and Resources

### **Schedule “D” – Water Resources**

- Schedule “D” (Key Plan) Water Resources (Key Plan)
- Schedule “D-1” - Watersheds
- Schedule “D-2” - Wellhead Protection Areas (Courtland and Tillsonburg)

- Schedule “D-3” - Wellheads Protection Areas (Delhi)
- Schedule “D-4” - Wellhead Protection Areas (Simcoe)
- Schedule “D-5” - Wellhead Protection Areas (Waterford)
- Schedule “D-6” - Highly Vulnerable Aquifers
- Schedule “D-7” - Significant Groundwater Recharge Areas

### **Schedule “E” – Transportation**

- Schedule “E” (Key Plan) Transportation (Key Plan)
- Schedule “E-1” - Transportation (Rural Area)
- Schedule “E-2” - Transportation (Simcoe)
- Schedule “E-3” - Transportation (Port Dover)
- Schedule “E-4” - Transportation (Delhi)
- Schedule “E-5” - Transportation (Waterford)
- Schedule “E-6” - Transportation (Port Rowan)
- Schedule “E-7” - Transportation (Courtland)

### **Schedule “I” – Active Transportation**

- Schedule “I” (Key Plan) Active Transportation (Key Map)
- Schedule “I-1” - Active Transportation (Rural Area)
- Schedule “I-2” - Active Transportation (Simcoe)
- Schedule “I-3” - Active Transportation (Port Dover)
- Schedule “I-4” - Active Transportation (Delhi)
- Schedule “I-5” - Active Transportation (Waterford)
- Schedule “I-6” - Active Transportation (Port Rowan)

Schedule “I-7” - Active Transportation (Courtland)

### **Schedule “J” – Natural Resources**

Schedule “J” (Key Plan) Natural Resources (Key Plan)

Schedule “J-1” - Natural Resources

Schedule “J-2” - Natural Resources

Schedule “J-3” - Natural Resources

Schedule “J-4” - Natural Resources

Schedule “J-5” - Natural Resources

Schedule “J-6” - Natural Resources

Schedule “J-7” - Natural Resources

Schedule “J-8” - Natural Resources

## **Part II – Lakeshore Special Policy Area Secondary Plan**

### **Schedule “F” – Community Structure**

Schedule “F” Lakeshore Special Policy Area Community Structure

### **Schedule “G” – Lakeshore Special Policy Area Natural Heritage System Features and Study Areas**

Schedule “G-1” Natural Heritage System Features and Study Areas

Schedule “G-2” Natural Heritage System Features and Study Areas

Schedule “G-3” Natural Heritage System Features and Study Areas

**Schedule “H” – Neighbourhood Planning Areas**

- Schedule “H-1”      Port Dover Neighbourhood Planning Areas
- Schedule “H-2”      Port Rowan Neighbourhood Planning Areas
- Schedule “H-3”      Port Dover North Neighbourhood Planning Area