



# THE OFFICIAL PLAN OF THE TOWN OF ERIN

Contains Modification & Applications to July 21, 2021  
Approved by Wellington County Council December 14, 2004

## ERIN OFFICIAL PLAN MODIFICATIONS

Amendment Number	Section	Initiated by	Effect & Wellington County Approval Date
1	Schedule C	Town of Erin	Town-wide Adopted by Erin Council August 1, 2006 Approved by Wellington County May 24, 2007
2	Schedule A-1	McNeil	Pt Lot 12, Con 2, Prime Agricultural designation amended to Secondary Agricultural Adopted by Erin Council April 27, 2006 Approved by Wellington County May 4, 2006
3	Schedule A-1 & B-2	Silvercreek Meadows	Pt Lot 1, Con 8, Expands Ballinafad hamlet to permit 24 detached dwellings Adopted by Erin Council September 28, 2006 Approved by Wellington County, Nov 7, 2008
5	Schedule A-2	Homes of Distinction	Pt Lot 13, Con 9 re-designates 1.46 ha parcel to residential from future development (urban area) Adopted by Erin Council May 6, 2008 Approved by Wellington County, June 17, 2008
6	Policies & Schedules A-1, A-2 & A-3	Growth Plan Conformity	Town-wide Adopted by Erin Council January 24, 2012 Approved by Wellington County, April 5, 2012
7	Schedule A-1	Community Improvement Policy	Town-wide Adopted by Council October 4, 2016 Approved by Wellington County, October 31, 2016
8	Schedule A-2	Solmar Dev Ltd	Pt lots 16 & 16 Con 10 & 11 Urban mixed dev 1234 dwelling units & employment lands  Approved by LPAT, dated January 5, 2021 PL171265
9	Schedule A-1	Derrydale Golf Course Ltd.	Pt Lots 1 & 20, Con 8, re-designate portion of property designated recreational to secondary agricultural Adopted by Council April 17, 2018 Approved by Wellington County May 9, 2018
11	Schedule A-1	Bryce	Pt of Lot 13, Con 3, Block 44, Plan 61M-118,

<b>Amendment Number</b>	<b>Section</b>	<b>Initiated by</b>	<b>Effect &amp; Wellington County Approval Date</b>
	& A-2	McEnergy	Pts 1 and 2 on RP 61R-20684 and Pts 1 and 2 on RP 61R-21291 Adopted by Council June 15, 2021 Approved by Wellington County July 21, 2021

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## **Section 1.0 Introduction**

### **1.1 General**

This document has been prepared and enacted in accordance with the provisions of The Planning Act and constitutes the **Official Plan for the Town of Erin**. It may be referred to as the “Official Plan” or “Plan” and consists of written text and schedules which may, in the future, include amendments to reflect changing physical, social, demographic and economic conditions.

The Plan is based on a planning horizon that sets the pattern of land use to the year 2031.

Schedules A-1, A-2, A-3 and B-1 to B-6 illustrate the extent of the various land uses designations referred to by the policies of this Plan for the rural portion of the Town, the Erin Urban Area, the Hillsburgh Urban Area and the hamlets in the Town respectively.

### **1.2 Purpose**

The purpose of the Official Plan is to provide a municipal statement of intent on how future growth and development will be managed. It does not, by itself, control or regulate the development of land by private or public interests. Rather the principles and policies contained in this Plan are to provide guidance in the consideration of zoning and other by-laws, plans of subdivision or condominium, consents and minor variances, community improvement projects and other matters which relate to land use changes.

The Plan attempts to identify and safeguard the public interest, including important natural resources, cultural resources and economic resources.

The Plan contains goals, objectives and policies to guide the Council, its committees, the public, and review agencies in directing and managing change.

The Plan is to be a flexible policy document and a guide to the physical development of the municipality. It shall form the basis for the preparation of specific land use regulations contained in a zoning by-law.

### **1.3 Relationship with the County of Wellington Official Plan**

The County of Wellington Official Plan was amended to incorporate the Provincial Policy Statement OPA 53 and came into effect on July 25, 2007, and Conformity to Places to Grow Policy came into effect on June 26, 2009. The County of Wellington amendment to include policies of the Provincial Greenbelt Plan is forthcoming. The Town of Erin Official Plan may require further amendment to conform to the County Official Plan regarding the Provincial Greenbelt Plan.

(<https://www.wellington.ca/en/resident-services/pl-landusepolicies.aspx#Wellington-County-Official-Plan>).

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

In the Town of Erin, there are two Urban Centres - Erin and Hillsburgh. The remainder of the Town is part of the Greenlands and Rural systems.

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

It is the intention of the Town to seek amendments to the County Official Plan as needed to implement the detailed policies of this plan.

This Plan must be read in conjunction with the County Official Plan.

## **Section 2.0 Community Vision**

### **2.1 Introduction**

The Town of Erin was formed in 1998 by the amalgamation of the former Village and Township of Erin.

The Town of Erin is a primarily rural community in south Wellington County characterized by scenic rolling countryside, good quality farmland, important river, wetland and forest systems and small settlement areas. These attributes provide an enjoyable rural and small town living environment which the residents wish to maintain. Erin and Hillsburgh serve as the main settlement areas. Additional settlement is accommodated in hamlet areas.

The people of the Town place great value on rural amenity values, natural resources and environmental systems within the community and are committed to ensuring that these unique resources will be protected and wisely managed.

In the future, the Town of Erin faces the prospect of change brought about by considerable growth pressures being experienced within this part of Ontario. The municipality will manage these growth pressures in a positive manner which safeguards the public interest, yet fosters private initiative.

Corresponding to its rural setting, the Town is able to offer only limited municipal services. Municipal sanitary sewage disposal is not available in any part of the Town.

## **2.2 Vision Statement**

### **2.2.1 Agriculture**

- a) That agriculture will continue to be an important component of the Town's economy and that prime agricultural soils (Classes 1-3) will be preserved for agricultural use by protecting them from non-farm uses.
- b) That the rural character of the Town will be maintained by keeping large tracts of land workable and in production, and directing new development to existing developed areas.
- c) That the planning policies for non-prime agricultural areas will be more flexible to permit agricultural activities on smaller holdings, as well as limited severances and other non-agricultural uses.

### **2.2.2 Residential Growth**

- a) That low density residential development, consisting of primarily single-detached dwellings, will continue to be the predominant form of housing given the lack of municipal sewers, but a variety of housing types will be encouraged.
- b) That new development be provided for primarily by the expansion of the existing settlement areas of Erin and Hillsburgh. Limited expansion of other hamlet areas will also be considered where appropriate.
- c) That urban design standards which retain the traditional small town character of the Town's urban centres be applied while envisioning their development as the focal point for commercial, cultural and economic development activities.

### **2.2.3 Natural Environment**

- a) That the elements of the natural environment, including the rivers, their valleys, wetlands, groundwater and forestry resources of the Town be protected and enhanced and wisely managed to provide a healthy sustainable environment.
- b) That the Town will be proactive regarding the wise utilization of natural resources, particularly regarding control over water and aggregate extraction issues.
- c) That the Town's urban design standards will respect the Town's natural features and encourage people to live in harmony with the natural environment.

### **2.2.4 Economic Development**

- a) That the Town will be "open for business" by encouraging additional commercial

and industrial opportunities to provide greater employment opportunities to complement the Town's residential development. In particular clean, technologically smart industry and business is encouraged.

- b) That the Town will encourage rural tourism as an economic development opportunity.
- c) That the Town continue to support home based businesses and cottage industries, enabled through technology, as an alternative form of economic development.

### **2.2.5 Transportation and Services**

- a) That the Town consider new technologies which may provide options for servicing of new development in the Town.
- b) That the Town will encourage planning for the safe routing of local and through traffic in the Town of Erin, including the designation of haul routes and an Erin by-pass.
- c) That the Official Plan establish a hierarchy of roads within the municipality and provide for the development of a Road Management Plan which specifies the level of maintenance to be provided by the Town.

## **2.3 Growth Strategy**

### **2.3.1 Relationship to the County Growth Strategy**

The County of Wellington Official Plan sets out an overall growth strategy for Wellington County based on the Provincial Growth Plan for the Greater Golden Horseshoe in a manner that is in keeping with appropriate and sustainable growth in small towns and rural areas. The decisions of the Town will conform to the overall growth strategy.

The County growth strategy established the following targets:

**Residential intensification:** By the year 2015 and for each year thereafter, a minimum of 20% of all residential development occurring annually will be within the built up area.

**Greenfield Density:** The designated Greenfield area of the County will be planned to achieve an overall minimum density of not less than 40 residents and jobs per hectare.

**Affordable Housing:** A minimum of 25% of new housing in the County will be affordable to low and moderate income households.



The Town will contribute to the achievement of these targets, subject to servicing constraints.

### 2.3.2 Current County Growth Forecast

The County has recently prepared updated forecasts of population, households and employment for the period of 2006-2031. A summary of the revised population, household and employment forecasts is set out in Table 1.

Table 1

#### Town of Erin

Years	2006	2011	2016	2021	2026	2031
Total Population	11,680	11,930	12,490	13,510	14,530	15,530
Households	3810	3960	4160	4510	4850	5180
Total Employment	3550	3590	3780	4600	5020	5460

#### Urban Centres

Years	2006	2011	2016	2021	2026	2031
<b>Erin Village</b>						
Total Population	3020	3000	3100	3540	3980	4400
Households	1030	1050	1090	1240	1390	1530
<b>Hillsburgh</b>						
Total Population	1240	1280	1380	1610	1850	2080
Households	410	430	460	540	610	690

### 2.3.3 Urban Areas Expansion

Urban Areas; Detailed policies for urban expansion are contained in Section 4.8.2 of the Wellington County Official Plan. (<https://www.wellington.ca/en/resident-services/pl-landusepolicies.aspx#Wellington-County-Official-Plan>)

## Section 3.0 General Policies

### 3.1 Natural Heritage Resources

#### 3.1.1 Overview

The Town of Erin encourages the protection and enhancement of the natural heritage of the Town. When planning for the future of Erin, the Town will give consideration to the protection, preservation and enhancement of significant natural features including rivers and streams and their valley lands, wetlands, flood plains, headwaters and water catchment areas, ground water supplies, recharge and discharge areas, environmentally significant features, wildlife and fish habitats and lands with

ecological functions. Where appropriate the Town may consider accepting dedications of lands containing natural heritage features.

Many of the Town's natural heritage resource systems are designated as Greenlands on the land use schedules. Specific land use policies for the Greenland, land use designation are found in Section 4.3. The following policies apply to natural heritage resources in general, including lands and features that may not presently be designated on the land use schedules.

### **3.1.2 Wetlands**

Council recognizes that wetlands are essential ecosystems and parts of ecosystems. They provide continuous, sustainable environmental, economic and social benefits that contribute to the high quality of life in Erin. The Town encourages the protection of all wetlands through accepted land use planning and resource management practices. All provincially and locally significant wetlands are included in the Core Greenlands designation.

- a) No development is permitted on provincially significant wetlands. Development on lands adjacent to provincially significant wetlands will only be permitted subject to the preparation of an Environmental Impact Assessment as outlined by the policies of this Plan. All other wetlands will be protected in large measure and development that would seriously impair their future ecological functions will not be permitted.
- b) The interpretation and definition of the limits of all other wetlands and lands adjacent to those wetlands will be the responsibility of the Town, the County of Wellington, the Conservation Authority and any other agency or person(s) so requested by the Town.
- c) Private landowners with property in or adjacent to wetlands are encouraged to maintain their holdings in a manner which preserves the natural attributes of the wetland feature.
- d) Council shall consider the designation of additional wetland areas that may be identified by the Ministry of Natural Resources, the applicable Conservation Authority, the County of Wellington or other appropriate agencies.
- e) Council will endeavour to ensure that public works and actions undertaken by the Town and other public agencies will not be detrimental to wetland areas.
- f) Wetland policies may be implemented through the Zoning By-law by placing wetlands in a restrictive zoning category that permits only uses such as conservation and resource management, forestry and wildlife management, as well as passive recreational activities which do not have a harmful impact on wetlands.

### **3.1.3 Rivers, Streams and Valleylands**

Council recognizes that the watersheds of the Credit, Eramosa and Speed Rivers, and their associated valleylands are important physical features which provide significant natural corridors through the Town. The river systems also provide a wide variety of recreational opportunities and are a significant cultural heritage resource.

Through its own actions and working jointly with other applicable agencies, in its review of development applications, the Town will undertake measures to enhance the water quality, to enhance and protect the quality of the fishery, to prevent bank and slope erosion, and to provide for the filtration of stormwater runoff, protection from thermal impacts and protection of groundwater flows into the watercourse. The naturalization of watercourse corridors is encouraged. Naturalization will improve the water quality and the improvement of vegetation, wildlife and fisheries habitat associated thereto.

Development adjacent to a river or other watercourse should respect both the scenic and functional qualities of the feature. Minimum setbacks for new development or redevelopment adjacent to the watercourse shall be developed through an environmental impact assessment and implemented through the zoning by-law or through site plan control.

### **3.1.4 Floodways and Hazard Lands**

Much of the original settlement of the urban areas of the Town of Erin occurred along the banks of the various watercourses. A significant portion of the Town lies within the floodplain of those watercourses and may be susceptible to periodic flooding or subject to other hazardous conditions such as erosion or slope failure.

Development will be directed away from areas in which conditions exist which would pose a threat to public health and safety.

### **3.1.5 Habitat of Endangered or Threatened Species**

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

### **3.1.6 Fisheries Policies**

The Town recognizes the importance of its watercourses as important fish habitat. As such the Town will endeavour to protect fish habitat by:

- a) Maintaining or enhancing the quality and quantity of groundwater and surface water reaching the Town's rivers and streams.

- b) Maintaining or re-establishing tree or other vegetative cover adjacent to watercourses.
- c) Providing public access to fishery resource areas through co-operation with private and public landowners.
- d) Minimizing or eliminating thermal impacts on the watercourse.

### **3.1.7 Areas of Natural and Scientific Interest (ANSI's)**

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

### **3.1.8 Environmentally Sensitive Areas (ESA's)**

Environmentally sensitive areas as identified by the County of Wellington through previous studies will be included in the Greenlands designation. These areas will be protected from development or site alterations which would negatively impact them or their ecological functions. New environmentally sensitive areas may be identified by the County of Wellington in association with other appropriate agencies.

### **3.1.9 Woodlands**

Council recognizes the need for the protection and wise use of wooded areas, particularly those which contribute to erosion control, groundwater storage and habitat for flora and fauna.

The Core Greenlands designation may include wooded areas, particularly where these are also associated with other natural heritage features such as wetlands. The Core Greenlands or Greenlands designation may also include upland woodlands over 10 hectares in areas which is considered to be significant by the County of Wellington. It is the intent of Council that these woodlands will be protected from development and site alterations which would have a significant negative impact on the woodlands or their ecological functions will not be permitted.

The Town also recognizes that smaller wooded areas also have local significance. Where practical, these smaller woodlots should be protected, even if they are not included in a Greenlands designation.

The Town supports the following policies with respect to its wooded areas:

- a) The Town encourages the protection and preservation of existing trees and woodlots.
- b) The protection and enhancement of forest cover along stream banks and river valleys is encouraged.
- c) In instances where a development proposal may impact upon a significant woodlot, the Town will require that an Environmental Impact Assessment in accordance with Section 5.16 be undertaken. However the Assessment should also address the following issues particular to an examination of impacts on the woodlot:
  - i) Contain a detailed inventory of the woodlot including size, age, composition and the occurrence of any other features containing important ecological functions such as buffer, habitat, linkage or hydrological flow characteristics;
  - ii) Indicate the impact of the proposal on the woodlot including existing trees;
  - iii) Indicate any measures that would reduce the impact of the proposal including where possible, relocation outside of the woodlot;
  - iv) Where trees are to be removed, indicate the measures necessary to ensure the orderly extraction of trees or the possible relocation of trees, where practical, and the preservation of the remaining ones;
  - v) Include provisions for the replacement of trees with native species where possible, as a result of the proposal;
  - vi) Recommend no development where negative impacts of development cannot be mitigated due to the rarity, sensitivity or size of the woodlot.

### **3.1.10 Natural Heritage Corridors**

The boundaries of many natural heritage features overlap and inter-relationships frequently exist between these areas. The Town encourages the connection of natural heritage features within the Town, but also having regard to linkages beyond the Town's boundary. This may be achieved through the following means:

- a) The protection and maintenance of all rivers and streams as environmental corridors, including provisions for minimum setbacks and vegetated riparian buffers;
- b) Incorporating environmental corridors into the design of new developments or redevelopments, where possible and protecting existing corridors;

- c) Naturalization or vegetation of parks, open space and storm water management areas using native species, where possible.

### **3.1.11 Environmental Advisory Committee (EAC)**

The Town will establish an Environmental Advisory Committee (EAC) to advise Council on environmental issues which may affect the long term health and sustainability of the Town's natural ecosystems.

## **3.2 Ground and Surface Water Resources**

Council recognizes that its groundwater is a unique local resource and should be protected to ensure that the Town's drinking water supplies do not present adverse health risks and to protect dependent ecosystems. It is Council's goal that natural groundwater should be of such quality and quantity that the impact of any activities does not cause this resource to fail to meet Provincial standards for drinking water quality and availability or to have an adverse impact on the environment.

### **3.2.1 Sensitive Areas**

Development shall be directed away from or otherwise restricted in hydrogeologically sensitive areas such as fractured bedrock exposed at the surface or covered by very thin permeable overburden, primary ground water recharge and discharge areas and critical headwaters.

### **3.2.2 Water Quality Indicators**

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

### **3.2.3 Groundwater Management Study**

It is the policy of the Town of Erin to ensure the protection of groundwater resources within the Town's boundaries through the undertaking and implementation of a groundwater management study in consultation with the Ministry of Environment, any other affected agency and surrounding municipalities.

The Official Plan has been prepared in recognition of some preliminary results of the Groundwater Study which is underway. When the Groundwater Management Study is completed, this plan shall be amended as needed to implement its recommendations, including the identification of sensitive groundwater features in the Plan.

### **3.2.4 Subwatershed Studies**

Town of Erin has participated in the preparation of Subwatershed Plans for areas of the Town in connection with the local Conservation Authorities and/or any other relevant or affected agencies. When a Subwatershed Plan is approved by Council, applicants for approval of subdivisions, zoning, building permits and site plans may be required to submit a storm water management plan which demonstrates how the proposed development would manage storm water in accordance with the Subwatershed Plan. For a large scale development proposal Council may require the proponent to prepare broad scale environmental studies if there is a concern about off-site or cumulative impacts on adjacent groundwater or surface water features.

Until such time as Subwatershed Plans are approved, an application for approval of a subdivision, zoning, building permit or site plan, may be required to submit a storm water management report in accordance with the requirements of Section 3.6.7 of this Plan.

### **3.2.5 Commercial Water Taking**

The Town of Erin considers water taking for commercial sale to be a land use. Any new water taking applications will require an amendment to the Official Plan, supported by such background studies as Council deems necessary.

## **3.3 Cultural Heritage Resources**

### **3.3.1 Overview**

Cultural heritage resources include archaeological resources; buildings and structural remains of historical, architectural and contextual value; and rural, village and urban districts or cultural landscapes of historic interest.

With proper planning and management, heritage features within the Town may form an important and highly visible part of the community fabric. In addition, the recognition and enhancement of local heritage resources provides a source of civic pride and a benefit to the local economy through tourism.

The policies of this Section, in conjunction with the Ontario Heritage Act, provide a framework for the identification, protection and enhancement of the Town's heritage resources.

### **3.3.2 Objectives**

The Town of Erin has the following objectives related to heritage resources:

- a) To encourage the protection of those heritage resources which contribute in a significant way, to the identity and character of the Town;

- b) To encourage the maintenance, restoration and enhancement of buildings, structures, areas or sites in Erin which are considered to be of significant architectural, historical or archaeological value; and
- c) To encourage new development, redevelopment and public works to be sensitive to, and in harmony with, Erin's heritage resources.

### **3.3.3 Identifying Heritage Resources**

Heritage resources in the Town of Erin include, but are not necessarily restricted to:

- a) A property or area of historic value or interest, possessing one of the following attributes:
  - i) an example of the Town's past social, cultural, political, technological or physical development;
  - ii) a representative example of the work of an outstanding local, national or international personality;
  - iii) a property associated with a person who has made a significant contribution to the social, cultural, political, economic, technological or physical development of the Town, County, Province or Country;
  - iv) a property which dates from an early period in the Town's development.
- b) A property or area of architectural value or interest, possessing one of the following attributes:
  - i) a representative example of a method of construction which was used during a certain time period or is rarely used today;
  - ii) a representative example of an architectural style, design or period of building;
  - iii) an important Town landmark;
  - iv) a work of substantial engineering merit;
  - v) a property which makes an important contribution to the urban composition or streetscape of which it forms a part.
- c) A property or area recognized by the Province as being archaeologically significant.
- d) An area in which the presence of properties collectively represent a certain aspect



of the development or cultural landscape of the Town, or which collectively are considered significant to the community as a result of their location or setting.

### **3.3.4 Ontario Heritage Act**

Pursuant to the requirements of The Ontario Heritage Act, Council of the Corporation of the Town of Erin may pass by-laws to designate individual properties of historic, architectural or archaeological significance to the community. Such by-laws shall include a description of the property and a statement of the reasons for designation.

Council may pass by-laws providing for the acquisition by purchase, lease, or otherwise, of any property, or part thereof, designated under Part IV of The Ontario Heritage Act upon such terms and conditions as Council may consider necessary.

In addition, Council may pass by-laws under The Ontario Heritage Act to designate a Heritage Conservation District or Districts in order to protect the heritage resources of an area. Such by-laws shall be based on a study identifying the cultural heritage value or interest heritage resources of the area which may include:

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

### **3.3.5 Designation of a Heritage Conservation District**

Prior to the designation of a “Heritage Conservation District”, the Town shall:

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

### **3.3.6 Heritage Conservation Easements/Covenants**

The Town may enter into an easement agreement or covenant, pursuant to Section 37 of The Ontario Heritage Act, with the owner of any real property and register such easement or covenant against the real property in the land registry office for the purpose of:

- a) Conserving, protecting and preserving the heritage features of the property;
- b) Preventing any demolition, construction, alteration, remodeling or any other action which would adversely affect the heritage features of the property; and
- c) Establishing criteria for the approval of any development affecting the heritage property.

### **3.3.7 Other Legislative Authority**

Pursuant to The Planning Act, The Municipal Act or other relevant legislation, the Town may pass by-laws for the following purposes:

- a) To ensure the protection of heritage features;
- b) To regulate development so that it is sympathetic in height, bulk, location and character to heritage resources; and
- c) To control demolition of heritage buildings or structures in a defined area.

### **3.3.8 Archaeological Resources**

Council recognizes that there may be archaeological remnants of prehistoric and early historic habitation within the municipality. Council will, therefore, encourage archaeological survey and the preservation or rescue excavation of significant archaeological resources which might be affected in any future development, in co-operation with the Ministry of Culture.

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

### **3.3.9 Establishment of a Local Heritage Committee**

The Town shall consider the establishment of a Local Heritage Committee to assist Council with matters associated with the identification, conservation, protection and preservation of heritage resources.

The responsibilities of a Heritage Committee generally include the following:

- a) To prepare and maintain an inventory of the built heritage resources and cultural landscapes of significance in the community;
- b) Advising the municipality on the development of official plan policies, cultural heritage resource master plans and municipal heritage guidelines;
- c) Developing and promoting opportunities for heritage awareness and public education;
- d) To make recommendation on the designation of heritage buildings and structures and the designation of heritage conservation districts under the Ontario Heritage Act;
- e) To offer advice and assistance to those proposing to alter, repair or restore heritage buildings;
- f) To advise on any other heritage related issues or matters facing the Town.

### **3.4 Community Improvement Policies**

For the purpose of this section:

“Community Improvement” means the planning or replanning, design or redesign, resubdivision, clearance, development or redevelopment, construction, reconstruction and rehabilitation, improvement of energy efficiency, or any of them, of a community improvement project area, and the provision of such residential, commercial, industrial, public, recreational, institutional, religious, charitable or other use, buildings structures, works, improvements or facilities, or spaces therefor, as may be appropriate or necessary.

“Community Improvement Plan” means a plan for the community improvement of a community improvement project area.

“Community Improvement Project Area” means a municipality or an area within a municipality, that community improvement of which in the opinion of Council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reasons.

#### **3.4.1 Introduction**

The Community Improvement provisions of the *Planning Act* provide for and co-ordinate comprehensive improvements in identified areas of a community. Community improvement policies are intended to provide a planning mechanism for

improvements, access to cost sharing programs and encouragement for private investment.

Under the *Planning Act*, Council may by by-law, designate “Community Improvement Project Areas” within which the Town of Erin may acquire land, prepare Community Improvement Plans and undertake various community improvement initiatives and works to implement those plans, including the provision of grants and loads to private landowners.

### **3.4.2 Objectives**

Community Improvement policies are intended to accomplish the following objectives:

- a) Promote the long term stability and viability of identified Community Improvement Project Areas by reducing land use conflicts and upgrading municipal services;
- b) encourage coordinated municipal expenditures, planning and development activities within identified Community Improvement Project Areas;
- c) stimulate the maintenance and renewal of private property;
- d) enhance the visual quality of the community; and
- e) foster local economic growth.

### **3.4.3 Identifying Areas**

Council shall consider the following criteria in the designation of Community Improvement Project Areas:

- a) a significant portion of the housing stock and other buildings are in need of maintenance, rehabilitation or redevelopment;
- b) municipal services including sanitary sewer, storm sewer, water supply systems, roads, sidewalks, curbs, gutters, street lighting or parking facilities are inadequate and in need of repair;
- c) the supply of public open space or recreation facilities is deficient;
- d) there are conflicting land uses in the area;
- e) within commercial areas, deterioration in the appearance of building facades, inadequate parking facilities or inadequate pedestrian access;
- f) a significant portion of the buildings are considered heritage resources;
- g) there is a need to remediate brownfields, improve the energy efficiency of buildings, or provide affordable housing; or
- h) there are other environmental, social or community development reasons that have been identified by a Council.

On the basis of the criteria above, Council may, by by-law, designate 'Community Improvement Project Areas', the boundaries of which may be the entire municipality or part of the municipality. These areas will be eligible for 'Community Improvement' as defined by the *Planning Act*.

#### **3.4.4 Implementation**

In order to accomplish the community improvement objectives set out in the Plan, Council may:

- a) prepare, adopt and implement a Community Improvement Plan(s) within a designated Community Improvement Project Area(s), pursuant to the *Planning Act* and the community improvement policies set out in this Plan;
- b) provide public funds such as grants, loans and other financial instruments;
- c) take advantage of federal, provincial or County funding programs which would benefit the community;
- d) prepare and adopt a property standards by-law;
- e) co-operate with groups and organizations whose objectives include community improvement;
- f) undertake other municipal actions, programs or investments for the purpose of achieving the community improvement objectives identified in Section 3.4.2.

### **3.5 Housing Policies**

#### **3.5.1 Variety of Housing**

The Town encourages the production of a wide range of housing types to meet the Town's future housing need, while recognizing the limitations imposed by the predominantly rural character of Erin and the lack of municipal sewage treatment. While it is anticipated that single detached homes will continue to be the predominant housing type a variety of housing types including semi-detached, duplex, townhouse and apartment units will be encouraged.

Prior to approving new development or redevelopment, Council will consider the housing need within the community and the housing market area and provide opportunities for a range of housing types throughout the community that are appropriate given existing site conditions, neighbouring developments, and servicing options.

#### **3.5.2 Supply of Residential Land**

The Town shall maintain at all times, the ability to accommodate residential growth for a minimum of 10 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development and maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a 3 year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.

### **3.5.3 Monitoring**

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

- a) Housing market activity such as housing starts and completions, building and demolition permits issued and the number of units rehabilitated, converted or otherwise intensified;
- b) The supply of residential land as set out in Section 3.5.2 of this Plan;
- c) House sale prices and market rates for rental housing as well as the number of new affordable housing units being brought on-stream.

### **3.5.4 Affordable Housing**

The Town shall provide the opportunity through Official Plan and Zoning By-law and the approval of subdivision and/or condominium plans, for a portion of all new housing units to be affordable and accessible to households of low to moderate incomes. Accessory residences will provide the bulk of affordable housing opportunities until such time as municipal wastewater servicing is provided. Given this constraint and that a substantial portion of the County's housing stock is affordable a minimum of 25% of new housing units County-wide will be affordable. (*County of Wellington Official Plan Policy 4.4.5 Affordable Housing - <https://www.wellington.ca/en/resident-services/pl-landusepolicies.aspx#Wellington-County-Official-Plan>*)

### **3.5.5 Residential Intensification**

This Plan contains policies encouraging intensification primarily in urban centres but also, to a much lesser extent in rural areas and hamlets. The strategic approach to intensification intends to retain small town character and revitalize downtown areas which include:

- a) supporting increased densities in newly developing Greenfield areas with a broader mix of housing types once municipal sewer service is available.
- b) supporting appropriate intensification in all areas within the built boundary including adaptive re-use or redevelopment of brownfields and greyfields.
- c) Encouraging added housing above commercial uses in and near the downtown in residential transition areas, and in other main commercial areas;

- d) Encouraging intensification within urban centres along major roadways and arterial roads;
- e) Encouraging modest intensification in stable residential areas respecting the character of the area. Stable residential areas are considered to be established areas generally consisting of predominantly low density housing on local roads within the built boundary.
- f) Conserving cultural heritage and archaeological resources where feasible, as built-up areas are intensified;
- g) Encouraging intensification which results in new rental accommodation;
- h) Encouraging small scale intensification in rural areas and hamlets consistent with their character and servicing to allow accessory units and limited severances.

### **3.5.6 Greenfield Housing**

In Greenfield areas, subject to appropriate levels of servicing, the Town will encourage increased densities and a broader mix of housing, and will:

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

### **3.5.7 Seniors Housing**

An aging population will result in greater needs for senior's housing. Facilities such

as senior citizen's complexes, homes for the aged, rest homes, nursing homes and residential communities oriented to healthy, independent seniors will be encouraged to locate in the Urban Centres where additional services are available.

### **3.5.8 Accessory Garden Suite**

At certain times, there may be a legitimate need for a property owner to establish a separate, temporary housing unit, accessory to the primary housing unit (e.g. adult children, elderly parents, farm help, etc.) In such cases, Council may consider passing a Temporary Use By-law in accordance with Section 5.9 of this Plan provided that:

- a) The second unit shall be used on a temporary basis in conjunction with and accessory to the existing dwelling on the same lot;
- b) The second unit shall be portable so that it can be easily installed and removed when the need for the second unit has discontinued;
- c) The visual impact of the second unit is attenuated from the street and adjacent property to the extent that:
  - the second unit is not placed in the front yard, or required side yard of a lot which would be visible from the street,
  - where deemed necessary screening and buffering be installed on the lot to minimize visual impact of the second unit relative to adjacent lots;
- d) No additional access is required to be provided to the lot from a public road;
- e) Placement of the second unit should be in close proximity to the existing dwelling;
- f) The proposed site is capable of accommodating an appropriate septic and water supply system as determined by the Health Unit;
- g) The size of the second dwelling unit is kept to a minimum, generally not exceeding 100 square metres;
- h) Adequate amenity is provided for both the existing and the second dwelling unit; and,
- i) The owner of the property has entered into an appropriate agreement with the municipality.

## **3.6 Municipal Services**

### **3.6.1 Overview**



The Official Plan anticipates that all new development and redevelopment in the Town will have access to a full range of services, while recognizing there are no municipal sanitary sewage systems in the municipality. The expansion of such services will be completed in a rational and cost effective manner which minimizes the tax burden on existing residents. Servicing costs to new developments will normally be recovered from developers through servicing agreements and development charges.

### **3.6.2 Objectives**

The Town of Erin has the following objectives related to the provision of municipal services:

- a) To ensure that all development in the Town has access to a full range of available municipal services;
- b) To ensure that necessary expansions to municipal services are anticipated and planned for in a fiscally efficient manner;
- c) To, where possible, provide available municipal services to areas where servicing problems have been identified;
- d) To develop a safe and efficient transportation system to serve residents and businesses in a manner which minimizes environmental impacts associated with new development; and
- e) To ensure that any expansion or reconstruction of municipal services is undertaken in a manner which reduces the environmental impacts associated with the provision of those services to improve and enhance environmental conditions.

### **3.6.3 General Policies**

It shall be the policy of the Town of Erin that:

- a) All new development and redevelopment shall be provided with services to the standards required by the Town, including:
  - i) sewage disposal, subject to the policies of subsection 3.6.5;
  - ii) water supply;
  - iii) storm water management;
  - iv) hydro (underground wherever practical);

- v) roads and sidewalks; and
  - vi) telecommunications.
- b) New development shall occur as logical and orderly extensions of existing built-up areas;
  - c) Infrastructure such as roads water and utilities will be provided to all new developments wherever feasible and appropriate;
  - d) The Municipality may require and enter into agreements with the proponent to provide for the staging of development in order to allow the efficient and orderly provision of services; and
  - e) The Municipality may pass by-laws and enter into agreements, including financial arrangements with proponents, for the installation of services.

#### **3.6.4 Extension of Services**

The Erin and Hillsburgh Urban Centres have municipal water service systems. New development will be required to connect to the municipal water system, wherever feasible. It is the intention of the Town, over time and where practical to provide municipal water service from the Town's central system to all lands within the designated Urban Centres.

However, the Town recognizes that not all part of the Urban Centres currently have access to municipal water services, Where no municipal service is available to lots within the urban areas development may be permitted on individual private services on vacant lots where in compliance with the provisions of the Zoning By-law.

Where, and as, local municipal services become available along property boundaries, adjacent owners shall connect to municipal services and decommission any existing wells. Adjacent owners may be subject to service area charges.

#### **3.6.5 Sanitary Sewage Treatment**

At the present time there are no municipal sanitary sewage facilities in the Town of Erin. All sanitary sewage treatment is by individual private systems.

Until such time as the Town may establish a sewage treatment facility Council will only support development on individual private systems (with the exception of minor redevelopment and infilling proposals) when they have been accompanied by detailed hydrogeologic and geotechnical assessments that have been deemed acceptable to Council in consultation with the other approval agencies. These studies must demonstrate the viability of the development on individual services and demonstrate that the proposed development will not result in an unacceptable level

of impact on ground and surface water resources.

Consideration may be given by the Town to approving communal sanitary sewage systems to accommodate new development, where it is demonstrated to the satisfaction of the Town that the proposed communal system is technically sound and financially feasible.

Site specific multi-lot or multi-unit development applications relying on communal or individual servicing systems will be required to undertake an assessment of the viability of all reasonable servicing options and an assessment of the impact of the proposed means of servicing on ground and surface water. Consideration will be given to the policies of Section 11.2 of the County Official Plan.

The approval of a communal sewage treatment system for new development will be subject to the following requirements:

- a) The proposed system meets the requirements set out in the “Sustainable Water and Sewage Systems Act”;
- b) The proposed system meets the approval requirements of the Town of Erin, the Ministry of the Environment and any other agency having jurisdiction; and
- c) That the Town should consider entering into appropriate agreements with the developer or owner for the maintenance and operation of the proposed system.

### **3.6.6 Urban Areas - Special Policy**

Construction of new or expansion of existing municipal or private communal water or wastewater systems are to serve growth in a manner that supports achievement of the intensification target and density target.

A Servicing and Settlement Master Plan will be completed to assess, in a comprehensive manner, the urban areas’ capacity to accommodate growth from an environmental and servicing perspective including a review and assessment of the urban areas in terms of;

- a) Growth management and the related fiscal impacts;
- b) Established projected population;
- c) Development density;
- d) Impact of development on environmental and natural heritage resources
- e) Servicing (water and wastewater) and stormwater management;
- f) Other matters considered appropriate by the Town;

The Servicing and Settlement Master Plan must be completed and approved before any major development is permitted. The Study will be undertaken by the Town in

consultation with the County and Credit Valley Conservation Authority. The master plan will be implemented by an amendment to the Official Plan for the Town of Erin.

The Town, may, in its Official Plan identify new land use designations but these designations will not be implemented through further planning approvals until the comprehensive servicing study is completed and approved. The Town may develop a phasing strategy for development to comply with County growth forecasts.

Modest development in the existing built-up area of the villages may be allowed if it does not significantly increase water and wastewater demands.

Projects which would result in improved environmental protection or benefit may also be considered in conjunction with the conservation authority.

### **3.6.7 Storm Water Management**

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

- a) No development shall occur without appropriate regard for storm run-off, on-site collection and channeling of storm water to an adequate outlet.
- b) Detention/retention ponds may be used as part of the storm drainage system to maintain post development flows to pre-development levels.
- c) Floodplains of natural streams shall be preserved and protected.
- d) Municipal drains may be identified as floodplain and may have setback restrictions identified in the implementing zoning by-law.
- e) Design of development proposals shall incorporate on-site control techniques to control quantities of suspended materials washed from the sites.
- f) Permanent or temporary sediment retention basins may be required to control quantities of suspended materials washed from the sites.
- g) Development shall be permitted only on lands having soil and drainage conditions which are suitable for development with appropriate storm water management and sediment control.
- h) Artificial channelization of watercourses using concrete-lined channels that can impact the natural environment and fish habitat is discouraged.
- i) The Town may establish design guidelines-for the development of stormwater

management areas to encourage their developments in a manner which complements adjacent uses.

### **3.6.8 Storm Water Management Plans**

An applicant for approval of subdivision or condominium plans, official plan or zoning by-law amendments and site plans may be required to submit a storm water management report providing the following information:

- a) A plan for the provision of storm water management facilities to accommodate proposed development;
- b) A grading plan for the proposed development;
- c) An assessment of the pre-development and post-development discharge of water during flood conditions on any stream or watercourse;
- d) An assessment of the impacts of the proposed development on the water quality of any stream or watercourse, particularly in terms of water temperature, baseflow, and fisheries potential, and the means of mitigating any potential reductions in water quality and quantity;
- e) An assessment of the storm water capacity of any proposed receiving watercourse;
- f) The means of controlling erosion and sedimentation using the best available construction and management practices during and after the construction of the development;
- g) An assessment of how development will maintain or enhance the minimum baseflow of a watercourse, and maintain storage levels during periods of minimum baseflow for flow augmentation;
- h) The potential impact of the development and any proposed storm water management techniques on groundwater resources;
- i) An investigation showing the feasibility of infiltration of storm water at or near the source; and
- j) Where drainage for land proposed for development crosses municipal boundaries, the receiving municipality shall be consulted and requested for comment on the proposed storm water management plan.

## **3.7 Public Services and Uses**

The following public and quasi-public services and uses may be permitted in all land

use designations without an Official Plan amendment. The implementing Zoning By-law may establish zoning categories in which they may not be permitted.

- a) All electric power facilities, including all works as defined by **The Power Corporation Act** and telephone lines and multi-use cables provided that such development satisfies the provisions of the **Environmental Assessment Act**, the **Environmental Protection Act**, and other relevant legislation;
- b) Utilities and service necessary for the transmission of municipal water and sewage, public roads, railway lines, parking facilities; and facilities for detention, retention or discharge of stormwater, except where any of these facilities would promote a development pattern that is contrary to the Official Plan;
- c) Any building or facility of the Town of Erin, County of Wellington, the Province of Ontario, the Government of Canada or any department agency board or commission thereof provided that such development satisfied the provisions of the Environmental Assessment Act, the Environmental Protection Act and any other relevant legislation, where applicable; and
- d) The facilities, other than administration offices, sales outlets, studios, garages, depots or yards or any privately-owned utility,
- e) The establishment of a new waste disposal site or waste transfer station will require an amendment of this Official Plan.

## **3.8 Transportation**

### **3.8.1 General**

The transportation system in Erin provides an important part of the framework for municipal growth and development and a vital municipal service for the public. The Town is committed to developing appropriate policies and standards to ensure that a high quality transportation system is available to the residents, institutions and businesses of the municipality. The transportation system in Erin is shown on Schedule "C"- Transportation Plan.

### **3.8.2 Objectives**

The Town of Erin has set the following objectives with respect to transportation:

- a) To meet the immediate and long term requirements of residents, institutions and businesses with respect to the safe and efficient movement of vehicles and pedestrians within & through the Town.
- b) To minimize adverse effects of the transportation system on the natural environment, existing residential neighbourhoods and the aesthetic character of

the Town;

- c) To provide appropriate linkages between local, County and Provincial road systems which may include an Erin Village by-pass;
- d) To encourage the development of safe and efficient pathways and trails in the Town which promote walking/biking, reduce dependency on motor vehicles and minimize the conflict between pedestrian and vehicular traffic; and
- e) To provide a transportation network for pedestrians and automobiles safe from hazards such as flooding and erosion. Transportation networks should be designed to have no negative impact to flood conveyance.

### 3.8.3 Functional Classifications

The Town of Erin recognizes the following functional classification of roads:

- a) **Arterial** roads serve high volumes of intra-urban traffic at moderate speeds with limitations on property access and rights-of-way shall be 30 metres. Arterial roads generally consist of County Roads, but some municipal roads may also be designated as arterial roads.
- b) **Collector** roads serve a moderate amount of traffic and are used primarily to collect traffic from local roads and channeling it to arterial roads. Access to individual properties is allowed and rights-of-way shall be a minimum of 26 metres.
- c) **Local** roads serve a low volume of traffic and provide access to individual properties. Rights-of-way shall be 26 metres.
- d) Arterial and collector roads are identified on Schedule "C" of the Official Plan. All other roads on the schedules are considered local roads.

### 3.8.4 Proposed Roads

- a) Proposed arterial or collector roads are also identified on the land uses schedules of this Plan and may be required to meet transportation needs within the planning period. The required right-of-way may be obtained by appropriate roads authority through dedication under the Planning Act, purchase or expropriation. The alignment of proposed roads shall be considered approximate and minor adjustments shall not require an amendment to this Plan.
- b) New development proposals shall not diminish the ability to develop proposed roads as identified in this Plan.
- c) The establishment of new local roads shall not require an amendment to this plan. New local roads will normally be established through plans of subdivision.

- d) To provide alternate routes to the existing pattern of concessions and sideroads, links to adjoining lands will be required within proposed developments, where appropriate.

### 3.8.5 Road Design

The design and construction of all roads and sidewalks under or proposed to be under the jurisdiction of the Town of Erin will be guided by the adopted by Council through by-laws.

The design, construction and transportation improvements necessitated by any subdivision, development or re-development shall be paid by the developer as determined by agreement with the Town.

### 3.8.6 Road Widening

All road widening shall take place in conformity with the standards outlined in Section 3.8.3 where deemed necessary by Council. Privately owned land required for road allowance widening may be acquired by the appropriate road authority through the purchase, expropriation, dedication as a condition of subdivision, severance or site plan approval, or other appropriate means.

- a) For the purposes of Section 41 of the Planning Act dealing with site plan approval, the following roads shall be considered to be in need of widening:

Road Allowance	Existing Width	Required Width
1. Centre Street	11.43 metres	20 metres
2. Charles Street	7.62 metres	20 metres
3. West Church Blvd.	12.19 metres	20 metres
4. Lions Park Drive	12.19 metres	20 metres
5. Hillview Avenue	15.24 metres	20 metres
6. Main Street	20.11 metres	30 metres
7. March Street	12.19 metres	20 metres
8. Sunnyside Drive	11.43 metres	20 metres
9. Union Street	12.19 metres	20 metres
10. William Street	11.43 metres	20 metres

These roads are all located within the Erin Urban Area.

- b) Road widening in excess of road allowance requirements may be required at any intersection for the purpose of providing daylight triangles, land channelization, or



locations for traffic control devices. Road widening in excess of the road allowance requirement may also be required along any major roads to accommodate auxiliary turning lanes that will provide better access to land uses that are major traffic generators. The Town may also consider acquiring road widenings in other locations which they deem appropriate by way of condition of subdivision, severance or site plan approval to ensure safety and efficiency of vehicular and pedestrian access.

- c) Generally, road widening will be taken equally on both sides of a road as measured from the centreline of the road allowance. Where physical or other conditions necessitate a widening on one side in excess of an equal amount, only the portion of the required widening that represents an equal amount shall be obtained as dedication under the Planning Act.
- d) The Zoning By-law may establish setback requirements from the centreline or the limit of the required road allowance. The Zoning By-law may also recognize, as legal uses, properties which do not conform to lot area or setback requirements due to road widening.

### **3.8.7 Traffic Impact Assessment**

Where a development proposal will add significant volumes of traffic to the road system or is to be located in an area with recognized deficiencies, Council may require a traffic impact assessment in accordance with Section 5.16 of this Plan.

### **3.8.8 Municipal Gateways**

The Town encourages the strategic treatment of landscaping features, signage, the configuration of streets and massing of new development to enhance gateways into the Town and its Urban Areas, thereby creating a pleasing visual experience when entering these areas.

### **3.8.9 Pedestrian Traffic**

It shall be the policy of the Town that pedestrian traffic be encouraged and that the overall transportation system shall accommodate the safe movement of people who choose to walk. This shall be accomplished by:

- a) Requiring sidewalks when new development is proposed in an area not adequately served by sidewalks;
- b) Developing a sidewalk construction program with emphasis on providing sidewalk access to the downtown, schools, major institutions and along major streets;
- c) Requiring proper signage and/or traffic control devices where warranted by major pedestrian movements; and

- d) The development of a walking trail system within the Town making use of various natural amenities such as the West Credit River valley lands, rolling hills and other physical features and utilizing existing and future parks, sidewalks, and the Elora Cataract Trailway. The development of walking trails may be obtained by the Town through dedication under the Planning Act, purchase or expropriation.

## **3.9 Parking**

### **3.9.1 General Policy**

It shall be the policy of the Town of Erin to ensure that adequate off-street parking and loading facilities, including access to such facilities, are safe from hazards of flooding and erosion and are provided to meet the needs of various use of lands. In addition, the Town:

- a) Shall set out standards for parking and loading in the Zoning By-law for all land uses;
- b) May acquire, develop and operate parking facilities; and
- c) Shall ensure, through the site plan approval process, that adequate off-street parking and loading facilities, including access to such facilities, are provided.

### **3.9.2 Alternate Parking Sites**

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

- a) The alternative site is within a convenient walking distance of the proposed development;
- b) The developer enters into an agreement with the Town to ensure the continued availability of the alternative site as a parking area; and
- c) All other requirements of the Zoning By-law can be met.

### **3.9.3 Cash-in-Lieu**

Where a development cannot provide adequate off-street parking on site, the Town may require a cash payment in lieu of required parking, in accordance with the provisions of the Planning Act and as deemed appropriate by Council, to assist the Town in providing alternative off-street parking facilities.

### **3.9.4 Downtown Area**

The Council recognizes that many downtown uses are not normally able to provide off-street parking and, therefore, the regulations within the Zoning By-law may address this situation.

Where practical, Council may provide, or co-operate to provide, additional parking facilities in or near the central business district. In addition, Council shall encourage the efficient arrangement and use of on-street parking in the central business district.

### **3.10 Culture of Conservation**

It shall be the policy of Council when considering development or re-development to encourage, where practical, measures that create a culture of conservation. These measures shall include water conservation, energy conservation, air quality conservation, integrated waste management and cultural heritage conservation.

### **3.11 Parkland**

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

#### **3.11.1 Parkland Dedication**

As a condition of the development, redevelopment or division of land, the Town shall require for park purposes:

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

#### **3.11.2 Suitability of Land**

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

- a) Lands adjacent to established parks, school yards or storm water management areas;
- b) Lands within easy walking distance of the residential area served;
- c) Lands located near any area of multiple residential development;
- d) Lands with adequate street frontage to provide for visibility and safety,
- e) Lands that are level, regularly shaped and not susceptible to major flooding, poor drainage, or other environmental or physical conditions which would interfere with their development or use for public recreation.

### **3.11.3 Cash-In-Lieu of Parkland Dedication**

The Town of Erin may require cash-in-lieu of parkland, as provided by the Planning Act, under the following circumstances:

- a) Where the amount of parkland to be dedicated, in accordance with The Planning Act, is of insufficient size, in the opinion of Council, to be usable for normal public recreational activities;
- b) Where an area is adequately served by municipal or other open space lands;
- c) Where the Town wishes to combine the parkland dedications of a number of small developments to provide for one large park area; and
- d) Where the required dedication would render the remainder of the site unsuitable or impractical for development.

Cash-in-lieu payments shall be placed in a separate account and used for the acquisition, development or maintenance of parks or other recreation facilities within the Town.

### **3.11.4 Other Lands Suitable for Parkland**

The municipality may accept additional lands over and above the required parkland dedication and may incorporate these lands into the Town's park system. Such lands could be important to the Town's open space resources. Such land may include: Storm water management areas;

- a) Storm water management areas;
- b) Land having environmental or physical conditions which render them unsuitable for development; and

- c) Land which is suitable for the development of a linear corridors throughout the Town for such uses as wildlife corridors and pedestrian and biking trails.

While the Town may accept dedication of such land, compensation, financial or otherwise, will not normally be considered.

### **3.11.5 Parks and Recreation Master Plan**

The Town of Erin may prepare a Parks and Recreation Master Plan. This Plan generally:

- a) Outlines all open space areas, recreational facilities, cultural programs, recreational programs and special events operated by various providers in the Town;
- b) Identifies community needs with respect to the above programs, etc.;
- c) Assesses the need for additional recreational lands, facilities and programs; and
- d) Outlines an implementation plan for the planning and development of recreation and cultural facilities or programs, including the investigation of, and prioritization of sources of funding for such facilities and programs.

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

### **3.11.6 Natural Heritage Corridor**

The Town encourages the development of continuous greenspace corridors throughout the Town by connecting parks and open space lands with natural heritage features.

## **3.12 Land Use Compatibility**

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

### **3.12.1 Noise**

Where it is proposed that sensitive land uses, including residential development, be located adjacent to sources of noise which are potentially excessive such as certain industrial facilities, transportation corridors or aggregate operations, the Town will endeavor to ensure that adequate noise attenuation measures are provided.

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

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

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

Where development is proposed by plan of subdivision, the approved noise control measures shall be included in the fully executed subdivision agreement which shall be submitted to the Ministry of Environment for review prior to registration of the Plan.

In addition to any noise impact mitigation measures, other mitigation and buffering measures such as setbacks, intervening berms and security fencing may be required as a condition of subdivision approval or other development approvals.

### **3.12.2 Site Re-Use**

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

All identified sites which may be contaminated must be investigated thoroughly and a clean up plan prepared in accordance with the Ministry of Environment policies and guidelines prior to any approval in principal for redevelopment of the site being granted. An MOEE acknowledged Record of Site Condition may be accepted as evidence that the site is not contaminated and no remediation is required or indicating that the required site remediation has taken place. A legally binding commitment to implement the clean up will also be secured.

### **3.12.3 Industrial Uses**

Council shall strive to maintain compatibility between sensitive land uses and industrial facilities. Measures to ensure land use compatibility, which may include

land use separation, shall be required between incompatible land uses. Minimum separation distances may vary depending on the nature of the industrial facility and the intervening land uses. Where appropriate separation distances are required, they shall be established in consultation with the Ministry of Environment.

#### **3.12.4 Waste Disposal Sites**

The management of waste disposal sites and transfer stations located in the Town of Erin is the responsibility of the County of Wellington. A 500 metre radius surrounding the facility shall be considered a potential influence area of a waste disposal site. Where development is proposed within the area of influence of land use for waste disposal:

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

Where necessary, development will incorporate measures, as required by the Town, County or the Ministry of Environment, including technical controls, buffering or rehabilitation, to prevent any adverse environmental effects having an impact on the proposed development. Where technical controls are required, residential development may not be permitted on, or adjacent to, an existing or abandoned landfill site.

The Town will rely on the County to monitor abandoned municipal waste disposal sites and transfer stations for contaminant migration and other hazards. The former land fill sites for the Township of Erin and Village of Erin are shown on Schedules A-1 and A-2 respectively.

Where a new waste disposal site or waste transfer station is proposed an amendment of this Official Plan is required.

#### **3.12.5 Conversions**

Conversions of employment lands (industrial and Highway Commercial) within employment areas to non-employment uses which, for the purposes of this subsection includes major retail uses, may be permitted only through a municipal comprehensive review where it has been demonstrated that;

- a) There is a need for the conversion;
- b) The municipality will meet its employment forecast allocation;

- c) The conversion will not adversely affect the overall viability of the employment area, and achievement of the intensification target, density targets, and other policies of this Plan;
- d) There is existing or planned infrastructure to accommodate the proposed conversion;
- e) The lands are not required over the long term for the employment purpose for which they are designated, and
- f) Cross-jurisdiction issues, if any have been considered.

### **3.13 Community Design**

The Town plans to achieve high standards in the physical design of the built and natural environment in its Urban Centres. The high standards relate to overall quality, environmental sensitivity, sustainability, efficiency, affordability, accessibility, achieving a sense of place and identity, and providing for public safety and security. High design standards will apply equally to individual sites as well as to new subdivisions and to the community in its entirety. Design guidelines should recognize the unique rural, low density form of development which predominates in the Town. The objective is that when people live, work and visit in Erin they will have a tangible sense and impression that the Town is a well planned and well designed community.

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

#### **3.13.1 Objectives**

- a) To achieve a high standard of architectural design in the built environment which is based on compatibility of new urban development with the existing pattern of urban development and between new buildings and existing buildings.
- b) To achieve a varied pattern of built form which supports and enhances the urban experience through architectural design which addresses both aesthetic and functional requirements.
- c) To enhance the relationship between the built environment and the Town's natural heritage resources.
- d) To enhance the unique character of a district, neighbourhood, grouping of buildings or prominent building, based on an analysis of their identifiable architectural characteristics; and specifically within the downtown areas through



attention to massing, proportion, facade articulation, architectural detail, materials, and their successful integration.

- e) To identify and encourage the maintenance and enhancement of “gateway” entrances, both from a vehicular and pedestrian point of view, into the Urban Centres. Gateway entrances should reflect the unique character of the area where they are located.

### **3.13.2 Guidelines**

- a) The Town shall encourage the preparation of urban design and site planning guidelines which shall be applied to all development proposals. The Town may also establish from time to time urban design guidelines that apply to a specific area or development proposal.
- b) In general terms, the following urban design factors shall be used to determine the acceptability of development proposals:
  - i) The extent to which the proposal attains the pertinent urban design objectives and policies of this Plan; and
  - ii) The extent to which the proposal fits within any Council-approved Urban Design Guidelines which are applicable to a development site, its local area, and/or its neighbourhood or district.
- c) Urban Design Guidelines shall generally ensure that proposed developments:
  - i) Are compatible in architectural form with abutting neighbourhoods;
  - ii) Form a cohesive and unified cluster of buildings which are architecturally compatible with each other;
  - iii) Provide links with the pedestrian, cycle and vehicular routes on their perimeter by such means as the extension of existing pathways and local streets into or through the site; and
  - iv) Maintain and enhance remaining elements of valued historic development patterns in the layout of new development.
- d) New development located within an existing established district or neighbourhood will be designed as an integral part of the area’s existing larger pattern of built form and open spaces such as building mass, height, proportion, enclosed volume and position relative to street and site.
- e) The preservation of the existing pattern of setbacks in the existing urban area shall be supported so that new buildings do not substantially alter the street

relationship.

- f) New developments within the downtown areas should support the creation of continuous building façades along streets frequented by pedestrians.
- g) The street façades of publicly accessible buildings should be designed to encourage and facilitate public accessibility.
- h) Except in the industrial designations building functions which do not directly serve the public, such as loading bays, and blank walls, should not be placed directly along the street.
- i) Community facilities, retail shops and similar uses on the ground floor should be located at grade and approximately level with the adjacent sidewalk.
- j) Signage should clearly indicate street address and/or building, business or tenant name, and should integrate with the façade design.
- k) The preservation of important views from strategically located viewpoints, and the preservation of significant sequences of views of particularly important landmarks and features shall be encouraged to the extent possible.
- l) The placement of a broad range of artworks in publicly accessible and visible locations such as parks, streets, plazas and on buildings shall be encouraged, particularly those which foster civic identity by reflecting and/or interpreting the local history, traditions, culture and values of citizens.

### **3.13.3 Landscape Design**

The Town shall ensure that as many trees and other vegetation as possible are retained on site subject to development. The Town may require submission of a tree inventory and saving plan for an application, with priority being given to trees and other vegetation most suited to adoption of post-construction conditions, through the following criteria:

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

- c) By establishing specific landscaping requirements in site plans for private development and for public projects which ensure the provision of trees and other vegetation in appropriate numbers, sizes, shape, texture and colour to achieve such as to:
  - i) maintain and enhance the character of existing neighbourhoods and settlement areas and other areas of the Town;
  - ii) provide features such as the definition of public open spaces, accent or screening of adjacent building forms, framing of views or focal points, reinforcing of location, direction of pedestrian movement and demarcation of areas within different functions; and
  - iii) provide the maximum protection feasible to trees and other vegetation from snow removal operations such as ploughing and de-icing.
  
- d) By establishing specific landscaping requirements in site plans for private development and for public projects which ensure the provision of trees and other vegetation which:
  - i) utilize native species unless the characteristics of the site require alternate species;
  - ii) are tolerant of disease, drought and pollutants;
  - iii) suitable for the site with respect to soil and drainage conditions, similarity to other plants, relative shade tolerance and overall hardiness;
  - iv) provide seasonal variation in form, colour and texture;
  - v) generally requires low maintenance and features and materials which enhance ecological stability;
  - vi) reflect the following aesthetic criteria: suitable mature dimensions, branching habits, shade pattern, colour and texture of foliate and bark;
  - vii) reflect the following functional criteria: density of shade, density of visual screening in all seasons, sound attenuation qualities, and ability to buffer wind, control snow deposition and stabilize slopes;
  - viii) limit mown turf grass to areas of high pedestrian traffic, active recreation and landscape ornament in order to maximize areas inhabited by diverse, low maintenance native meadow plant communities and
  - ix) that no invasive species be utilized.

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

### **3.14 Tourism**

#### **3.14.1 Objectives**

- a) To maintain and strengthen the Town's identity and reputation as a natural heritage and cultural tourism centre;
- b) To facilitate the establishment of complementary and support activities to meet the needs of the visitor population;
- c) To protect and enhance the natural and heritage assets of Erin which are a vital part of its tourism image;
- d) To protect, wherever feasible, residential neighbourhoods from the unwarranted intrusion of traffic, noise and other adverse impacts which are capable of being generated by tourism activity.

#### **3.14.2 Tourist Promotion**

Council will continue to promote Erin as a natural heritage and cultural tourism destination as its central focus and will endeavour to attract new tourism related activities which complement this central focus.

#### **3.14.3 Tourist Resources**

The Town will protect and enhance its parks and open space systems, and downtown cores in view of the importance these elements have on the area's tourism image and their special interest to visitors.

#### **3.14.4 Tourist Accommodation**

The Town will encourage the establishment of new accommodation establishments and upgrading of existing facilities in order to provide the widest variety possible to meet the needs of all visitors. This will include provision for bed and breakfast establishments in accordance with Section 4.7.7 of this Plan.

#### **3.14.5 Tourism and Heritage**

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

### **3.15 Economic Development**

#### **3.15.1 Overview**

The Town's economy is mostly dependent on agriculture, aggregate operations, existing industry and commerce, home based business, tourism and recreation.

The Official Plan will address economic sustainability for the Town of Erin through creation of fiscal and economic policies. Economic development policies are intended to provide a cohesive platform to provide support services for the existing businesses in the Town of Erin as well as create new mechanisms to encourage new businesses to establish themselves in the Town.

#### **3.15.2 Objectives**

- a) To encourage industrial, commercial and other assessable non-residential growth in the Town, in particular, through economic development in areas of competitive advantage.
- b) To protect the economic viability of the Town, while providing adequate levels of municipal services.
- c) To ensure that new economic development is compatible with the existing form of development in the Town by encouraging "clean, green" types of industry.
- d) to create additional jobs in the community to enable a greater proportion of the population to live and work in the Town of Erin.

#### **3.15.3 Economic Development Policies**

- a) Recognizing the potential financial benefits of additional industrial/commercial development, the Town shall endeavour to:
  - i) commit an effective level of financial resources and staff effort to providing information and developing promotional strategies that will attract such development;
  - ii) streamline any necessary approval process associated with industrial or commercial development proposals;
  - iii) ensure at all times , the availability of an adequate supply of appropriately located designated and serviced land for industrial or commercial purposes;
  - iv) review its parking standards, building setback, landscaping and site plan standards, from time to time, considering changing market trends, to ensure

- that appropriate standards for industrial or commercial uses are maintained;
  - v) ensuring that the telecommunication infrastructure of the community meets the current needs of business; and
  - vi) consider the use of available financial mechanisms, such as the provisions of the Development Charges Act to encourage economic development and ensure that growth related capital costs are met by development.
- b) In order to generate additional industrial and commercial growth, the Town shall develop policies to facilitate economic development in key areas of competitive advantage such as:
- i) tourism and recreation opportunities;
  - ii) home based occupations, small business, and agricultural related business;
  - iii) knowledge based industries; and
  - iv) storage and transportation opportunities.
- c) Encourage the retention and expansion of the existing base of industry, identifying and meeting the needs of existing businesses and exemplifying a proactive and anticipatory attitude towards business investment and development;
- d) New commercial and industrial development may be required to complete a fiscal impact analysis in accordance with Section 15.15.5 of this Plan to ensure that the proposal will not have an adverse financial impact on the municipality,

#### **3.15.4 Establishment of an Economic Development Committee (EDC)**

The Town shall consider the establishment of an Economic Development Committee (EDC) to assist Council with matters pertaining to the establishment of new business and the support of existing business.

The responsibilities of an EDC generally include the following;

- a) To advise the municipality on the development of official plan policies, economic development strategic plans and economic development guidelines
- b) To gather and prepare an inventory of existing businesses in the Town
- c) To develop and promote opportunities for economic development awareness and public education

- d) To promote clean business and industry, having respect for the natural environment
- e) To develop a marketing plan to encourage new, clean, light industry to locate in the designated industrial area of the Town.
- f) To develop resources for business support and improvement
- g) To consult with the Town's staff and Committees where appropriate
- h) To liaise with the Regional Economic Development Team at OMAF, local agricultural association, the local tourism associations, the local Business Enterprise Centres and the Town of Erin BIA.
- i) To advise council on any other economic development issue facing the Town.

## **Section 4.0 Land Use Policies**

### **4.1 General**

The applicable policies of Section 3 General Policies shall be considered in conjunction with the appropriate policies under this Section.

In addition the applicable policies of the County of Wellington Official Plan shall apply to all lands within the Town of Erin. The policies of this Official Plan must conform to the policies of the County Official Plan, and should be read in conjunction with that plan.

### **4.2 Agricultural**

#### **4.2.1 Overview**

The basic objective for areas designated Agricultural on Schedule "A-1", is the promotion of agriculture and related uses, as the long term land use within the area. The policies serve to protect the soils resource base and encourage ongoing agricultural and related land use.

The agricultural designation is split into two designations. Prime Agricultural areas will be protected for farming uses.

Secondary Agricultural areas of non-prime farmland will be identified. While farming will be the main land use in these areas, a broader range of residential, employment and community uses will be allowed than in prime agricultural areas so long as the use does not adversely impact existing agricultural operation and is in keeping with the rural character of the area.

#### **4.2.2 Prime Agricultural Areas**

Prime Agricultural Areas consist of primarily Class 1 to Class 3 soils under the Canada Land Inventory for Agriculture system.

The use of lands in the Prime Agricultural Area designation shall be guided by the policies of Section 6.4 of the County of Wellington Official Plan. The creation of new lots will be guided by Section 10.3 of the County Official Plan.

#### **4.2.3 Secondary Agricultural Areas**

Secondary Agricultural Areas consist of lands within the rural area which are determined to be non-prime farmland, generally consisting of Class 4 to 7 and Organic Canada Land Inventory for Agriculture ranked soils, but which can sustain certain agricultural activities.

It is intended that agriculture will continue to be the dominant use in areas designated Secondary Agricultural, Minimum Distance Separation (MDS) requirements will continue to apply. Where a development application is made an adjacent landowner may request that an MDS II calculation be made to consider his potential for expansion and to be considered as part of the review of the application.

The use of lands in the Secondary Agricultural Area designation shall be guided by the policies of Section 6.5 of the County of Wellington Official Plan. The creation of new lots will be guided by Section 10.4 of the County Official Plan.

### **4.3 Greenlands**

#### **4.3.1 Overview**

The Core Greenlands designation as illustrated on Schedule A-1, A-2 and A-3 of the Plan apply to a variety of natural heritage resource features found in the Town. These features have varying levels of significance or sensitivity. The Greenland designation includes a Core Greenlands component where no development is permitted and a Greenlands portion where some development may occur subject to the preparation of an Environmental Impact Assessment satisfactory to the Town, the applicable Conservation Authority and other applicable agencies.

General policies applying to the natural heritage resources are found in Section 3.1 of this Plan. Greenlands policies will not limit the ability of agricultural uses to continue.

#### **4.3.2 Core Greenlands Designation**

##### **a) Definition**



The Core Greenlands designation includes;

- provincially significant and other wetlands
- habitat of endangered or threatened species
- floodways and hazardous lands

b) Permitted Uses

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

- i) There are no negative impacts on core Greenland features and functions and no significant negative impacts on other natural heritage features and functions;
- ii) Any natural hazards present can safely be overcome so there is no threat to public health or safety.

Limited agricultural activities and other existing land uses are also permitted.

c) Flooding and Hazard Lands

The Core Greenlands includes areas subject to flooding and other hazardous conditions. Development will be directed away from areas in which conditions exist which would pose a threat to public health and safety.

New development and site alteration will not be permitted within the floodplain or the valley corridor. Proposed development and site alteration for uses already within the floodplain and on existing lots of record shall comply to the policies of the applicable Conservation Authority and the Province of Ontario. Institutional uses, electrical substations and hazardous use will not be permitted within the floodplain. The boundaries of the floodplain may change from time to time and amendment to the Town's Official Plan is not required for this purpose.

d) Zoning

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

Zoning by-laws may recognize existing land uses in Core Greenlands areas, and, where appropriate, provide for reasonable expansions or minor alterations subject to demonstrations that there will be no negative impacts on the core greenland feature.

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

#### **4.3.3 Greenlands Designation**

##### **a) Definitions**

The Greenlands designation consists of other significant natural heritage features including fish, wildlife and plant habitat, areas of natural and scientific interest, streams and valleylands, woodlands, environmentally sensitive areas, ponds, lakes and reservoirs and natural links which are also intended to be afforded protection from development or site alteration which would have negative impacts. These areas are often found within the Core greenland. Where they are outside Core Greenlands they are identified as Greenlands.

##### **b) Permitted Uses**

Within the Greenlands designation, all above Core Greenland uses shall be permitted subject to the policies regarding potential impacts. Other uses permitted in the applicable adjacent or underlying designation may also be permitted provided the development conforms to policies of the applicable adjacent or underlying designation, and there are not significant negative impacts on the Greenlands.

#### **4.3.4 Adjacent Lands**

For purposes of this section of the Plan, adjacent lands are considered to be:

- a) lands within 120 metres of a provincially significant wetlands;
- b) lands within 30 metres of all other Core Greenlands and Greenland areas.

Where development is proposed on adjacent lands an Environmental Impact Assessment will be required in accordance with Section 5.16.3 of this Plan.

#### **4.3.5 Mapping of Core Greenlands Features**

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

Whenever the County Official Plan is amended to incorporate new or updated mapping of its Greenland System, this Plan shall also be amended.

## **4.4 Mineral Aggregate Resource Areas**

### **4.4.1 Introduction**

Mineral aggregate resources, mainly sand and gravel, are necessary to the economic life of the Town, the County and the Province. These resources are vital for road construction and maintenance, and the entire building industry. Sand and gravel are non-renewable resources for which there is no substitute.

The Town's objective is to ensure that mineral aggregate resources remain available to meet the needs of consumers and can be mined in a manner which minimizes the disturbance to the community and the natural environment.

Mineral Aggregate Areas are areas of high potential for mineral aggregate extraction identified using information provided by the Ministry of Natural Resources.

### **4.4.2 Applicable Designation**

Mineral aggregate areas with high potential for mineral aggregate extraction are shown as an overlay on Schedule A of the County of Wellington Official Plan. The overlay for mineral aggregate areas only indicates that aggregate deposits are likely to be available. It does not presume that all conditions are appropriate to allow extraction or processing of the resource to proceed.

An amendment to the local Official Plan shall be required in all cases where there is a proposal for mineral aggregate extraction outside of a mineral aggregate area.

### **4.4.3 Applicable Policy**

The use of lands for extraction of mineral aggregate resources will be guided by the policies of Section 6.6 of the County of Wellington Official Plan. Expansion of existing aggregate operations or the establishment of new aggregate operations will not require an amendment of this Plan but will be subject to the Zoning By-law requirements of the Town of Erin and the licensing requirements of the Ministry of Natural Resources.

## **4.5 Hamlets**

### **4.5.1 Introduction**

There are a number of historical small settlement areas in the Town. Six of these areas are designated Hamlet in this Official Plan - Ballinafad, Brisbane, Cedar Valley,

Crewson's Corners, Orton and Ospringe. The boundaries of these communities are designated on Schedule A-1 and detailed land use plans are shown on Schedule B-1 to B-6.

Traditionally, these small settlements have serviced the surrounding agricultural communities. While they continue to perform this function to some extent, their more recent function is to provide an alternative location for non-farm residential development.

It is the intent of this Plan that some of the Town's growth is to be directed to the six Hamlets. Some of these settlements have environmental constraints such as hazard lands and wetlands. Their growth potential is also limited by servicing constraints such as lack of municipal sewage treatment and water supply services, which are not currently available for any of the Hamlets. Therefore, the ability of these settlements to expand varies and in some cases, future development will be limited to minor infilling and rounding out.

#### **4.5.2 Permitted Uses**

Generally, it is intended that development will be relatively small scale, given the essentially rural context of the Town. Residential development will be low density in order to maintain the existing visual qualities of a small village. Limited institutional uses such as churches and schools, public parks and open spaces, local commercial and small scale dry industrial uses may also be permitted. Individual uses will be regulated by the Zoning By-law.

#### **4.5.3 Lot Creation**

The creation of new lots shall occur in accordance with the policies Section 10 of the County of Wellington Official Plan.

#### **4.5.4 Development Consideration**

New development within the Hamlet designation will be subject to the policies of Section 4.6.3 of this Plan.

#### **4.5.5 Commercial, Industrial and Institutional Development**

Sites proposed for new small-scale commercial, dry industrial or institutional uses shall be suitable for the provision of necessary water supply and sewage disposal systems and shall be in keeping with the type and scale of existing development.

Council shall strive to ensure compatibility between various land uses, particularly between any industrial use and a sensitive land use such as residential. Appropriate mitigation, including buffering and land use separation, shall be provided between incompatible land uses.

#### **4.5.6 Hamlet Expansion**

It is the policy of this Plan to limit growth in areas without municipal services. Hamlet expansions of more than 5 residential lots or units will not be allowed. The expansion must be based on a municipal comprehensive review that includes an analysis of need under the County's growth strategy, alternative locations, and potential impacts

### **4.6 Country Residential**

#### **Section 4.6.1 Country Residential**

Country Residential Areas are low density rural subdivisions on individual services. New Country Residential Areas are not allowed.

##### Permitted Uses

Residential uses in single detached houses at low densities are allowed in Country Residential Areas.

### **4.7 Residential**

#### **4.7.1 Overview**

The single-detached home is the dominant housing type in Erin and this situation is expected to continue. However, new housing types are needed to provide a greater variety of residential accommodation as well as a more affordable housing supply. The Official Plan anticipates that semi-detached, townhouse and apartment dwellings will be developed to respond to this need and that these units may eventually account for at least one quarter of all housing units in the Town.

The municipality is strongly committed to preserving the character and integrity of existing residential areas and will make reasonable efforts to ensure that development is compatible with established neighbourhoods. The municipality is also committed to ensuring that controlled growth and development occur within the community in order to maintain and enhance the small-town character of Erin's Urban Centres.

#### **4.7.2 Objectives**

The Town of Erin has set the following objectives for residential development:

- a) To ensure that an adequate supply of land is available to accommodate anticipated population growth over the planning period;
- b) To provide a variety of dwelling types to satisfy a broad range of residential

- requirements and ensure that affordable housing is available;
- c) To manage the rate of growth and the amount of residential development within the Town in order to maintain and enhance the small town character of the community;
  - d) To support the development, at appropriate locations and densities, of residential facilities that meet the housing needs of persons requiring specialized care;
  - e) To ensure that an adequate level of municipal services will be available to all residential areas;
  - f) To minimize potential compatibility issues between residential and other land uses;
  - g) To encourage infilling and redevelopment proposals provided they maintain the stability and character of existing neighbourhoods;
  - h) To support the establishment of certain non-residential uses in appropriate locations of the municipality;
  - i) To encourage residential developments which incorporate innovative and appropriate design principles which contribute to public safety, affordability, energy conservation and that protect, enhance and properly manage the natural environment;
  - j) To encourage a high standard of community design consistent with the policies of Section 3.13 of this Plan; and
  - k) To monitor the housing supply by reviewing new development, demolitions, intensification, and the number of affordable housing units brought on stream.

#### **4.7.3 Permitted Uses**

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

Townhouses and apartments, bed and breakfast establishments, group homes and nursing homes, may also be allowed subject to the requirements of the Zoning By-law and the applicable policies of this Plan. In addition, non-residential uses such as schools, churches, clinics, local convenience stores, home occupations, neighbourhood parks and other public facilities may also be permitted within the Residential designation subject to the appropriate Zoning By-law regulations and the policies of the Official Plan.

Garden suites, accessory to existing single-detached homes, are also permitted with the Residential designation, subject to the requirements of Section 3.5.8 of the Plan and in accordance with the Temporary Use provisions of the Planning Act, as amended.

#### **4.7.4 Low Density Development**

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

The character of existing low density residential neighbourhoods should be protected wherever practical and land uses which would cause significant loss of privacy, loss of view, or loss of sunlight due to shadowing or which would be incompatible due to their nature shall be discouraged. Section 4.7 provides additional considerations in this regard.

#### **4.7.5 Medium Density Residential Development**

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

- a) That the design of the proposed development, with respect to building height, setbacks, landscaping and vehicular circulation, will ensure that it will be compatible with existing or future development on adjacent properties;
- b) That the site of the proposed development has a suitable area and shape to provide:
  - i) adequate on-site landscaping to screen outdoor amenity areas both on the site and on adjoining properties, to buffer adjacent residential areas and to improve the overall appearance of the development;
  - ii) on-site amenity areas for the occupants of the residential units;
  - iii) adequate off-street parking and access and appropriate circulation for vehicular traffic, including emergency vehicles; and
  - iv) adequate grading to ensure that drainage from the property is directed to public storm drainage facilities and not to adjoining properties.
- c) That adequate services such as water, sewage disposal, storm water, roads and hydro are available or shall be made available to service the development; and

- d) That a separate zone(s) is established for multiple residential development.

#### **4.7.6 Residential Conversion**

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

- a) That the building is structurally sound and of sufficient size to allow the creation of one or more dwelling units;
- b) That the lot is of sufficient size to allow the required off-street parking without detracting from the visual character of the neighbourhood;
- c) That adequate amenity area is retained on the lot for the use of the residents of the dwelling;
- d) That adequate water and sewage disposal services are provided to accommodate the increase in dwelling units; and
- e) That the exterior appearance of the building is not substantially altered.

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

#### **4.7.7 Bed and Breakfast Establishments**

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

- a) That the dwelling is structurally sound and sufficient size to allow for the creation of one or more rooms for let;
- b) That the lot is of sufficient size to allow the required off-street parking without detracting from the visual character of the area;
- c) That adequate amenity area is retained on the lot for the use of the residents and/or patrons of the bed and breakfast establishment;
- d) That adequate water and sewage disposal services are provided to accommodate the increase in dwelling units; and
- e) That the exterior appearance of the building is not substantially altered.



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

#### **4.7.8 Compatibility of New Development**

There are some older residential neighbourhoods in the Urban centres of Erin and Hillsburgh which have lots with larger than normal frontages and areas. These areas represent a style of development that is typical of rural communities in Ontario and is an important factor in why many people choose to live in the Town. This Plan attempts to preserve the charm and integrity of these neighbourhoods and will make reasonable efforts to ensure that future development is sensitive to and compatible with existing residential development.

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

#### **4.7.9 Home Occupations**

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

#### **4.7.10 Residential Care Facilities**

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

#### **4.7.11 Non Residential Uses**

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

- a) Non residential development should be located on an arterial or collector road; or in close proximity to the Central Business District;

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

## **4.8 Central Business District**

### **4.8.1 Overview**

Central Business Districts are designated in the Erin and Hillsburgh Urban Areas. The predominant use of land in the area designated Central Business District (CBD) on Schedule "A" to the Plan shall be for general commercial purposes.

This Plan attempts to ensure that the downtown areas of the Town are a strong focus for business, administrative, and cultural activities and remains the primary gathering places combining both commerce and social functions.

### **4.8.2 Objectives**

The Town of Erin has set the following objectives for the Central Business Districts:

- a) To ensure that the downtowns remain the primary focus for retail, office, service, administrative and cultural activities;
- b) To provide adequate commercial facilities to serve the needs of the local community and surrounding population;
- c) To maintain and promote compact and people-oriented downtowns by establishing a safe and pleasant pedestrian environment which encourages movement by foot and bicycle rather than by automobile;
- d) To facilitate vehicular and pedestrian movement in the downtowns through improvements to roads, parking areas and pedestrian paths including linkages along the rivers;
- e) To protect the heritage buildings and structures in the downtown areas and ensure that the attractive streetscape is retained and, where possible, enhanced;
- f) To enhance the appearance of and increase access to the natural heritage areas, including the river in the downtown areas for economic and recreational purposes;
- g) To continually improve the image and level of services of the downtowns;

- h) To promote the Central Business Districts and the various commercial and business services it provides; and
- i) To encourage initiatives which endeavour to improve the economic viability of the downtown areas such as the development of residential uses above commercial uses, supporting local groups whose objectives include downtown business improvement and providing other appropriate assistance.

#### **4.8.3 Permitted Uses**

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

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

Certain commercial uses which rely upon and serve primarily vehicular rather than pedestrian oriented traffic, such as automobile sales and service establishments, building supply outlets and motels, are not permitted within the Central Business District and therefore any new uses shall be located within areas designated Highway Commercial. Existing non-conforming uses shall be governed by policies contained in Section 5.7 of the Plan.

#### **4.8.4 Scale of Development**

The Central Business District designation is intended to accommodate the most intensive development within the Town. The Zoning By-law may provide for lower intensity uses in terms of height, density and site coverage where the CBD abuts low density residential areas.

#### **4.8.5 Parking**

The Town shall support the provisions of adequate and well located off-street parking facilities to meet the demands generated by development in the downtown in accordance with the policies of Section 3.8 of this Plan.

#### **4.8.6 Design Considerations**

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

the residential areas.

The Town also encourages the re-use of existing buildings within the Central Business District, where practical.

#### **4.8.7 Expansion Criteria**

The area designated Central Business District, as shown on Schedule A of the Plan, may be expanded to allow new development. In considering proposals to expand the CBD, Council may require a planning impact analysis as outlined in Section 5.16 of this Plan.

### **4.9 Residential Transition Area**

#### **4.9.1 Overview**

The Central Business District is primarily intended to be a retail commercial area with shopping, restaurants and accommodations catering to the traveling public and local needs. Other commercial uses in the Town such as professional offices, clinics, personal services, day care centres, nursery schools, as well as churches and service clubs require sites to serve the community. These uses do not generate the same level of vehicular and pedestrian traffic as retail facilities for shopping, dining and overnight accommodation.

In this regard, the Town has identified a Residential Transition Area as illustrated on Schedule A to provide an opportunity for non-retail commercial uses as well as other community services.

#### **4.9.2 Objectives**

The Town of Erin set the following objectives for the Residential Transition Area:

- a) That all new non-retail uses and service functions shall maintain compatibility with existing residential uses and minimize impacts surrounding land uses;
- b) That the character of the existing residential neighbourhoods shall be preserved;
- c) That the CBD's remain the primary focus for commercial functions by permitting only non-retail uses and service functions within the Residential Transition Area;
- d) That adequate lands are provided for non-retail uses and service functions required to serve the community;
- e) That adequate off-street parking is available;
- f) That heritage buildings are protected; and

- g) That initiatives are supported which improve the economic viability, level of services and aesthetic appearance of the Residential Transition Area.

#### **4.9.3 Permitted Uses**

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

Churches, service clubs and other community-oriented facilities are also allowed. Accessory apartments may also be permitted in the Residential Transition Area, as well as bed and breakfast establishments subject to the policies of Section 4.7.7. The establishment of uses within the Residential Transition Area designation shall comply with the provisions of the Zoning By-law.

#### **4.9.4 Scale of Development**

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

#### **4.9.5 Re-Use of Existing Buildings**

The Town encourages the re-use of existing buildings located in Residential Transition Area designation, where practical.

#### **4.9.6 Expansion Criteria**

The Residential Transition Area, as shown on Schedule A, may be expanded to allow new development. In considering proposals to expand this area, Council may require a planning impact analysis as outlined in Section 5.16 of this Plan.

### **4.10 Highway Commercial**

#### **4.10.1 Overview**

The predominant use of land within areas designated Highway Commercial on Schedule A shall be for commercial uses serving the traveling public or uses not considered compatible within the downtown areas.

The main streets of both Erin and Hillsburgh support considerable volumes of through traffic which requires access to goods and services such as automobile

service, food and other items. The traveling public can best be served by providing appropriate commercial areas with access and visibility from this major road. In addition, certain commercial uses, due to their nature, require large sites to accommodate their associated buildings, storage and parking requirements which are either not available or suitable within the downtown area of the community. Appropriate commercial areas for such land uses are required.

#### **4.10.2 Objectives**

The Town of Erin has set the following objectives for highway-oriented commercial development:

- a) To provide commercial services for the traveling public;
- b) To provide sites for commercial uses which require large lots for buildings, storage and parking and which cannot locate in the downtown areas; and
- c) To provide, on a limited basis, convenience facilities to serve the daily needs of the local residents.

#### **4.10.3 Permitted Uses**

The Highway Commercial designation as illustrated on Schedule A of the Plan shall accommodate uses catering to the traveling public such as motels, automotive sales and service, general convenience commercial uses, recreational uses, restaurants and banquet halls. Uses such as building supply outlets, wholesale outlets, churches, funeral homes, garden centres, furniture stores, home furnishing centres, liquor, beer and wine stores may also be permitted subject to the provisions of the Zoning By-law.

Residential dwellings accessory to a commercial use may also be permitted, subject to the provisions of the Zoning By-law.

#### **4.10.4 Scale of Development**

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

#### **4.10.5 Access**

Site plan control by-laws and agreements shall be used to limit access to appropriate locations. Access to any road shall be carefully regulated to ensure the safe movement of vehicular and pedestrian traffic.

#### **4.10.6 Location**

Highway Commercial development is encouraged to locate at major intersections as a “node”. “Strip” or “ribbon” style highway commercial development along arterial roads will be discouraged.

#### **4.10.7 Design Considerations**

The Town will encourage site design standards which provide aesthetically acceptable development. Where Highway Commercial areas are adjacent to residential areas, appropriate measures shall be taken to provide adequate setbacks, landscaping and screening and to control design elements which may detract from the residential area.

#### **4.10.8 Expansion Criteria**

The Highway Commercial area as shown on Schedule A may be expanded or new areas may be identified. In considering proposals for new or expanded Highway Commercial areas, Council may require a planning impact analysis as outlined in Section 5.16 of this Plan.

### **4.11 Industrial**

#### **4.11.1 Overview**

The Town of Erin is “open for business” to provide more employment opportunities to complement other development in the Town. In particular “clean” and “technologically smart” industry is encouraged.

Historically, industrial areas within the Erin Urban Area have been concentrated on the north end of the Village. It is anticipated that this land pattern will continue in the future. There is also an industrial area designated in the southeast corner of the Hillsburgh Urban Area which is undeveloped.

#### **4.11.2 Objectives**

The objectives for industrial development in the Town of Erin are:

- a) To diversify the local tax base by increasing industrial assessment;
- b) To provide adequate industrial lands to meet the Town's long term land use requirements;
- c) To limit industrial uses to those which do not discharge large amounts of waste and do not consume large amounts of water, and which will not otherwise be detrimental to the environment;
- d) To ensure that users of the industrial land are "clean" industries which do not

have a detrimental effect on the Town and that any potential adverse impacts of industrial development on the natural environment and surrounding land uses are minimized;

- e) To encourage attractive industrial areas through appropriate design standards; and
- f) To encourage “technologically smart” industries that will complement other uses in the Town.

#### **4.11.3 Permitted Uses**

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

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

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

#### **4.11.4 Water Usage and Sewage Disposal**

All industrial uses shall be connected to public water. All industry shall be of a dry nature, neither discharging large amounts of waste nor consuming large quantities of water. Industries shall be encouraged to recycle their waste water where feasible.

Certificates of Approval for sanitary sewage treatment systems must be obtained from the Ministry of the Environment (MOE) as a condition of approval for industrial development where the design capacity is more than 10,000 litres per day or where more than one sewage system is located on a lot or parcel of land having in total a design capacity of more than 10,000 litres per day. Sanitary sewage treatment systems that have a design capacity of less or where more than one sewage system is located on a lot or parcel of land, having in total a design capacity of less than 10,000 litres per day must be incorporated into the development plans to the satisfaction of the municipality and must be designed in accordance with the Ontario Building Code.

#### **4.11.5 Groundwater Protection**



The Town recognizes the importance of natural groundwater for present and future generations and that drinking water supplies should be protected and preserved. Therefore, existing and future industrial uses within the Town shall be developed in accordance with by the policies contained in Section 3.2 of this Plan.

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

#### **4.11.6 Design Considerations**

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

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

- a) Industrial traffic should be directed away from residential neighbourhoods wherever practical;
- b) Appropriate setbacks, parking requirements, landscaping, screening, outdoor storage, and yard requirements will be placed within the Zoning By-law;
- c) Encouraging buildings which make use of attractive building materials, particularly on the front walls;
- d) The Zoning By-law may contain a variety of industrial zones and shall include provisions for light industrial uses and setbacks from adjacent parks or other sensitive uses;
- e) Visual screening such as planting, fencing or other similar forms of buffering shall be required where an industrial area abuts a residential or institutional area and may be required adjacent to commercial areas. The zoning by-law shall establish standards for buffering in these situations and site plan control shall be applied to development of such properties; and
- f) Separation distances from existing incompatible land uses. The Town will consult with the Ministry of Environment and any other appropriate agency on matters related to this policy.

#### **4.11.7 Scale of Development**

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

adjacent uses of land.

#### **4.11.8 Expansion Criteria**

In considering new Industrial areas or expansions thereto, Council may require a planning impact analysis as outlined in Section 5.16 of this Plan.

### **4.12 Recreational**

#### **4.12.1 Overview**

The Recreational designation on Schedule A of the Official Plan includes private as well as public land which is used for passive and active recreational purposes. However, where land within this designation is under private ownership, this Plan does not imply that it is open to the general public nor that the municipality will acquire such land for public use.

#### **4.12.2 Objectives**

The Town of Erin has set the following objectives with respect to recreational areas:

- a) To provide a wide variety of recreational opportunities for the residents of the community;
- b) To recognize and maintain the natural areas, rivers and their associated valley lands as a unique natural feature and an important community resource;
- c) To co-operate with the appropriate Conservation Authority, local service clubs and other public and private agencies in providing and/or enhancing recreational and cultural facilities for the community;
- d) To obtain land suitable for parkland development in accordance with the policies of Section 3.10 of this Plan;
- e) To improve access to public open spaces wherever appropriate; and
- f) To encourage the development and maintenance of a linear trail system within the Town.

#### **4.12.3 Permitted Uses**

The permitted uses in the Recreational designation as illustrated on Schedule "A" of the Plan may consist of private and public parks, playing fields, playgrounds, arenas, community centres, fairgrounds, picnic areas, curling clubs, lawn bowling greens, hiking/biking trails, golf courses and other recreational uses and facilities. However, for land designated Recreational within the flood plain, no buildings or structures

shall be erected and no placement, movement or removal of fill shall be permitted without the prior written approval of the applicable Conservation Authority.

## **4.13 Future Development**

### **4.13.1 Overview**

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

### **4.13.2 Objectives**

The objectives for areas designated Future Development are as follows:

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

### **4.13.3 Permitted Uses**

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

Consideration may be given to the creation of new residential lots by consent provided such development is in accordance with the policies of Section 5.15 of this Plan.

### **4.13.4 Redesignation of Future Development Areas**

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

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

- a) That a need for additional land is demonstrated by the fact that a substantial portion of the lands designated for development by this Plan are already developed;
- b) That services of all kinds are or can be reasonably and economically provided to the proposed development;
- c) That adequate development plans which indicate the type of development and facilities to be provided (such as, streets, schools, parks and shopping facilities) are or will be made available to the municipality;
- d) That the proposed development is contiguous to and is a logical extension of existing development;
- e) That any required impact studies have been completed to the satisfaction of the Town and other approval agencies; and
- f) That the proponent has entered into any agreements required by the municipality.

#### **4.14 Special Policy Areas**

##### **4.14.1 Overview**

Certain lands within the Town of Erin do not fit into a traditional land use designation at this time. This may be due to their historic development, the need for future studies, servicing requirements or the potential for a mixture of uses or specialized uses. As such, these areas have been designated Special Policy Areas on Schedule A of this Plan.

##### **4.14.2 Objectives**

The objectives for Special Policy Areas are:

- a) To identify those lands in the Town which may have special functions to serve or which need further study of information before their best use can be determined;
- b) To provide direction as to how future approvals for these lands are to proceed; and
- c) To indicate, where possible, the type of studies or information required to determine the appropriate use of these lands.

##### **4.14.3 Policies**

###### **a) Special Policy Area 1 (Stanley Park):**

Special Policy Area 1 is located west of Main Street and immediately to the south of the Elora Cataract Trailway as identified on Schedule "A" - Land Use Plan. These lands currently contain a mobile home park known as Stanley Park. The zoning by-law may recognize this use and may provide for limited expansion if, in the opinion of Council, such development will not have an undue negative impact on the existing mobile homes or surrounding land uses.

Any expansion of this Park will require an Official Plan and Zoning By-law Amendment.

**(i) Mobile Homes**

For purposes of this section, a "mobile home" is a residential dwelling which:

- a) Is designed for year-round occupancy;
- b) May be towed on its own chassis or to be transportable by flat car for use with or without permanent foundation, but shall not include a trailer camper;
- c) May be connected to public utilities including gas, hydro, water and sanitary sewer; and
- d) May consist of one or more parts that can be folded, collapsed, or telescoped during transportation.

**(ii) Mobile Home Park**

The mobile home park is used exclusively for sites which are rented or leased to tenants for the siting of mobile homes. The mobile home park may also consist of recreational and limited commercial uses which serve the residents of the park.

**(iii) Zoning Regulations**

Appropriate regulations for the mobile home park may be included in the Town's Zoning By-law. Zoning provisions should address the following criteria:

- a) Lot frontage, area and setbacks for the mobile home park and individual mobile home sites;
- b) Height, size, floor area, external design and spacing arrangements of mobile homes on each lot;
- c) Parking requirements;

d) Elements of the natural environment such as wetlands, regulatory flood plain, etc.; and

e) Any other regulations as deemed necessary by Council.

**(iv) Development Agreements and Site Plans**

As a condition of approval for any expansion to the existing mobile home park, development agreement(s) between the municipality and the developer or owner may be established and site plans may be required to the satisfaction of Council. The site plans should include the location of mobile home sites, driveways, parking spaces, walkways, roads, parks, service buildings, recreational facilities any other design features deemed necessary and appropriate by the municipality.

Development agreements entered into between the municipality and the owner or developer may address the following issues:

a) Appropriate staging to ensure the provision of adequate services and facilities and to conform to population policies;

b) Installation of concrete pads or piers on each site and the adequate skirting for each unit;

c) Adequate anchors to stabilize each mobile home unit;

d) Installation of a concrete patio on each lot;

e) Removal of tow bars and screening of fuel tanks;

f) Roads, lanes, driveways and parking spaces, and the provision of storm, sanitary and water services shall be constructed to the satisfaction of the Town of Erin and where necessary shall also meet the requirements of the Ministry of the Environment and Credit Valley Conservation;

g) Preparation and implementation of a landscaping plan to cover tree planting, sodding and buffering;

h) A cluster-type arrangement of the mobile homes shall be encouraged;

i) Adequate street and area lighting;

j) Residency shall be restricted to mobile homes which meet CSA standards;

k) A minimum of 8% of the usable lands shall be set aside for recreational

and service facilities;

- l) On-site mobile home sales shall be regulated with respect to area, location, hours of sales, volume of sales and type of sales;
- m) Permanent identification of all lot boundaries;
- n) Facilities to meet the convenience requirements of the residents but shall not include a retail outlet;
- o) Adequate common and individual storage facilities and garbage containers;
- p) Aesthetically pleasing boundary and entrance landscaping;
- q) Agreements regarding internal street maintenance and snow removal;
- r) Agreements regarding rights of entry;
- s) Provisions for storm water management; and
- t) Any other requirements as may be deemed necessary by Council.

**(iv) Flood Plain Lands**

For land designated Special Policy Area 1 within the flood plain of the West Credit River, no buildings or structures shall be erected and no placement, movement or removal of fill shall be permitted without the prior written approval of Credit Valley Conservation.

**b) Special Policy Area 2 (Zumerak Society)**

Notwithstanding any other provisions of this Plan to the contrary, on the land identified as **SPA-2** on Schedule A-1, the permitted uses shall consist of a private recreation facility including a recreation hall and swimming pool and a travel trailer camp or park containing a maximum of eleven (11) units. The travel camp or park shall be developed in accordance with the approved site plan and implementing agreement. The occupation of units within the travel trailer camp or park shall be limited to between April 1st and November 1st of any year.

**c) Special Policy Area 3 (Sopinka/Reed)**

On part of Lot 14, Concession 8, the land designated as Country Residential on Schedule A-1 and known as the Sopinka/Reed proposal will contain a maximum of six (6) lots. The final number of lots and lot layout will be subject to the approval of Credit Valley Conservation and the Town of Erin.





**d) Special Policy Area 5 (Former Erin Public School)**

The land designated as Special Policy Area 5 on Schedule A-2, (the former Erin Public School site) may be used for residential and institutional uses and will be subject to the policies of Section 4.7 of this Plan. Limited commercial uses which are compatible with surrounding uses will also be permitted such as office, clinics, personal services, a day nursery and similar uses. Specific uses will be regulated by the comprehensive Zoning By-Law.

**e) Special Policy Area 6 (Hill Property)**

The land designated as Special Policy Area 6 on Schedule A-2, contains significant areas of floodplain, wetlands, and core Greenlands. Limited residential development may occur outside of these areas; however, a satisfactory Environmental Impact Study shall be undertaken first, to further identify the location of and appropriate setbacks from the above-noted environmental features. On any land that is found to be developable, lot creation may occur by way of consent of the Land Division Committee, subject to the other requirements of Section 10 of the County Official Plan and the proponent entering into a development agreement with the Town of Erin. Individual lots sizes will be regulated through the comprehensive Zoning By-Law.

**f) Special Policy Area 7 (Everdale)**

In addition to agricultural uses, the lands designated as Special Policy Area **SPA-7** on Schedule A-1, known as the Everdale Environmental Learning Center, may also be used for an environmental/educational learning facility with associated residential units. Minor expansion of the existing uses is permitted by this Plan, but only where local approval is given through the passing of an amendment to the Erin zoning by-law. **SPA-7** shall be subject to the Secondary Agricultural severance policies of Section 10.4 of the Wellington County Official Plan.

**g) Special Policy Area 8 (Hillsburgh Landfill)**

The area identified as **SPA-8** on Schedule A-2 is a former waste disposal facility which has been capped. This site may be used as a waste transfer and recycling facility.

Notwithstanding any provisions in this Plan to the contrary, future development may be restricted or controlled on or adjacent to land identified as **SPA-8**.

A landfill constraint area exists within 500 metres of the land used for waste disposal, Future development proposed on or within 500 metres of land used for waste disposal will be subject to the requirements of the Environmental Protection Act and the policies of Section 11.4.5 of the County of Wellington Official Plan.

## **Section 5.0 Implementation and Interpretation**

### **5.1 General**

The Official Plan is to be implemented through the various authorities given to the Town by The Municipal Act, The Planning Act and other statutes and through the provision of municipal services and public works. The Town will make reasonable efforts to review development applications in an expeditious manner subject to the need to be thorough and to consult with the public and various review agencies.

### **5.2 Official Plan Review**

Council shall hold a public meeting every five years to review the Official Plan in accordance with the provisions of The Planning Act. It shall be the responsibility of Council to monitor the Official Plan to ensure that it remains relevant and is responsive to the changing needs of the community. An ongoing monitoring program may include such factors as:

- a) Population, land use, economic and development trends;
- b) Local housing conditions;
- c) The supply and demand for land for various purposes;
- d) The adequacy and availability of municipal services;
- e) Transportation needs;
- f) The state of the natural environment, and
- g) Any other matters as determined by Council.

### **5.3 Official Plan Amendments**

Individuals may request changes to this Plan and Council will ensure fair and timely consideration of such requests.

The Town will require adequate information and studies to demonstrate the impacts of proposed changes and to indicate how various policies in the Plan are met.

The Town will ensure the amendments to this Plan are only considered after appropriate public notice and consultation takes place and that adequate information is made available to allow the public to understand proposed changes.

The Town will also consult with appropriate public agencies to receive their advice on proposed changes in which they have an interest.

## **5.4 Official Plan Interpretation**

### **5.4.1 Technical Amendments**

The following changes to the Official Plan and local Zoning by-laws may be made without the need for a public meeting and without the adoption of a formal amendment to this Plan:

- a) For editorial change including such things as section or page numbering, changing references, provincial statutes or place name changes;
- b) For changing the size, colours or symbols used on maps or the names of places, roads or other physical features;
- c) For consolidation of provisions; and
- d) For deletion of obsolete provisions.

### **5.4.2 Flexibility**

Generally, the policies of this Official Plan are to be given a broad interpretation with a view to furthering its policy objectives. Zoning by-laws or public works that implement the spirit and intent of this Plan shall be considered to conform with the Plan.

Boundaries between land use designations, shown on the attached Schedules have been created to correspond where possible to clearly defined physical features such as existing roads, railway lines, transmission lines, utility corridors, or water courses. However these limits are intended to be interpreted with some flexibility. Provided that the intent of the Plan is maintained, minor adjustments to the boundaries may be permitted without the need to amend the Plan.

Quantitative figures contained within this Plan are also intended to permit flexibility in interpretation. Deviation from such figures will be permitted, as long as the spirit and intent of the Plan is maintained.

### **5.4.3 References to Statutes**

Where any Act or portion of any Act is referred to in this Plan, such references shall be interpreted as referring to any subsequently renumbered sections of the Act and/or changes to the date of the Act.

## **5.5 Public Consultation**

It is a policy of the Town to encourage public involvement in all land use decisions

affected by this Plan. The Town will endeavour to provide information to the general public on all planning matters and proposals in a manner which is informative, understandable, timely and cost effective.

- a) The Town will endeavour to make decision on planning applications as efficiently as possible and in accordance with the general guidelines set out in the Planning Act.
- b) Those submitting applications for development approval are encouraged to engage in pre-consultation with Town, County and Conservation Authority staff prior to submitting an application. The pre-consultation will determine which impact assessments, if any, will be required. Applicants are encouraged to submit their impact assessments, with their planning application. Council may defer making a decision on any planning application until such time as it is satisfied that it has been provided with adequate information upon which to make a decision.
- c) Where a planning or related matter under consideration by the Town has a statutory requirement for public notice and input, the Town may extend the minimum municipal requirements under the Planning Act and provide additional opportunities for public participation where such matters are considered to be complex, have significant or potentially significant adverse impacts, or where significant public interest is generated.
- d) While the planning act requires at least one public meeting prior to any amendment to the municipal plan or zoning by-law, council may consider holding as many information meetings or additional public meetings as it deems appropriate so as to provide the public with a full opportunity to express their views and concerns.
- e) The Town may establish and maintain a register of individuals, interest groups and organizations, businesses, and agencies who have indicated an interest in being kept informed on a regular basis of planning matters and proposals, studies and activities in the Town and will distribute such information to these persons or bodies as it becomes available.
- f) Where a planning or related matter is under consideration by the Town and there is no statutory requirement for public participation under the Planning Act, the Town may provide opportunities for public input prior to making a decision on the matter.
- g) In the preparation of an official plan amendment, community improvement plan, heritage conservation district plan, special study, five year municipal plan review or similar initiative, the Town may appoint an advisory committee or task force of interested citizens and stakeholders as a means of providing pro-active, sustained and substantive input.

- h) At times an amendment to the County Official Plan is required. The Town endorses the current procedure of holding a joint public meeting at the local municipality to consider both the local and county amendments.

## **5.6 Zoning By-laws**

The Town of Erin shall enact by-laws in accordance with The Planning Act to implement this Official Plan. The zoning by-laws shall regulate the use of land and the character, location and use of buildings and structures. No zoning by-law shall be passed unless it conforms to the Official Plan or to a proposed amendment to this Plan approved by Council.

## **5.7 Non-Conforming Uses**

Non-conforming uses are legally established uses of land which do not conform to the Official Plan or Zoning By-law. The long term intent of the Official Plan is to ensure that all uses eventually conform to the policies of the Plan.

Non-conforming uses may vary considerably in the nature and extent to which they do not meet the Town's planning policies and standards. The impact of non-conforming uses on surrounding properties may also vary considerably. The Town acknowledges that a non-conforming status may impose serious hardship on a property owner and that it is appropriate to consider various forms of relief to recognize, extend or enlarge non-conforming uses in a rational manner.

### **5.7.1 Status Zoning**

A legally established use which does not conform with the policies of this Official Plan may be recognized as a permitted use in the Zoning By-law in accordance with its current use and performance standards. A Council may also consider zoning the property to allow a similar or more compatible use or to provide for a limited expansion of the current use. Council shall have regard for the following:

- a) The need for change or extension of use;
- b) The proposed use is not offensive with regard to noise, vibration, smoke, dust fumes, odour, lighting and complies with the Health Protection and Promotions Act;
- c) Compatibility with the surrounding uses of land;
- d) The need for landscaping, screening, buffering and setbacks;
- e) Traffic impacts and parking;

- f) The adequacy of services; and
- g) Impacts on the natural environment.

### **5.7.2 Extensions or Similar Uses**

Where a non-conforming use has not been recognized under Section 5.7.1 the Committee of Adjustment may consider application to extend a non-conforming use or allow a similar or more compatible use of land. In addition to the provisions of the Planning Act, the Committee of Adjustment may have regard to the provisions of Section 5.7.1 of this Plan.

### **5.7.3 Non Complying Uses**

The Zoning By-law may contain separate provisions with respect to uses which are a permitted use of land but do not comply with various regulations such as setbacks, yard requirements and parking standards.

## **5.8 Holding By-laws**

### **5.8.1 General**

Where the use of land for a particular use or uses has been established, but details related to design, servicing, phasing, environmental considerations and other matters have not been completely resolved, the Town of Erin may use holding provisions in accordance with Section 36 of The Planning Act. The symbol "H" or "h" used in association with a zone symbol shall indicate that holding provisions are in effect.

### **5.8.2 Removal of Holding Zone Provision**

When Holding Zone provisions are applied, the zoning by-law shall specify the conditions that must be met before the holding zone symbol can be removed. Prior to removing a holding symbol, Council shall be satisfied that all requirements or conditions specified have been met. Subdivision and development agreements may be used as a means of satisfying Council that removal of the holding provisions is appropriate.

### **5.8.3 Interim Uses**

Where holding provisions are in effect, the use of land may be restricted to any or all of the following uses:

- a) Agricultural uses, excluding intensive agricultural uses;
- b) Uses existing at the date of passing of the holding by-law;

- c) Open space;
- d) A single-detached dwelling;
- e) Accessory uses; and
- f) Any other uses deemed appropriate by Council which are compatible with surrounding uses and which do not adversely impact the future intended uses of the property.

Holding zone provisions passed by Council shall specify the uses that are permitted while the holding zone provisions are in effect.

### **5.9 Temporary Use By-Laws**

In accordance with Section 39 the Planning Act, as amended, Council may pass by-laws to allow for the temporary use of land or buildings to be zoned for a purpose that would otherwise not be permitted by the implementing Zoning By-law. Temporary use by-laws shall define the area and prescribe the length of time the use may exist. Council may authorize temporary uses for a period not exceeding three years and in the case of garden suites for up to ten years. Prior to the expiry of a temporary use by-law, Council may, if deemed necessary, grant further periods of not more than three years each. In enacting a temporary use by-law, Council shall have regard for the following:

- a) The compatibility of the proposed temporary use with surrounding land uses;
- b) The availability of appropriate access to the proposed use;
- c) The proposed design and layout of the proposed temporary use;
- d) The availability of the proposed use to cease when the By-law expires;
- e) The adequacy of proposed services;
- f) The need for any impact assessment studies; and
- g) That the use is in general conformity with the intent and policies of this Plan.

### **5.10 Interim Control By-Laws**

The Town of Erin may pass Interim Control By-laws, pursuant to Section 38 of the Planning Act. Interim Control By-laws allow the municipality to control development in areas where it wishes to review the existing land use and development policies, or where new policies will be developed.

An interim control by-law may be in effect for a period of one year. This may be extended provided the by-law does not go beyond two years of its original date of passage.

An interim control by-law shall only be enacted where Council has, by by-law or resolution, directed that a review or study be undertaken in respect of planning policies in the Town or any defined area or areas thereof. Prior to passing an interim control by-law, Council will ensure that the planning rationale behind the interim control by-law is substantiated and will proceed with the authorized review of planning policies fairly and expeditiously.

## **5.11 Site Plan Control**

The Town of Erin shall use the Site Plan Control powers provided for in Section 41 of The Planning Act, R.S.O. 1990.

### **5.11.1 Objectives**

The objectives of the municipality in using Site Plan Control include the following:

- a) To improve the treatment of site plan details and maintain a consistent municipal development standard in a site plan control area;
- b) To ensure safety and efficiency of vehicular and pedestrian access;
- c) To minimize land use incompatibility between new and existing development through buffering, landscaping, etc.;
- d) To provide functional and attractive on-site facilities such as landscaping and lighting;
- e) To control the placement and provision of required services such as driveways, parking, loading facilities and garbage storage;
- f) To secure easements or grading and alterations necessary for public utilities and site drainage;
- g) To ensure that the development proposed is built and maintained as approved by Council; and
- h) To ensure that appropriate storm water management and erosion and sediment control facilities are designed and implemented.

### **5.11.2 Proposed Site Plan Control Areas**

All lands and property within the corporate limits of the Town of Erin are hereby



designated as a proposed site plan control area. Council may from time to time, by a by-law passed under Section 41 (2) of the Planning Act, R.S.O. 1990, designate the whole or any part of the municipality as a site plan control area.

### **5.11.3 Exemptions from Site Plan Control**

A By-law passed by Council pursuant to Section 41 (2) of the Planning Act, R.S.O. 1990 may exempt certain uses defined therein from Site Plan Control. Without limiting the generality of the foregoing, this may include:

- a) Single detached, semi-detached and duplex dwellings, unless the purpose of site plan control is for grading or drainage purposes or to protect a feature of the greenland system or unless the residential units are part of a land lease project;
- b) Agricultural buildings and structures associated with farming operations of a size and nature typical to the area; and
- c) Buildings or structures for flood control or conservation purposes.

### **5.12 Development Charges**

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

The Town will update its Development Charges By-law to incorporate the infrastructure requirements necessary to accommodate planned growth.

### **5.13 Maintenance and Occupancy Standards**

The Town of Erin may regulate the maintenance and occupancy of property through a property standards by-law under The Planning Act for the purpose of preserving and maintaining structurally sound buildings and improving the aesthetic quality of the Town. Such a by-law may regulate:

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

Property owners may be required to maintain their properties in accordance with minimum standards adopted by the Town.

## **5.14 Committee of Adjustment**

Council has appointed a Committee of Adjustment and delegated its authority to:

- a) Grant minor variances from the provisions of any by-law passed pursuant to Section 34 or 38 of the Planning Act R.S.O. 1990;
- b) Permit the enlargement or extension of a legal non-conforming use;
- c) Permit a use similar to an existing legal non-conforming use, or more compatible with the uses permitted by the by-law; and
- d) Permit a use that conforms with the uses permitted in the by-law, where the uses permitted in the by-law are defined in general terms.

### **5.14.1 Minor Variances**

In consideration of minor variance applications, the Committee of Adjustment shall have regard for the following:

- a) The variance should be minor in nature;
- b) The variance should be desirable for the appropriate development or use of the land, building or structure;
- c) The variance should maintain the general intent and purpose of the zoning by-law;
- d) The variance should maintain the general intent of this Official Plan; and
- e) Any appropriate conditions that should be attached to approval of the variance.

The Committee may also consider whether compliance with the by-law would be unreasonable, undesirable or would pose an undue hardship on the applicant.

### **5.14.2 Extension or Enlargement of Legal Non-Conforming Uses**

When considering an application for an extension or enlargement of a legal non-conforming use, or to allow a use similar to a non-conforming use, or to allow a use more compatible with the permitted uses, the Committee of Adjustment shall have regard for the following:

- a) The use of the property must have been continuous;

- b) The expansion must only be on property originally owned by the applicant;
- c) Conformity with the provisions of Section 5.7 of this Plan.

## **5.15 Lot Creation and Land Division**

A new building lot is created by one of three methods: plan of subdivision, consent, or part lot control exemption. The County of Wellington is the approval authority for these lot creation methods.

### **5.15.1 Plans of Subdivision**

It is the intention of the Town of Erin that new building lots will generally be created by the Plan of Subdivision process. A plan of subdivision shall normally be required when:

- four or more lots (including the retained) are being created, or
- a new road or a substantial extension to an existing road is required, or
- where special concerns or issues exist which would best be dealt with through a plan of subdivision.

Only those plans that generally satisfy the following criteria will be recommended for approval:

- a) The proposed plan of subdivision conforms to the objectives, General Policies of Section 3 and land use designations of this Plan, as well as the County of Wellington Official Plan;
- b) Necessary services, utilities, and community facilities, can be provided to the proposed subdivision;
- c) The proposed plan of subdivision will not negatively affect transportation networks, abutting land uses, and other features of the natural or built environment;
- d) The proposed plan of subdivision is not considered to be premature, and is in the public interest;
- e) The proposed plan of subdivision is compatible with the existing built form of the Town, including adjacent land uses and road patterns; and
- f) The proposed plan of subdivision will not unreasonably impact the financial position of the Town in terms of the cost of providing additional services to the new development.

The Town of Erin may enter into subdivision agreements with an applicant, imposed as a condition to the approval of a plan of subdivision. Items that may be addressed in such agreements may include parkland dedication, road widening dedications, timing of the development or any other items that may be deemed necessary and appropriate by Council.

### **5.15.2 Consents**

Division of land by consent to sever may be permitted when a plan of subdivision is deemed to be unnecessary. When a proposal for consent is considered, it shall be evaluated according to the following criteria:

- a) The undue extension of any major service is not required;
- b) The land fronts on an existing public road which is of a reasonable standard of construction;
- c) Regard shall be had to the provisions of the Planning Act, and to the objectives, policies, and land use designation of the Official Plan;
- d) All parcels shall comply with the provisions of the Zoning By-law. Zoning compliance shall be a condition of the approval of all new lots created by consent;
- e) The size and shape of all parcels shall be appropriate for the intended use, and shall be generally compatible with adjacent lots;
- f) The proposed severance will not unduly contribute to traffic congestion or create a traffic hazard;
- g) The availability of water and sewage services to accommodate the proposed use; and
- h) Compliance with the environmental protection policies of this Plan. A suitable building envelope must be available on the severed and retained portions of the land to the satisfaction of the Town, County, applicable Conservation Authority and any other affected agency.

Lot line adjustments for the purposes of boundary alterations, right-of-ways, easements, and conveyances to abutting may be permitted. In no case, however, shall such a consent result in a lot that does not comply with the requirements of the Zoning By-law.

Detailed policies for consents are contained in Section 10 of the Wellington County Official Plan (attached as Appendix A to this Plan).

### **5.15.3 Part Lot Control Exemption By-laws**

Where land proposed to be subdivided is part of a registered plan or plan of subdivision, Council may pass a by-law exempting any part of such plan of subdivision from the part lot control provisions of the Planning Act. This effectively allows the land to be subdivided without requiring the approval of a consent.

Part lot control exemption is typically used to facilitate the division of individual lots used for semi-detached and freehold street townhouse dwellings, following the registration of a plan of subdivision creating a larger lot or block of land. Part lot control exemption by-laws may be used in other circumstances where a plan of subdivision or consent is deemed to be unnecessary. Prior to passing a part lot control exemption by-law, Council shall be in receipt of a reference plan and shall ensure that any site plan, subdivision or development agreements necessary to ensure the appropriate development of the lot have been executed.

Part lot control exemption by-laws shall provide for the expiration of the by-law within a specified time period or upon conveyance of all or any parts of the reference plan.

#### **5.15.4 Supporting Studies**

In considering the creation of new lots and in particular lots created by plan of subdivision, the Town, in consultation with the County, may require background studies to ensure that the policies of this Plan are appropriately addressed. This may include any impact assessments required under Section 5.16 of this Plan and any preliminary servicing studies.

### **5.16 Impact Assessments**

#### **5.16.1 General**

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

- planning impacts
- environmental impacts
- traffic impacts
- fiscal impacts
- agricultural impacts
- heritage archaeological impacts

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

### **5.16.2 Planning Impact Assessment**

Planning impact assessments may be required to evaluate:

- a) The need for the proposed use other than for aggregate operations, taking into account other available lands or buildings in the Town;
- b) The appropriateness of the proposed site for the use proposed taking into consideration the size and shape of the land and its ability to accommodate the intensity of use proposed;
- c) The adequacy of the proposed method of servicing the site;
- d) The compatibility of the proposed use with consideration given to the height, location, proximity and spacing of buildings; the separation between various land uses; impacts from noise, odour, or other emissions from the proposed use and from adjacent land uses; loss of privacy, shadowing or effect on heritage resources;
- e) The impact on natural resources such as agricultural land and mineral aggregate deposits, if any;
- f) The exterior design in terms of bulk, scale and layout of buildings and other design elements;
- g) The possibility that site contamination has occurred or the site may contain historic petroleum wells or associated works, and if so, demonstrate compliance with provincial regulations;
- h) Methods of reducing or eliminating any negative impacts; and
- i) Other planning matters considered important by Council.

### **5.16.3 Environmental Impact Assessment**

Environmental impact assessments prepared by a qualified person may be required to evaluate the impacts a proposed development may have on the natural heritage resources and greenland areas and the means by which negative impacts may be reduced or eliminated. An environmental impact assessment may include some or all of the following:

- a) A description of the proposal, including a statement of purpose;
- b) A description of the existing land use on the subject lands and adjacent lands, as well as the relevant land use regulations;

- c) An identification of proposed land uses and activities and potential environmental impacts;
- d) A delineation of any environmental constraint area on a site plan;
- e) A description of the terrestrial and aquatic resources, natural and built landforms, surface and groundwater and other significant environmental features or functions on the site;
- f) A statement of the relative environmental and ecological significance of the natural features and functions affected by the proposal; and the potential impacts from the development on these resources including an assessment of ways in which the natural features can be avoided;
- g) A statement of potential impacts on the environmental features and functions and a description of how the negative environmental impacts will be mitigated;
- h) A consideration of the potential for enhancement of environmental features or functions through site design alternatives;
- i) A proposal for monitoring; where needed; and
- j) Such additional concerns as the Town may consider relevant;

The Town may, in consultation with the applicable Conservation Authority, provide consideration for a scoped environmental impact assessment format for use by proponents of development applications which are generally minor in nature with limited potential impacts.

#### **5.16.4 Traffic Impact Assessment**

Where a development proposal may add significant volumes of traffic to a road system or where development is proposed in an area with recognized road deficiencies, the Town may require a traffic impact assessment. The assessment may include any or all of the following:

- a) Pre and post development traffic patterns and volumes;
- b) Structural adequacy and capability of the existing and proposed road system;
- c) Convenience, accessibility and safety of the site for people and vehicles and the effect on traffic customarily on the road;
- d) Sight distance visibility;
- e) Grade (slope) of the road;

- f) Assessment of required right of way width to accommodate required road standard in accordance with municipal servicing standards;
- g) Suitability of the road for all weather conditions;
- h) Suitability of the site or roads for snow plowing and removal;
- i) Pedestrian and bicycle traffic flows and potential conflicts, particularly where schools, senior facilities or other institutional uses are nearby;
- j) Ability of new roads to meet municipal standards;
- k) Means by which negative impacts will be reduced or eliminated; and
- l) Such additional concerns as the Town may consider relevant.

#### **5.16.5 Fiscal Impact Assessment**

The Town may require a fiscal impact assessment where a development proposal or proposals is so substantial that it may:

- a) Create negative impacts on existing commercial facilities to the extent that it threatens the existing commercial life of a traditional downtown or the planned function of other commercial areas; and
- b) Impose severe or unusual financial burdens on the Town's fiscal well-being.

It is not the intent of the Town to regulate competition, but the Town wishes to retain healthy communities and traditional downtowns and protect public investment in our community.

#### **5.16.6 Peer Review**

Where the Town requires an impact assessment to be submitted by an applicant in support of a development, the Town may also commission a peer review of any impact assessments. Normally the cost of the peer review will be borne by the applicant.



# **APPENDIX A**

## **Wellington County Official Plan Policies**

### **Part 10 Creating New Lots**

may be viewed and printed from the Wellington County Website:

<https://www.wellington.ca/en/resident-services/pl-landusepolicies.aspx#Wellington-County-Official-Plan>