



# Bluewater Official Plan

Consolidated April 2024

## **DRAFT Five Year Review Amendment**

Deletions are shown in ~~striketrough~~ and additions are in **bold**  
**and underlined.**

**First Draft – October 2025**

**Second Draft – February 2026**

Second Draft deletions are shown in ~~striketrough highlight~~ and  
additions are in **bold and underlined with highlight.**

Prepared by the Municipality of Bluewater and Huron County  
Planning and Development Department



## Official Plan Consolidation

This document is as consolidation of Bluewater's Official Plan and subsequent amendments made thereto. This compilation is for convenience and administrative purposes and does not represent true copies of the amendments it contains. Any legal interpretation of this document should be verified with the Clerk.

Official Plan Amendment	Applicant/Purpose	Local Adoption	County Approval
1	<u>Hay Mutual Expansion to Zurich Settlement Area</u>	<u>April 2, 2007</u>	
2	<u>Not assigned</u>		
3	<u>Robert Koolen</u> <u>Former church to residential</u>	<u>June 13, 2011</u>	<u>October 4, 2011</u>
4 a	<u>Bayfield Library</u>	<u>February 13, 2012</u>	<u>February 29, 2012</u>
4 b	<u>Bedard</u>	<u>March 18, 2013</u>	<u>May 1, 2013</u>
5	<u>Nakhwal</u>	<u>March 18, 2013</u>	<u>April 2, 2013</u>
6	<u>MDS I Surplus Dwelling &amp; Lot of Record</u>	<u>Municipally initiated. Did not proceed to decision.</u>	
7	<u>Bluewater York Crescent</u>	<u>November 17, 2014</u>	<u>November 28, 2014</u>
8	<u>Northland</u>	<u>January 5, 2015</u>	<u>January 20, 2015</u>
9	<u>IDS Hensall</u>	<u>December 19, 2016</u>	<u>December 22, 2016</u>
10	<u>HDC</u>	<u>May 23, 2017</u>	<u>June 15, 2017</u>
11	<u>Veysey &amp; MacAulay</u>	<u>February 20, 2018</u>	<u>March 6, 2018</u>
12	<u>Five Year Review</u>	<u>July 16, 2018</u>	<u>September 5, 2018</u>
13	<u>931704 Ontario Ltd (Keys)</u>	<u>January 27, 2020</u>	<u>February 3, 2020</u>

14	<u>Garritsen</u>	<u>May 25, 2020</u>	<u>June 30, 2020</u>
15	<u>Keightley 1145236 Ontario Inc</u>	<u>January 25, 2021</u>	<u>February 8, 2021</u>
16	<u>Miklovic 794421 Ontario Inc</u>	<u>January 25, 2021</u>	<u>February 8, 2021</u>
17	<u>Fisher</u>	<u>March 22, 2021</u>	<u>April 6, 2021</u>
18	<u>Cobble Design Holdings</u>	<u>April 6, 2021</u>	<u>May 19, 2021</u>
19	<u>White Squirrel</u>	<u>April 6, 2021</u>	<u>April 14, 2021</u>
20	<u>Thompson</u>	<u>July 12, 2021</u>	<u>July 13, 2021</u>
21	<u>Farhi</u>	<u>Did not proceed to decision.</u>	
22	<u>General Update</u>	<u>January 16, 2023</u>	<u>Feb 13, 2023</u>
23	<u>Bayfield Secondary Plan</u>	<u>November 6, 2023</u>	<u>December 6, 2023</u>
24	<u>Five Year Review</u>		

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## **1. The Plan and its Purpose**

### **1.1. The Official Plan**

This document is the Official Plan for the Municipality of Bluewater. The following text and the maps, noted as Schedules “A” to “M” constitute the Official Plan for the Municipality of Bluewater.

The Plan applies to all lands within the corporate boundaries of the Municipality of Bluewater.

### **1.2 Land Acknowledgement**

We acknowledge Bluewater resides on the traditional territories of the Anishinaabe, Haudenosaunee, and Neutral peoples and is connected to the Dish with One Spoon wampum, under which multiple nations agreed to care for the land and its resources by the Great Lakes in peace.

We also acknowledge the Upper Canada Treaties signed in regards to this land, which include Treaty #29, or the Huron Tract Purchase, signed on July 10, 1827 by representatives of the Crown and certain Anishinaabe Peoples.

We recognize First Peoples’ continued stewardship of the land and water as well as the historical and ongoing injustices they face in Canada. We accept responsibility as a public institution and as treaty people to renew relationships with First Nation, Métis, and Inuit Peoples through reconciliation, community service, and respect.

We acknowledge the direct correlation between land use planning and these traditional lands. We commit to engaging in meaningful consultation with local Indigenous peoples as it pertains to land use planning and development in accordance with guidance from the province of Ontario and local practices. As a community, we have a responsibility to honour and respect this territory’s significance for the Indigenous Peoples who lived and continue to live upon it and whose practices and spiritualities were tied to the land and continue to develop in relationship to the territory and its other inhabitants today.

### **1.3 Relationship With County Plan**

This Plan, under the direction of the Huron County Official Plan, adopts certain basic principles. The Huron County Official Plan “provides guidelines to local municipalities for the development of local official plans”, and the County is the approval agency for local plans.

The land use categories and definitions used in the County Plan are general. While the basic distinction between rural and urban land uses of the County Plan is maintained, this Plan develops more specific land use categories.

This Official Plan conforms to the County of Huron Official Plan and is consistent with the Provincial Policy **Planning** Statement.

## 1.4 Purpose of this Plan

The purpose of this Plan is to define the vision of the community of the Municipality of Bluewater.

The Municipality of Bluewater was formed on January 1, 2001, from the amalgamation of the Villages of Bayfield, Hensall and Zurich, and the Townships of Hay and Stanley.

In 2005, an Official Plan was created to provide planning direction for the newly amalgamated Municipality of Bluewater. A total of 350 residents, **interest holders** and **community partners** ~~stakeholders~~ contributed to the creation of Bluewater's Official Plan in 2005. Participants of public workshops and meetings provided the vision, goals and policy directions for the Municipality.

~~A **Five Year Review of the Plan** was approved in 2018. major update of the Bluewater Official Plan began in 2016 to ensure policies of this Plan remain in conformity with the latest changes to the Huron County Official Plan and consistent with the Provincial Policy Statement (2014). The policy direction from the Bayfield Secondary Plan was incorporated in 2023 (as amended by OPA #23).~~ **A Five Year Review was initiated in 2025 to bring the Plan into conformity with the Provincial Planning Statement (2024) and the latest changes to the Huron County Official Plan.**

The purpose of this Plan is to identify the resources, capabilities and constraints of the land and the community to enhance the stewardship of the Municipality's environment. Any future development in Bluewater will further the vision and goals of this Plan. This Plan provides the legislative basis to implement the community's vision and goals.

Through community participation, residents have established future directions for the Municipality, and have acknowledged their active role in developing and implementing that future.

Specifically, the purposes of this Plan are:

- To create a planning environment that addresses the needs and aspirations of the community and **foster a strong sense of community and neighbourhood;**
- To build a vision for the future of the Municipality which is agreed upon generally by the community and which the community has an active role in implementing;
- **To promote, protect and enhance the environment and address impacts of a changing climate for overall community health.**
- To create a forum for community-based dialogue in the design, implementation and review of the Plan;

## Municipality of Bluewater Official Plan

### Sec. 1 The Plan and its Purpose

- To develop a land use planning program that maximizes compatibility and minimizes conflict between different land uses;
- To ensure that future development and decisions in the Municipality are in keeping with the vision, goals and policies of this Plan; and
- To provide for the implementation of Provincial legislation.

### **1.5 Definitions**

Defined terms are indicated throughout this document by italicized font.

Definitions are found at the beginning of relevant sections. Italicized terms not defined in this document have the definition given in the Provincial **Planning Policy** Statement, The Planning Act or other provincial regulations or legislation.

## 2. Basic Principles

Bluewater is a diverse municipality with an expansive rural agricultural community, villages which provide a focal point for residential, commercial, **social**, industrial and service functions, small hamlets, and a growing lakefront community. The Municipality has nationally significant agricultural land, an attractive shoreline along Lake Huron with recreational and tourism opportunities, and a network of important natural systems and resources.

This Plan builds on the basic principles of the Huron County Official Plan. The goals and policies of this Official Plan, together with the land use pattern (Schedule B), set out to protect and enhance the environment while pursuing economic activity.

The goals, directions and policies contained in this Official Plan constitute the Land Use Plan for the Municipality of Bluewater. This Plan is implemented primarily by the numerous individual decisions and actions of government at all levels, by community and industry organizations, and by the private sector.

### 2.1. Vision

Through the public process, the residents of Bluewater provided input used to develop a vision for the Municipality which is adopted by this Plan.

Bluewater is a community combined of urban, rural and lakeshore that works together to be leaders in community development, agriculture, recreation/tourism, manufacturing and business, while valuing our unique quality of life, recognizing our diversity, respecting our traditions, and protecting and enhancing natural features and resources.

The vision provides guidance for residents' actions and land use planning decisions. The goals and policies in this Plan flow from the vision. The vision will be implemented within the legislative and financial abilities of the Municipality.

### 2.2 Goals

The following goals were identified by the community and are adopted by this Official Plan. Each goal is of equal importance.

#### **2.2.1. Agriculture**

The goals developed for agriculture are:

- To promote and protect the long term future of agriculture;
- To ensure the viability of all farm types through flexibility and protection of the agricultural land base;
- To support agricultural practices that protect resources and maintain strong environmental standards **and address a changing climate**; and
- To limit non-farm development in support of a strong agricultural sector.

Sec. 2 Basic Principles

The land base of Bluewater supports a thriving agricultural sector, with 89% of the Municipality classified as prime land (Class 1, 2, and 3) in the Canada Land Inventory of agricultural capability.

Community residents agree that protecting the agricultural land base continues to be a fundamental principle to be supported by this Plan. The long-term future of agriculture is to be protected in a manner that does not compromise environmental and human health. Through good stewardship, the Municipality will continue as a prosperous agricultural community while:

- protecting water quality,
- **addressing a changing climate**,
- improving the health of the environment and;
- reducing conflict and negative effects on neighbouring land uses.

For the farming community to remain viable, it must be protected from non-farm development. Development pressures continue to threaten the fragmentation of the agricultural land base, and will be directed to settlement areas and recreation designations.

**2.2.2. Extractive Resources**

The goals developed for extractive resources are:

- To identify and protect sand and gravel deposits of significant quantity and quality for future use;
- To allow sand and gravel pits to develop in a manner that minimizes conflict with adjacent uses;
- To avoid extracting from areas of natural environment whenever possible.

Mineral aggregates are a resource in Bluewater with existing aggregate operations in both Stanley and Hay. The demand for aggregates is expected to continue at present volumes for the term of this Plan. These non-renewable resources require protection, conservation and careful management.

**2.2.3. Natural Environment**

The goals developed for natural environment are:

- To protect natural areas from development;
- To improve the quality of water in groundwater, rivers, streams, gullies and Lake Huron;
- To ensure a healthy environment and improved quality of life through the protection and enhancement of natural areas and resources; and
- To encourage compatible development in keeping with environmental, social and economic goals **and planning for and addressing a changing climate**.



Sec. 2 Basic Principles

The community declared that a healthy environment is a priority and believes it is the responsibility of all residents to protect and maintain.

**2.2.4. Lakeshore and Recreation**

The goals developed for lakeshore and recreation are:

- To protect the natural features and functions of the lakeshore from incompatible development;
- To direct development to designated areas compatible with surrounding uses;
- To ensure clean drinking water and lake water for residents through the appropriate management of services and land use;
- To have regard for the natural processes such as erosion and flooding occurring along the Lake Huron shoreline; and
- To direct new development away from areas subject to lake effect hazards such as flooding, erosion and slope instability.

The scenic shore of Lake Huron attracts recreation, tourism and residential development. Significant pressure for development exists along the lakeshore and ravines. Recent development along the lake shore has developed for year-round residential use. The lake bank is considered a sensitive area and will not be developed.

**A limited scale of** development is directed to designated lakeshore areas provided natural features and functions are protected, development is compatible with surrounding uses, and density and services can be adequately addressed.

**2.2.5. Settlement Areas**

The goals developed for settlement areas are:

- To protect and enhance the character and aesthetic qualities of the settlement areas;
- To preserve the heritage features within settlement areas;
- To provide sufficient land for growth within settlement areas;
- To direct development to designated areas;
- To prevent the intrusion of non-farm development in agriculture areas;
- To protect natural features and functions from incompatible development; and
- To ensure appropriate and adequate services are provided within settlement areas.

Bluewater is well served by numerous urban settlement areas. These urban places provide a variety of residential, commercial, **social**, industrial and community facility functions. Evolving demographic trends, the desire of people to live, work and retire to small communities, and the availability of servicing

influence where future development will be directed within Bluewater. These factors will continue to see Bayfield, Hensall and Zurich as the primary focus of urban development. New residential development proposed outside of these areas will be directed to lands already designated in existing urban areas.

#### **2.2.6. Community Facilities & Infrastructure**

The goals developed for community facilities and infrastructure are:

- To ensure appropriate and adequate services and facilities are provided; and
- To direct new community facilities to settlement areas.

This Plan recognizes the importance of community services to the quality of life for Municipal residents.

Community facilities are used for social, administrative and recreational purposes, such as churches, schools and sports facilities. These uses should be located in settlement areas.

~~Infrastructure uses are deemed to be public, and are required throughout the Municipality. These uses include roads, electricity and transmission lines and have limited locational discretion.~~

**Infrastructure, utilities and servicing are fundamental to sustaining and encouraging economic development in Bluewater.**

**A basic principle of this Plan is to provide a range of services and infrastructure such as water, sewage, roads, utility lines and waste management consistent with the needs and resources of the community. The Municipality or service provider will provide efficient and compatible locations for infrastructure and utilities, recognizing some may have limited locational discretion. Services will be owned or operated by the public, semi-public, or private enterprises.**

### 3. Agriculture

#### 3.1. Introduction

A fundamental principle of this Plan is to promote and protect the long-term future of agriculture. The municipality contains highly productive soils for agriculture, and the basic indicators of successful agriculture are strong. Also, and most importantly, the community has developed a high degree of skill, innovation and leadership in farming. The policies of this Plan **adopt an agricultural systems approach to protect the agricultural land base and foster the long-term economic prosperity and enhanced capacity of the agri-food network.** ~~aim to protect the land base and to promote a cultural and natural environment conducive to an integrated agricultural community and economy.~~ To achieve these goals, most of the Municipality has been designated "Agriculture."

Lands designated Agriculture will be mainly used for agricultural uses, agriculture-related uses and on-farm diversified uses. ~~Farming operations of all types, sizes and intensities, and natural environment features which enhance the area for agriculture, including woodlot and forestry uses as part of farming operations, will be permitted.~~

#### 3.2. Goals

The following goals were identified by the community and are adopted by this Official Plan. Each goal is of equal importance.

- To promote and protect the long term future of agriculture;
- To ensure the viability of all farm types through flexibility and protection of the agricultural land base;
- To support agricultural practices that protect resources and maintain strong environmental standards;
- To limit non-farm development in support of a strong agricultural sector; and
- To recognize that a strong agricultural economy requires housing but not to allow the decentralization of general housing uses onto prime agricultural lands.

These goals will be supported by the following directions:

- To ensure maximum flexibility for farm operators to engage in differing types, sizes and intensities of agricultural operations;
- To encourage farm operators to use best management practices that protect and enhance the environment;

Sec. 3 Agriculture

- To relate development in agricultural areas to the needs of agriculture and respect the farmer's ability to farm;
- To prevent class 1, 2 and 3 soils from being used for non-agricultural purposes;
- To encourage the retention and reestablishment of woodlots, wetlands and other natural areas recognizing their benefits for agriculture and the natural environment;
- To prohibit uses which are not primarily related to agriculture from establishing in the agriculture area;
- To encourage *on-farm diversified uses* that support farm operations; and
- To promote food production for local consumption and food security.

### 3.3. Policies

**To achieve the goals of this section the following policies are adopted.**

**The Municipality of Bluewater will implement an *Agricultural Systems Approach* to maintain and enhance the unfragmented agricultural land base in Bluewater and to support and foster the long-term economic prosperity and productive capacity of the *agri-food network*. The agricultural capability of lands within Bluewater as identified in the Canada Land Inventory (CLI) have been mapped and are included in the appendices.** The continued diversification of the agricultural industry will be encouraged. All types, sizes and intensities of agriculture will be supported.

#### 3.3.1. Farm Unit

In areas designated agriculture, the predominant use of land will be for farming and the predominant type of development will be the "farm unit." The farm unit consists of the:

- land base;
- barns and other buildings that support the farm operation;
- farm dwelling; and
- **additional residential units as well as dwellings for additional farm labour where required by the scale of the operation.** ~~temporary dwellings required for additional labour and a garden suite.~~

The structures which make up the farm unit will be part of the farm and not on separately titled properties.

One **main** house may be allowed on a farm where it is accessory to a commercial scale farming operation. Commercial scale farming means that the residents of the property will be directly involved in farming with a clear intent to produce crops/livestock for sale. A "Farm Business Registration Number" assists in demonstrating commercial scale agriculture.

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Original lots, which are considered farm units, and ~~e~~**Existing** properties containing more than ~~3~~**20** ha of land may be allowed a house.

~~A second~~ **A maximum of one or two (2) additional residential units are permitted within the Agricultural designation, ancillary to a main dwelling, subject to the policy below.** within a house or within an accessory building in proximity to the house if the house contains only one dwelling unit. ~~A second residential unit is not permitted to be severed.~~ **This includes a maximum of two (2) additional residential units ancillary to a main dwelling for farms engaged in commercial scale farming. The additional units may be constructed within/attached to the main dwelling or in an accessory building, provided a maximum of one (1) unit is within a detached structure.**

~~A second permanent dwelling other than a second residential unit will not be permitted on a farm or on a separated property~~

~~A maximum of two (2) additional residential units ancillary to a main dwelling may be permitted on farms engaged in commercial scale farming., either within the farm dwelling and/or in an accessory building.~~

If located within an accessory building, the additional residential unit must:

- meet MDS requirements;
- be situated within close proximity to the existing dwelling or the existing cluster of buildings;
- use the **same** existing **driveway laneway** for access as the main farm dwelling; and
- have appropriate services available. The additional residence is encouraged but not required to share water and wastewater services with the existing dwelling.

Additional residential units will not be permitted to be severed onto a separate lot and may not be considered for a surplus farmhouse severance.

In addition to the main dwelling and additional residential units, a farm parcel is also permitted to contain accommodations for additional farm labourers if demonstrated to be required by the farm operation. The accommodations can take multiple forms, are not limited to temporary forms of housing but must be located within close proximity to the building cluster, **use the same laneway, comply with Minimum Distance Separation and other building requirements.**

On parcels in the agricultural designation which are not engaged in commercial scale farming, a total of one (1) Additional Residential Unit is permitted within the main dwelling or within an accessory building which is located in the immediate vicinity of the main dwelling, complies with Minimum Distance

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Separation Formulae, and utilizes the same access point and laneway. A consent for lot creation will not be permitted for Additional Residential Units.

Garden suites are also permitted on a temporary basis in a moveable structure ancillary to the dwelling and subject to the policies outlined in the Settlement Area Section. Existing garden suite may transition to a permanent Additional Residential Unit should they meet all of the policy criteria **and applicable zoning.**

**A manufactured home may be considered a principle residence or additional residential unit or farm labour accommodation as established in the zoning by-law.**

### **3.3.2. Farming Practices**

Normal farm practices, as defined in the Farming and Food Production and Protection Act, as amended, will be recognized and protected. Through the zoning by-law or under other legislation, Council may establish regulations **through the zoning by-law** to minimize the impact of agriculture on the environment.

### **3.3.3. Property Size**

Property sizes will support the long-term needs of agriculture and shall ensure that land parcels remain flexible for all forms of agriculture. **Lands must be used for the production of food, fibre, biomass or livestock.** A minimum property size of **380** hectares will apply to all new properties being created. Notwithstanding the **380** hectare minimum, there may be instances where a property of a smaller size may be permitted subject to the land division policies.

### **3.3.4. Sustainable Agriculture**

The municipality recognizes the importance of family farms to the economic, environmental and social well-being of the municipality. Stewardship initiated by local landowners in support of wise management of the agricultural resource that contributes to the protection, restoration and management of natural areas and the health and integrity of the environment is encouraged. Tree planting for both tree farming and retirement of farmland are encouraged. Tree plantations may be designated Agriculture or Natural Environment depending on the long term intended use. ~~of the lands as expressed by the landowner.~~

### **3.3.5. Nutrient Management**

Nutrient Management Strategies and Plans will be completed **for agricultural operations** in accordance with the Nutrient Management Act. All farm operations will have a sufficient land base available on which to properly apply all manure generated by the operation.

### **3.3.6. Protection of Agricultural Lands**

Agricultural lands as designated on Schedule B will be protected. Non-agricultural development, other than those uses permitted specifically by this Plan, will locate in settlement areas.

**Land may only be excluded from prime agricultural areas for the expansion of a settlement area boundary in accordance with specified criteria. Refer to the Settlement Area policies.**

### **3.3.7. Agricultural Related Commercial & Industrial Uses**

**Agriculture related commercial and industrial uses that process agricultural products or service farms will be permitted in agricultural areas provided they are directly related to farm operations, support agriculture, and are required in close proximity to farm operations.**

**Agricultural related** Commercial and industrial uses that process agricultural products or service farms may be permitted in the agriculture designation by rezoning provided:

- the use relates to commercial scale agriculture **with the primary activity providing specific services or products to farm operations and commercial scale agriculture in the area,** and not to goods or services that are normally required by the general public;
- the use is required near farms;
- where possible, the use locates in or near settlement areas, locates in groups, and avoids prime agricultural land;
- any accessory residence remains part of the use and not on a separately titled lot;
- applicable Provincial requirements are met (e.g., Environmental Compliance Approval, **compatibility with neighbouring sensitive uses etc.**); and
- **the use can be adequately serviced, obtain safe access from an open public road and demonstrate adequate drainage and stormwater management; and**
- additional requirements are addressed through site plan control.

Agriculturally Related Commercial and Industrial Operations are not subject to Minimum Distance Separation requirements, nor are barns required to meet MDS requirements when siting in proximity to an agricultural related commercial or industrial use.

### **3.3.8. On-Farm Diversified Uses**

On-Farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products, including wineries. On-farm diversified uses are small-

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scale business uses and are permitted in the agricultural designation, provided they:

- Are secondary to the principal agricultural use of the property;
- Are operated by persons residing on the farm/small holding;
- Do not interfere with the farm operation and do not conflict with the surrounding uses;
- Do not occupy large amounts of farmland and are limited in area;
- Have adequate servicing:
  - i. If Municipal water and/or sewage services are available, the property shall be connected to municipal water and/or sewage services; or
  - ii. If Municipal services are not available, the property can be serviced by the water supply and sewage disposal system on the property;
- Do not cause a traffic or safety concern;
- Obtain relevant permits from the Health Unit;
- Provide safe access onto an open public road;
- Are not severed from the property onto their own lot; and
- Comply with the provisions of the zoning by-law which may regulate these uses.

On farm diversified uses shall be permitted in accordance with the definitions and provisions in the Zoning by- law.

On-Farm Diversified Uses are not subject to Minimum Distance Separation requirements and are encouraged to cluster with the on-farm residence where possible.

On-Farm Diversified Uses may be subject to Site Plan Control.

### **3.3.9. Natural Environment**

Within the agricultural area, natural features and ecosystem functions will be protected. Wise stewardship practices will be used to protect and enhance the natural environment. Farm woodlots and other natural features will remain part of the farm holding. Selective harvesting of woodlots and woodlands using sustainable forestry practices will be permitted in accordance with the Huron County Forest Conservation By-law. Further directions are contained in the Natural Environment policies.

### **3.3.10. Minimum Distance Separation (MDS) I & II**

~~All farm operations and buildings and all non-farm uses and structures permitted by the agricultural policies of this Plan will comply with the Minimum Distance Separation (MDS) I and II formulae in accordance with the latest version of the MDS Implementation Guidelines issued by the Province of Ontario. Unless where specified specifically by this Plan such as in reference to low visitation cemeteries, agricultural commercial or industrial uses and/or on~~



farm diversified uses). All cemeteries are considered low visitation and shall be considered a Type A Land Use for the purpose of MDS.

**Livestock facilities and other uses permitted by this plan on land designated agriculture, will comply with the Minimum Distance Separation (MDS) formulae.**

**The MDS formula is a tool used to determine the recommended distance between a specific livestock facility and another land use. The objective of applying MDS is to prevent land use conflicts and minimize nuisance complaints from odour. The distance calculated using MDS will vary according to several variables including type of livestock, size of the farm operation, type of manure system and the form of development present or proposed.**

**MDS I provides minimum distance separation for new development from existing livestock facilities. MDS II provides minimum distance separation for new or expanding livestock facilities from existing or approved development. These calculations also create an area of increased separation distance around the towns, villages and hamlets and other selected areas including recreation and lakeshore residential areas. Within these areas there are enhanced separation distances which vary according to the size and type of livestock operation.**

**MDS shall be implemented in accordance with the latest version of the Province's MDS Implementation Guidelines with the following refinements:**

- a) For surplus dwelling severances, if barns exist on retained farmlands, then the MDS formulae requirements must be met between the barn and the dwelling being severed. MDS does not apply to existing barns on separately titled lots.**
- b) All cemeteries are considered low visitation and shall be considered a Type A Land Use for the purpose of MDS.**
- c) Agricultural related uses are not subject to MDS requirements, nor are barns required to meet MDS requirements when siting in proximity to an agricultural related used.**
- d) On-farm diversified uses are not subject to MDS requirements and are encouraged to cluster with the on-farm residence where possible.**

### **3.3.11. Surplus Dwellings**

Where a dwelling is acquired through farm consolidation and is surplus to the needs of the farm operation it may be severed subject to the land division policies.

### **3.3.12. Properties of Record**

Properties of record are single separate properties that existed on the date of adoption of this Plan. These properties should be used for farming or for other uses permitted in the agricultural designation, and may contain a farm dwelling subject to the policies defining a farm unit.

There are several single properties of record in the agricultural designation that contain no buildings and that are smaller than the lot area requirements of this Plan. These properties of record may be permitted one dwelling by rezoning, provided:

- agriculture or other permitted uses are not feasible or practical on the lot;
- the property contains a limited amount of arable land (generally less than 4 hectares);
- the proposed dwelling complies with the MDS 1 formula, using Type A land use;
- the site is suitable for residential construction;
- the soil is suitable for an approved sewage disposal system;
- a potable water supply will be available; and
- the property abuts a fully maintained public road.

### **3.3.13. Extraction**

**The protection of prime agriculture land and the natural environment is a high priority of this Plan.** The establishment of new sand and gravel pits in the agricultural designation requires an amendment to this Plan and the zoning by-law and is subject to the Extractive Resources section of this Plan. ~~The protection of prime agricultural land and the natural environment is a high priority.~~

~~See the Extractive Resources policies for commercial scale water taking uses.~~

### **3.3.14. Community Facilities & Infrastructure**

Community facilities for social, recreational, administrative or other purposes, such as community centres, sports facilities or government offices, will locate in villages/hamlets to avoid conflicts with agriculture and to enhance urban areas. Existing uses and their expansion will be permitted in the agricultural designation.

~~Infrastructure uses which are public uses will be permitted in the agricultural area.~~

### **3.3.15. Greenhouses**

Greenhouse development is a permitted agricultural activity. Greenhouses covering more than 1 hectare per property will require a rezoning to address

compatibility with surrounding uses and to establish siting regulations. All greenhouse development will provide measures to protect the quality and quantity of surface water and groundwater. Development may also be regulated through site plan control.

### **3.3.16. Commercial Special Occasion Events**

Commercial events are not permitted on agricultural lands unless recognized in the Zoning By-law by Special Zoning or Temporary Use By-law. **Limited Commercial Special Occasion events may be permitted subject to the provisions of Section 3.3.8 On Farm Diversified Uses.**

### **3.3.17. Special Policy**

#### **3.3.17.1 Area #1**

Notwithstanding Section 3.1 of the Municipality of Bluewater Official Plan, the Special Policy Area will permit a driving range and uses accessory to a driving range on the subject lands, including but not limited to a miniature golf course, in addition to the uses permitted within the 'Agricultural' designation. The location of the driving range will be indicated in the Zoning By-law Amendment. No changes are proposed to the existing 'Natural Environment' designation. (As amended by OPA 16)

#### **3.3.17.1 Area #2**

**Notwithstanding Section 3.1 of the Municipality of Bluewater Official Plan, in addition to the permitted uses of the Agriculture designation, the Special Policy Area permits one or more of a hotel, motel, restaurant, brewery, winery, distillery, assembly hall, health and wellness facility, or event venue. In addition to a hotel or motel, accommodations provided for guests can also take the form of yurts, domes, cabins, chalets or similar structures. Where accessory to the main use, a dwelling for on-site staff is permitted.**

### **3.3.18. Dwelling with Supports in Agricultural Areas**

**Dwellings with supports which are licensed or approved by the province are permitted in the agricultural designation subject to the residence requirements of Residences in Agricultural areas.**

### **3.3.19. Non Agricultural Uses in Prime Agricultural Area**

**Non-agricultural uses are directed to settlement areas. The only non-agricultural uses that may be permitted in prime agricultural areas include:**

- a) Extraction of minerals, petroleum resources and mineral aggregate resources;**

**b) Limited non-residential uses provided the following are demonstrated:**

- i) The land does not comprise a specialty crop area;**
- ii) The proposed use complies with Minimum Distance Separation formulae;**
- iii) There is an identified need within the planning horizon for additional land to accommodate the proposed use;**
- iv) Alternative locations have been evaluated and there are no reasonable alternative locations which avoids the prime agricultural area and no reasonable alternative locations on lower priority agricultural lands.**

**Impacts from any new or expanding non-agricultural uses on the agricultural system are to be avoided, or where avoidance is not possible, minimized and mitigated as determined through an agricultural impact assessment.**

**3.3.20. Infrastructure and Utility Uses**

**Infrastructure and Utility uses are deemed to be public and will be permitted in an agricultural designation and include such uses as:**

- a) Utility lines and corridors;**
- b) Water and sewer pipelines and related infrastructure;**
- c) Electric power subject to the policies of 16.1;**
- d) Railway facilities;**
- e) Roads;**
- f) Telecommunication towers;**
- g) Sewage treatment plants**
- h) Flood and erosion control works.**

**Depending on the scale and nature of the infrastructure being proposed, the Municipality may request a public consultation process be undertaken for such development.**

**3.3.21. Energy Projects on Prime Agricultural Lands**

**The community recognizes the importance of local renewable and alternative energy sources. Renewable energy systems such as wind, solar and biomass facilities may be permitted on agricultural lands.**

**Commercial-scale energy projects are directed outside of prime agricultural lands where possible. Where prime agricultural land cannot be avoided, the impacts to the agricultural system must be addressed through an agricultural impact assessment and minimized. Commercial-**

**scale wind turbines are permitted on prime agricultural lands; as of 2024 Bluewater has 48 commercial scale wind turbines. New commercial scale wind turbines are required to be located a minimum of 1km from the boundary of settlement areas, excepting tertiary settlement areas.**

**Ground-mounted solar facilities shall only be permitted as an on-farm diversified use. In the case of a small residential lot in the prime agricultural area, ground-mounted solar facilities may be permitted as an accessory use to the primary residential use.**

**Farm-scale energy infrastructure such as non-commercial scale wind turbines and anaerobic digestors for agricultural source materials are permitted as accessory to the agricultural use.**

### **3.4. Land Division**

In areas designated Agriculture on the Land Use Plan, consents for conveyance may be granted in accordance with the following policies:

1. All consents must conform with the general requirements of section 9.1.
2. Where the parcels being conveyed and retained are for agricultural purposes, a consent may be granted, provided that both the severed and retained parcels:
  - are suitable agricultural operations either by themselves or together with other lands owned by the operator;
  - are large enough for long term agricultural flexibility for future changes in the type or scale of operation; and
  - are a minimum property size of 30 hectares.

Notwithstanding the ~~380~~ 30 hectare minimum lot area requirement, the division of a 50 hectare or larger farm into two farm parcels may be permitted subject to:

- compliance with the foregoing requirements;
- a minimum property size of approximately 30 ha and 20 ha respectively for the proposed lots;
- a minimum property size of 30 ha for any intensive livestock operation; and
- there has been no separation of a parcel less than 30 ha from the property since the date of adoption of this Plan.

Notwithstanding the 30 hectare minimum lot area requirement, if the present owner purchased 2 or more parcels of 20 hectares or more in the same ownership, and they merged on title, severances may be considered to recreate the same previous farm parcels provided that each parcel has a minimum lot area of 20 hectares.

3. Where a dwelling is acquired through farm consolidation and is surplus to the needs of the farm operation it may be severed subject to the following:

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- **the residence is surplus to a farm operation resulting from the acquisition of an additional farm containing an existing residence.**
- the residence must be a minimum of 15 years old or has immediately replaced one of a series of habitable residences which were built a minimum of 15 years ago or replaces a house accidentally destroyed by fire or natural disaster **which was 15 years or older**;
- the residence is **considered habitable and** suitable to be used as a residence or may be renovated to be made to a habitable condition, as determined by the Chief Building Official, ~~and is intended to be used as a primary residence~~;
- a new residence is prohibited (through zoning) on any remnant parcel of farmland created by a surplus residence severance;
- **the property containing the surplus residence shall be rezoned to an Agricultural Small Holding to recognize the residence as the principle use of the severed lot**;
- the area of farmland attached to the surplus house is kept to a minimum size needed for residential purposes, taking into consideration water and sewage services and environmental and topographic features;
- Minimum Distance Separation (MDS) formula requirements are met to the surplus house if barn(s) exist on the retained farmlands. MDS does not apply to existing barns on separately titled properties;
- there has been no previous separation of land for residential purposes from the farm property as it existed on June 28, 1973, other than in a settlement area;
- the retained lands are a minimum of 19 hectares unless merged with an abutting farm.
- where the residence is within 300 metres of an existing aggregate operation or aggregate deposit, an assessment of potential impacts may be required;
- any unused wells are required to be decommissioned by a licensed professional as a condition of consent approval;
- manure storage facilities are required to be decommissioned to the satisfaction of the municipality; and
- agricultural infrastructure (such as grain bins, silos, etc.) on the parcel containing the dwelling may be required to be removed.

For the purposes of this section:

- a corporation may be an eligible farming operation provided the same corporation owns at least two farms, each containing a residence, one of which may be severed in accordance with this section; and

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- an unincorporated group of one or more person(s) may be an eligible farming operation provided a majority of the owners, together or individually each own another farm containing a residence, one of which may be severed in accordance with this section; where owners normally reside in the same household, they may be considered as one individual within the group of owners.

The surplus farm dwelling policies apply in the Mineral Aggregate designation provided the severed parcel sterilizes a minimal amount of aggregate deposit and an Aggregate Impact Assessment is completed to the satisfaction of the Municipality and the County.

Where the farm parcel is not owned by the farmer to whom the buildings are surplus, the existing owner of the farm parcel may apply for the surplus residence consent provided that the residence to be severed is surplus to the needs of the purchaser of the farm land. A condition of severance will name the purchaser to whom the farm land must be conveyed.

4. Where the land being conveyed or retained is for an agricultural commercial or industrial use, a consent may be granted subject to the requirements of the Agricultural Commercial and Industrial uses section of this Plan.
5. Where the land being conveyed is to be added to an abutting, existing non-farm use, a consent may be granted provided that a minimum amount of productive agricultural land is involved and the conveyance is for convenience or servicing purposes.
6. All consents will be subject to the minimum distance separation requirements in accordance with the latest version of the MDS Implementation Guidelines issued by the Province of Ontario with the exception of surplus farm dwelling consents.
7. Where intensive animal operations are involved, a Nutrient Management Plan or other municipal or provincial approvals may be required as a condition of consent approval.
8. Consents will not be allowed which have the effect of creating properties the use of which is not directly related to agriculture. Residential properties will not be allowed.
9. Consents may be granted for title correction purposes and for minor lot boundary adjustments.
10. Consent may be granted to sever the former school located at 72420 Airport Line and the former school located at the corner of MacDonald Road and Bronson Line, provided that the severed property meets the Minimum Distance Separation (MDS) from any nearby barns as a *Type A Land Use*.

## 4. Extractive Resources

### 4.1. Introduction

Extractive Resources in the form of mineral aggregates, petroleum resources, and groundwater are a resource in Bluewater with existing aggregate operations throughout the Municipality. The demand for aggregates is expected to continue at present volumes for the term of this Plan. These non-renewable resources require protection, conservation and careful management.

The Ministry of Northern Development and Mines completed Aggregate Resource Inventory Papers (ARIP) that identify and classify the potential aggregate deposits as having primary, secondary or tertiary importance for aggregate production in the municipality. In 2005, Huron County completed an Aggregate Resource Strategy to balance the future demand for aggregate with environmental, social and economic features. The Aggregate Resource Strategy mapped aggregate resource areas and identified land use and environmental features that could sterilize or constrain the extraction of aggregate. This exercise identified aggregate resources that would be designated for extraction **and an Update to the Aggregate Strategy was approved by County Council in 2025.**

One of the recommendations of the Aggregate Resource Strategy is to designate primary and secondary areas of the resource with no (0) constraints ~~or one (1) constraint in order to protect the aggregate for future extraction.~~ The Municipality of Bluewater has no areas of primary resources but several with secondary resources; ~~additionally, only secondary areas of the resource with no (0) constraints are designated to avoid conflict with natural environment areas.~~ The Bluewater Official Plan identifies and designates these areas as 'Extractive Resources' on Schedule 'B'. Proposed mineral aggregate operations or the expansion of existing mineral aggregate operations in these areas would be permitted by a Zoning By-law Amendment and without the need for an Official Plan Amendment.

Proposed mineral aggregate operations or the expansion of existing mineral aggregate operations in areas not designated Extractive Resources on Schedule B require an Official Plan Amendment and Zoning By-law Amendment subject to the policies of Section 4.

### 4.2. DEFINITIONS

**Aggregate Recycling Facility:** is a facility with equipment designed to recycle aggregate materials and includes stockpiling and storage of bulk materials used in the process.

**Secondary Mineral Aggregate Deposits:** are deposits of secondary importance which may contain significant amounts of sand and gravel. Although these deposits are not considered to be the best resources in the County, they contain large quantities of sand and gravel and are an important



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part of the aggregate supply of the area. These areas are considered to be viable for commercial extraction.

**Sterilized Deposits:** are areas of primary and *secondary mineral aggregate deposits* that have additional constraints and also include associated buffers. *Sterilized deposits* include: aggregate under areas designated urban, cemeteries, landfills, *provincially significant wetlands*, provincially significant *areas of natural and scientific interest (life science)*, and municipal well-head capture zones and their associated buffers. The Aggregate Resource Strategy Report did not recommend *sterilized deposits* for extraction.

### 4.3. Goals

The goals adopted by this Plan are:

- Identify and protect *secondary mineral aggregate deposits* with limited constraints, from incompatible development, since these areas have high potential for future mineral aggregate extraction;
- Utilize the mineral aggregate resource in an efficient and environmentally sustainable manner;
- Make as much of the mineral aggregate resource available as close as possible to the market;
- Recognize existing mineral aggregate operations and protect them from activities that would preclude or hinder their continued use or expansion;
- Ensure that new or expanding mineral aggregate operations are sited in locations that will have minimal impact on significant social and environmental features;
- Ensure that the activities of mineral aggregate operations are carried out with minimal environmental and social impacts;
- Minimize conflicts between incompatible land uses;
- Encourage consultation between relevant agencies and the proponent to ensure that new or expanding mineral aggregate operations meet the requirements of this Plan;
- Ensure that areas of mineral aggregate extraction are progressively rehabilitated in conjunction with the policies of this Plan; and
- Conserve aggregate resources through aggregate recycling.

### 4.4. Policies

#### 4.4.1. Designation and Licencing

Mineral aggregate operations must be designated Extractive Resources in this Plan and must have appropriate zoning in place before licencing and extraction

occur. All operations must be licenced under the Aggregate Resources Act and comply with the Act and regulations.

#### **4.4.2. Existing Licensed Operations**

Existing licensed mineral aggregate operations and associated uses will be allowed to continue and to expand where appropriate, subject to the requirements of this Plan. Expansions to existing aggregate operations beyond the designated area will require an amendment to this plan and zoning by-law. ~~Expansions of existing licensed operations onto adjacent lands not designated Extractive Resources may only be permitted where the policies of Section 4.4.4. are satisfied.~~

#### **4.4.3. Aggregates Strategy**

The Aggregate Resource Inventory Papers (ARIP) form the basis of the 2005 Huron County Aggregates Strategy which identified a priority sequence for aggregate extraction. The strategy balances the demand for aggregates with social and environmental considerations.

#### **4.4.4. New Operations**

The County of Huron Aggregate Resource Strategy will be used to evaluate applications for amendment to this Plan and to the zoning by-law for new aggregate operations. The proponent will complete necessary studies in accordance with Terms of Reference approved by the municipality.

Proposed new or expanding mineral aggregate operations in areas designated Extractive Resources will be permitted. These areas are designated Extractive Resources in accordance with the recommendations of the Aggregate Resources Strategy Report.

Applicants are encouraged to obtain approvals through the Aggregate Resources Act and the Planning Act concurrently.

The opening of a new mineral aggregate operation or expansion of an existing mineral aggregate operation in an area designated Extractive Resources will require an amendment to the Zoning By-law.

#### **~~4.4.5. Incompatible Uses~~**

~~Potential aggregate resource areas will be protected by directing incompatible uses away from the resource. Agriculture and natural environment are compatible uses which may locate on or near aggregate resources, not including buildings or structures.~~

#### **4.4.65. Compatibility**

All mineral aggregate operations will minimize conflict and maximize compatibility with adjacent uses. The protection of natural areas and existing development is a high priority. Mitigation measures may be required such as

increased setbacks, berming, landscaping, road improvements, and dust and noise control. These measures may be implemented by conditions of the **Aggregate Resources Act (ARA) licence or the corresponding ARA Site Plans**. ~~or under site plan control. Mineral aggregate operations are subject to site plan control.~~

When new development (through a Planning Act application) is proposed within 300 metres of lands that are designated Extractive Resources, Council shall be satisfied that the proposed use is compatible with the current or future use as a mineral aggregate operation.

Surplus dwelling severances may be permitted in the Aggregate designation in accordance with the policies established in Section 3.4.3. **An Aggregate Impact Assessment may required to demonstrate the severance will not hinder the establishment of new operations or access to aggregate resources.**

Setbacks and other mitigation measures may be required to minimize conflicts between uses.

Land uses permitted within the agricultural and natural environment designation are compatible uses on and within 300 metres of lands designated Extractive Resources.

#### **4.4.76. Rehabilitation**

Mineral aggregate sites on agricultural land must be progressively rehabilitated for agriculture. Land rehabilitated for agriculture may be used for agriculture or natural environment. Complete rehabilitation to agriculture is not required where a substantial quantity of aggregate lies below the water table.

All mineral aggregate operations shall be progressively rehabilitated to accommodate subsequent land uses, to promote land use compatibility, to recognize the interim nature of extraction, and to mitigate negative impacts to the extent possible.

The Municipality will work with operators and the Ministry of Natural Resources and Forestry to ensure that all licenses have appropriate progressive rehabilitation plans.

Comprehensive rehabilitation planning is encouraged where there is a concentration of mineral aggregate operations.

Where, prior to extraction, a site was considered as non-prime (Class 4-6) agricultural land, or where a site is within 100 metres of an existing natural feature, the aggregate operation may be rehabilitated to either agriculture or natural environment. Rehabilitation to a natural environment use must restore no less than the same land area that existed prior to extraction and native, self-sustaining vegetation should be established.

Where, prior to extraction, a site was considered prime (Class 1-3) agricultural land, the aggregate operation will be required to rehabilitate to agriculture and

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the operator shall prepare operational plans and progressive rehabilitation plans that ensure the most efficient and effective use of overburden, topsoil and other non-product material. It is recommended that topsoil and overburden be stripped and directly replaced to another area.

On *prime agricultural lands*, complete agricultural rehabilitation is not required if there is a substantial quantity of mineral aggregate resource below the water table warranting extraction; and agricultural rehabilitation in remaining areas is maximized.

**4.4.87. Wayside Operations**

Wayside mineral aggregate operations for public authority contracts, including portable asphalt plants, will be permitted for a maximum period of 18 months without amendment to this Plan where permitted by the zoning by-law. A wayside permit expires on the completion of the project for which it was issued or 18 months after the date of issue, whichever occurs first. Wayside operations may locate in the agricultural designation but not in the natural environment or residential designation.

**4.4.98. Mineral and Petroleum Resources**

The extraction of minerals and petroleum resources shall be permitted in the Extractive Resources and Agriculture designations subject to compliance with applicable regulations and the zoning by-law. Mineral and petroleum sites must be rehabilitated for agriculture following extraction.

**4.4.109. Commercial Scale Water-Taking**

Commercial water-taking is a land use. Commercial water-taking operations may be permitted by rezoning in Extractive Resources and Agriculture designations subject to:

- demonstrating compatibility with surrounding uses;
- a hydrogeological study and;
- any other requested studies addressing sustainability.

**4.4.1110. Hazards**

Any development permitted on or adjacent to existing or former sand, gravel, mineral or petroleum extractive operations shall be required to identify and mitigate any known or potential hazards.

**4.4.1211. Accessory Aggregate Recycling Facilities**

*Aggregate recycling facilities* shall be permitted as an accessory use within aggregate operations, without the need for an Official Plan Amendment and Zoning By-law Amendment in accordance with the Aggregate Resources Act. Conservation of mineral aggregate resources shall be undertaken wherever feasible.

#### **4.5. Land Division**

In areas designated Extractive Resources on the Land Use Plan, consents for conveyance may be granted in accordance with the following policies.

1. All consents must conform with the general requirements for land division of Section 9.1.
2. In accordance with Section 4 of this Plan, an Aggregate Impact Assessment may be required to demonstrate the severance will not hinder the establishment of new extractive resource operations or access to aggregate resources.
3. Consents may be granted for mineral aggregate operations subject to general conformity with the agricultural policies ~~for the remaining parcel~~.
4. Consents may be granted for title correction purposes and for minor lot boundary adjustments.
5. Surplus dwelling severances may be permitted in the Extractive Resources Designation in accordance with policies of Section 3.4.3.

## **5. Natural Environment**

### **5.1. Introduction**

The intent of this Official Plan is to preserve and protect existing natural environment areas, and to promote the restoration **and enhancement** of the natural environment wherever possible. Natural environment areas consist of:

- Wetlands;
- Woodlands;
- Rivers, streams and fish habitat;
- Valleys and gullies;
- Groundwater;
- Life science areas of natural and scientific interest;
- Earth science areas of natural and scientific interest;
- Wildlife habitat;
- The lakeshore and lake bank; and
- Habitat for threatened and endangered species.

**These natural features are part of a larger system and should be protected with a view to enhancing the entire ecosystem. These areas provide important environmental, social and economic benefits to the property owner and to the community including:**

- **habitat for plants and animals;**
- **spaces for recreation and associated physical and mental health benefits;**
- **filtering pollution and sediments from the air and water;**
- **reducing stormwater run-off, flooding and erosion;**
- **mitigating impacts of a changing climate;**
- **contributing to the local economy (e.g. timber, maple products, tourism);**
- **increasing crop yield by improving soil health and growing conditions.**

Since settlement in the 1800s, extensive areas of natural environment have been diminished through clearing, drainage and development. The remaining natural environment areas take on a greater significance for the health and

integrity of the ecosystem. The intent of this Plan is to protect these areas to ensure a healthy ecosystem.

The community declared that a healthy environment is a priority and believes it is the responsibility of all residents to protect and maintain. Natural environment areas must be improved in quality, linkages should be re-established, and natural areas should be expanded.

Significant development pressure exists along the lakeshore and the Bayfield river valley because of their aesthetic qualities and unique natural features. Development is directed away from these areas to protect their natural features and functions. New development is not permitted on the lake bank or in river valleys, and setbacks will be established within the zoning by-law from the top of the bank and from natural features.

**Since the last Official Plan update in 2018, Natural Environment Forest cover areas in the Municipality have increased from 15.2% to 16.4%.**

**These natural features are part of a larger system, and should be protected with a view to enhancing the entire ecosystem.**

~~In the past 13 years forest cover in the Municipality of Bluewater has increased from 16.5% forest cover to 17.7% forest cover. These natural features are part of a larger system, and should be protected with a view to enhancing the entire ecosystem. Watershed planning is supported as a comprehensive and integrated approach for conservation.~~

## 5.2. Definitions

**A number of terms are used in this policy section; the definitions in the Provincial Planning Statement are the authoritative definition and are provided as reference or where additional detail is required to reflect the local context.**

**Adjacent lands: lands contiguous to specific natural feature or area where it is likely that development or site alteration would have a negative impact on the feature or area.**

**ANSI: an “Area of Natural and Scientific Interest” and includes life science ANSI’s and earth science ANSIs. In Bluewater, there are three (3) Life Science ANSI, being the Bayfield River (Provincial Significance), Bayfield South (Regional Significance), and Hay Swamp (Regional Provincial Significance). There are no Earth Science ANSIs identified.**

***Significant:*** ecologically important in terms of features, functions, representation or amount and contribution to the quality and diversity of an identifiable geographic area or natural heritage system.

***Significant,*** with regards to wetlands, coastal wetlands and areas of natural and scientific interest, means an area identified as provincially significant by the

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Ontario Ministry of Natural Resources and Forests using evaluation procedures established by the Province, as amended from time to time.

**Significant woodlands** are areas which are ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition or past management history.

### 5.3. GOALS

The goals identified by the community and adopted by this Plan are:

- To protect natural areas from development;
- To improve the quality of water in groundwater, rivers, streams, gullies and Lake Huron;
- To ensure a healthy environment and improved quality of life through the protection and enhancement of natural areas and resources; **and their importance to mitigating and adapting to climate change,** and
- To encourage compatible development in keeping with environmental, social and economic goals.

These goals will be supported by the following directions:

- To identify and protect areas of natural environment which are of provincial and local significance;
- To conserve, protect and re-establish natural environment areas, recognizing the diversity of natural features and the connections between them;
- To maintain the landscape for maximum bio-diversity, beauty, and its inherent value;

#### **To increase the areas of forest cover in order to improve the health of the natural environment.**

- To heighten public awareness, increase stewardship and enhance community cooperation for protection of the natural environment;
- To use innovative tools and landowner incentives which further the natural environment goals of this Plan; and
- To participate in community-based watershed planning.

### 5.4. Policies

#### 5.4.1. Designations

Natural environment features are designated and must be protected, restored, and enhanced for the benefit of present and future generations. Uses such as



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conservation, forestry, wildlife areas, and passive recreation are permitted. Specific policies dealing with the various components of the Natural Environment designation will identify any additional uses and constraints that apply.

A Natural Environment overlay has been applied within the Bayfield Settlement Area to indicate where natural features exist and must be evaluated prior to development. This overlay is not a designation and may be removed without amendment to this Plan (as amended by OPA #23).

#### **5.4.2. Watershed Planning**

The integrity and function of the ecosystem will be protected, restored and enhanced. Watershed or sub-watershed planning integrates water management, environmental management and land use planning on an ecosystem basis. The Municipality of Bluewater consists of 4 major watersheds or basins, including the Bayfield River watershed, the Ausable River watershed, the Parkhill Creek watershed, and the Gullies. The Bayfield River watershed includes 5 sub-watersheds and the Ausable River watershed includes 3 sub-watersheds. The boundaries of watersheds and sub-watersheds provide natural limits for managing the relationships between human activities and the environment. Watershed boundaries will be used as the ecologically meaningful scale of planning and can be used as the foundation for considering cumulative development.

The Municipality will participate in watershed and sub-watershed studies in cooperation with the Ausable Bayfield Conservation Authority, adjacent municipalities, community groups and other agencies. Relevant findings of watershed planning may be implemented through amendment to this Plan and/or the Zoning By-law.

#### **5.4.3. Community Stewardship**

To become environmental leaders and to create a healthy ecosystem, the efforts and stewardship of the whole community are essential. Individual and community initiatives are necessary for a healthy environment. Initiatives include awareness, water management, septic system maintenance, sustainable agricultural practices and forestry management.

The Municipality will work with the Conservation Authority, the Huron Stewardship Council, the County of Huron, ~~the Huron County Health Unit~~ and other community groups, such as the ~~Friends of the Bayfield River~~ **Huron Tract Land Trust Conservancy**, to promote a healthy environment.

#### **5.4.4. Groundwater Protection**

Groundwater plays an essential role in maintaining ecosystem health, including aquatic and terrestrial ecosystems and human health. Water in the ground recharges aquifers and provides base flow to rivers and streams. Land use planning must consider the protection and enhancement of water and related

resources and aquatic ecosystems on a watershed basis. Development will protect water quality and quantity.

Local groundwater conditions must be considered within the context of the larger, regional groundwater flow systems to maintain a sustainable water source. Groundwater provides water for residents and livestock or other uses. Water is provided through individual private wells, communal water systems and municipal water systems in the Municipality. To ensure a secure supply of clean water, groundwater must be considered and protected. These functions include recharging, transmitting, attenuating contaminants, and storing and discharging water.

This Plan implements the recommendations of the Huron County Groundwater Study, 2003, by identifying and protecting sensitive areas such as groundwater recharge areas, municipal well source areas, and groundwater areas susceptible to surface impacts. This Plan also implements the recommendations of the Ausable Bayfield Source Protection Plan (2015); further policies relating to source water protection can be found in the Community Wide Policies Section of this Plan. The Zoning By-law may restrict permitted uses in sensitive areas. A Hydrogeological Study, Environmental Impact Study, Nutrient Management Plan or other appropriate study may be required for development in sensitive areas.

Proponents may be required to demonstrate that water supply meets or exceeds the Ontario Drinking Water Quality Standards, without adversely affecting the quality or quantity of water in nearby wells. Any abandoned wells are to be decommissioned in accordance with Ministry of Environment **Conservation and Parks** guidelines. Additional studies may be required to identify recharge and discharge areas.

#### **5.4.5. Protection of Natural Environment Features**

All areas of natural environment **identified in section 5.1** within Bluewater will be protected.

**Natural Environment areas consist of the following natural features:**

- Wetlands;**
- Woodlands;**
- Rivers, streams and fish habitat;**
- Valleylands and gullies;**
- Groundwater;**
- Life science areas of natural and scientific interest;**
- Earth science areas of natural and scientific interest;**
- Wildlife habitat;**
- The lakeshore and lake bank; and**

**Habitat for threatened and endangered species.**

Natural environment areas are intended to remain in their natural state. No development or site alteration will be allowed in these natural areas, except for a residence where permitted in Section 5.4.7. The Municipality has areas of habitat for threatened or endangered species. Threatened species are native species at risk of becoming endangered through all or part of Ontario if the limiting factors are not reversed. Development in these areas will require approval from the **appropriate Provincial Ministry**. ~~Ministry of Natural Resources.~~

While it is the intent of this Plan to protect natural areas and prohibit development, applications for a change of use may arise from time to time. In the evaluation of these applications, the natural environment will be given priority. No change of use will be permitted in natural environment areas unless extensive environmental studies are completed which demonstrate that no negative impacts will result on the natural features or ecological functions of the area.

Natural Environment areas identified as *provincially significant wetlands* or *fish habitat* are considered no development areas.

#### **5.4.6. Forestry Practices**

Forestry practices that respect ecological functions are encouraged. Selective cutting will be regulated by the County Forest Conservation By-law. Clearing of natural environment areas is not permitted. Drainage of natural environment areas is discouraged and where permitted under the Drainage Act, will respect ecological features and functions.

#### **5.4.7. Use of Existing Natural Environment Properties**

Development shall be directed away from forested and other natural areas where an alternative location exists on the property. Maple syrup facilities will be permitted in woodlands.

However, in some cases, **original lots and/or existing properties 20 ha or greater** ~~and/or existing properties~~ containing woodland or other natural features may contain a residence and/or accessory buildings without detrimentally affecting the natural environment goals of this Plan. These properties may be rezoned to a special natural environment zone subject to the following requirements:

1. No alternative location exists on the property that is outside the Natural Environment designation;
2. The affected area is not a wetland, a floodplain, a hazard area (unstable slopes, soils or sinkholes), or an *Significant Area of Natural and Scientific Interest*;

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3. The development results in minimal effects on the ecological features and functions of the area. An EIS may be required to assess the impact;
4. Groundwater will be protected, particularly in vulnerable areas;
5. The local Conservation Authority or other appropriate agencies shall be consulted **with development in compliance with Conservation authority regulations;**
6. The residence may not be severed from the holding on which it is located;
7. The proposed dwelling complies with the MDS I formula, using Type A land use;
8. The site is suitable for construction, the soil is suitable for sewage disposal and an adequate supply of potable water is available;
9. Development is in accordance with the County Forest Conservation By-law;
10. The site is serviced by a fully maintained municipal or provincial road (alternative standards may apply to existing developed areas);
- ~~11. Development is in compliance with Conservation Authority regulations;~~
12. Development may be conditional on natural environment enhancements, such as forest improvements, linkages, stewardship agreements and conservation easements; and

Development and site alteration shall not be permitted in habitat of threatened and endangered species except in accordance with provincial and federal requirements.

These policies shall not permit accessory buildings below the top of lake bank on properties where the dwelling is located above the top of lake bank.

#### **5.4.8. Adjacent Lands**

Provincial Policies require that lands adjacent to *significant* natural areas be protected from incompatible development within ~~120-30~~ metres of ~~Provincially Significant Wetlands~~; and 50 metres of all other *significant natural features*.

Proponents wishing to locate buildings or structures in *adjacent lands* may will be required to complete an Environment Impact Study (EIS) to assess the impact of a proposed development on the adjacent natural feature or the ecological functions for which the area is identified. The zoning by-law may use an overlay, setbacks, and/or a holding symbol (H) in these areas.

#### **5.4.9. Watercourses**

Development and site alteration shall not adversely affect watercourses. The zoning by-law shall establish setbacks from watercourses to minimize the effect of development and site alteration. The Ausable Bayfield Conservation Authority and other agencies as appropriate shall be consulted **when a proposal may affect fish habitat.**

The protection and establishment of naturally vegetated buffer strips along water bodies and headwater areas are encouraged. Storm water management and drainage activities shall be evaluated to minimize negative effects on watercourses and to preserve water quality and quantity.

#### **5.4.10. Fish Habitat and Habitat for Threatened and Endangered Species**

Development and site alteration shall not be permitted in fish habitat and/or habitat of threatened and endangered species except in accordance with provincial and federal requirements.

#### **5.4.11. Natural Hazards and Lakeshore**

Natural hazards include:

- flooding; erosion; unstable slopes;
- sinkholes;
- lands adjacent to ravines, river valleys and streams;
- **unstable soil or bedrock;**
- dynamic beaches; and
- the shoreline of Lake Huron.

Development shall be directed away from areas of natural hazards.

Setbacks for buildings and structures from the top-of-bank and watercourses will be established in the Zoning By-law **and will be determined with input from the Conservation Authority.** Studies and mitigation measures may be required to overcome hazards to development. Erosion is, for the most part, a natural process which is essential to the ecological balance of large reaches of shoreline.

The lakeshore is a dynamic system; ~~s~~Sand and sediment are constantly moving. There are variable factors of water levels, wind, soil type, degree of slope, rainfall, storm events, dunes, bank stability, **ice cover** and vegetation.

Land adjacent to the shoreline is a natural hazard area where the shoreline may be eroding or there is risk of flooding, damage by storms and bluff failure. These and other natural processes must be considered when reviewing proposed development. The recommendations of Shoreline Management Plan developed by Ausable Bayfield Conservation Authority will be used to assist with shoreline **planning and change management** ~~protection~~.

New development will be directed away from hazard areas to protect the natural processes and functions of the shoreline, residents and property. No development will be permitted on the lake bank, beach or beach vegetation area. Setbacks from steep slopes will be regulated by the Zoning By-law with reference to the 100-year erosion line.

#### **5.4.12. Flood Plain**

Development located within flood plain areas will be administered through a one-zone flood plain management approach, which includes the entire flood plain bounded by the regulatory flood limit (Hurricane Hazel storm). The one-zone approach will be used for all lands subject to flooding hazards that have not adopted a site specific two-zone policy. There are areas in Bayfield and north of Exeter that are regulated by the one-zone flood plain approach. The two-zone approach (flood plain **fringe** and flood way) **may be applied where justified by engineered studies.** The two-zone approach is applied in areas of Zurich and South of Clinton.

No buildings or structures are permitted in the flood plain, unless required for flood protection or erosion measures, habitat improvement or are necessary for essential public services. Permitted buildings and structures should be constructed to minimize damage in the event of flooding.

The limits of the flood plain areas are identified on Schedules C – L of this plan. The Municipality will work co-operatively with the Conservation Authority in the management of flood plains to ensure proper land use, minimize the level of risk to life, property damage and social disruption from flooding, and minimize the need for large capital expenditures for flood protection purposes.

#### **5.4.13. Environmental Impact Study (EIS)**

Environmental Impact Studies, where required, **shall be completed in accordance with a Terms of Reference approved by the Municipality, County and Conservation Authority (where applicable) prior to the initiation of any study components.** ~~should be conducted in two phases. Phase I evaluates the suitability of the site for the proposed development, including an inventory of the natural features and functions present on the site. Phase II should identify conditions for development and any potential mitigation measures. The Phase I report must be reviewed and approved by the appropriate agencies before Phase II is initiated.~~

A pre-consultation with the Municipality, **and the County Biologist** and the Conservation Authority **where applicable,** will establish the scope of the development proposal, identify the natural heritage and hazard issues to be addressed, detail the accepted methods of evaluating potential impacts, and specify the qualifications of personnel required to carry out these evaluations.

~~Specific guidelines for an EIS are provided as an appendix to this Plan.~~

#### **5.4.14. Natural Environment within the Bayfield Settlement Area**

Bayfield has the enviable position of being bordered by both Lake Huron and the Bayfield River; this privilege comes with great responsibility with respect to the protection of the natural environment. The Bayfield Settlement Area has the highest percentage of natural area within its settlement area boundary when

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compared with other settlement areas in the County; of the **185.34 hectares (458 acres)** designated for future residential development, **114.93 hectares (284 acres)** contain natural environment features (which represents 62%). The protection of natural spaces must be carefully balanced with future development. The vast natural spaces in Bayfield provide many ecological functions such as providing wildlife habitat, improving air quality, reducing stormwater runoff, mitigating heat, enhancing biodiversity, reducing soil erosion, and providing carbon storage and sequestration (Green Infrastructure Ontario, Benefits of the Urban Forest, 2016). By protecting and enhancing natural spaces at the time of development, the Settlement Area of Bayfield will be better positioned to respond to changing climatic conditions. In this way, the natural spaces should be considered and protected as community infrastructure.

Addition Policy Direction for Bayfield Settlement Area

1. Development which is proposed either within or abutting natural areas must demonstrate no negative impact. Areas designated Residential with a Natural Environment notification are lands on which development may be considered after an evaluation of the ecological function of the area is completed. An Environmental Impact Study will be required as a complete application for any large, undeveloped property at the time of development. Once a property has been evaluated, the portions of the property which are to remain in a natural state will be designated and zoned Natural Environment. Where an Environmental Impact Study is supportive of development, new development will be required to submit a tree savings plan.
2. Development and site alteration will not be permitted in the Bayfield River Valley (defined from the top of bank to the corporate municipal boundary in the river) except for accessory structures and uses associated with hiking trails, marina, and flooding/erosion control in accordance with the requirements of the Ausable Bayfield Conservation Authority.
3. Development and site alteration will not be permitted on the Lake Huron bluff (defined from the top-of-bank to the toe-of-bank) except for accessory structures associated with walking trails, municipal parks, or flooding/erosion control **in accordance with the requirements of the Ausable Bayfield Conservation Authority.**
4. For land uses abutting natural environment areas, the Zoning By-law will establish setbacks and other measures to protect natural areas from development encroachment, and the protect development from natural hazards.
5. The passive use of natural areas, including the development of trails, is encouraged.

(as amended by OPA #23)

### **5.5. Land Division**

In areas designated Natural Environment on the Land Use Plan, consents for conveyance may be granted in accordance with the following policies.

1. All consents must conform with the general requirements of Section 9.1.
2. Consents may be granted for the conveyance of land to public bodies or agencies engaged in the protection, reestablishment and management of the natural environment.
3. Consents may be granted where both the severed and retained parcels:
  - are original lots under Section 3.3.1; and
  - both the severed and retained parcels are eligible for a rezoning under Section 5.4.7.
4. Consents may be granted for title correction purposes and for minor lot boundary adjustments.



## 6. Recreation

### 6.1. Introduction

The lake, rivers, and natural areas of the Municipality provide numerous recreational opportunities. Some activities are passive and non-intensive uses of land, such as hiking, bird watching and fishing. Other activities are active and intensive uses of land, such as golfing, camping and boating.

Passive, non-intensive recreational activities that do not constitute an on-going land use are permitted in all land use designations, provided they do not interfere with the designated land uses for a given area. Active, intensive recreational activities that constitute an on-going land use are permitted only in the Recreation designation.

Active recreation land uses will be limited to designated areas to prevent their intrusion into agriculture areas and natural areas.

### 6.2. Definition

**Recreational areas** may include **recreational uses such as campgrounds and trailer parks, and recreational commercial uses such as golf courses, tennis courts, skating rinks, swimming pools, wading pools, splash pads, play areas, skateboard facilities, sports fields, motels, hotels, restaurants, theatres and marinas.** ~~campground and trailer park uses, golf courses, marinas, parks and open spaces.~~ These recreational land uses are often characterized by seasonal use. These uses have historically been developed on the basis of private or shared water and sewage services.

**Active transportation refers to modes of non-motorized transportation that have the intent of the user getting from one place to another in an environmentally friendly manner that benefits the physical and social health of the user. While activities that are considered active recreation overlap with those described as active transportation, the concept of active transportation is addressed in other sections of this Plan - examples include walking, running, wheeling, cycling, and inline skating. Forms of active transportation can be made accessible to a wide range of age groups and user abilities within the community.**

Many of the urban recreational uses such as parks, fairgrounds, ball diamonds, etc. are designated as Community Facility, Natural Environment and/or Parks and Open Space.

### 6.3. Goals

The goals identified by the community and adopted by this Plan are:

- To direct development to designated areas;
- To protect natural features and functions from incompatible development;

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- To prevent the intrusion of non-farm development in agriculture areas; and
- To ensure appropriate and adequate services such as water supply and sewage disposal are provided.

## 6.4. Policies

### 6.4.1. Development Standards

The following development standards shall apply to all development in the Recreation designation:

1. Development will proceed in accordance with a detailed site plan and development agreement addressing design, site pattern, phasing, services, landscaping, communal areas and community facilities;
2. Development must be compatible with surrounding uses;
3. No development will be permitted on the lake bank, beach, beach vegetation area or within river valleys. Setbacks from slopes will be determined with input from the Conservation Authority;
4. Natural features and functions will be protected. The design will be harmonized with natural features, including topography and woodlands;
5. Vehicle access will be provided by a public road developed to municipal standards;
6. Adequate services, including water supply, sewage disposal, storm water management, and drainage shall be provided to the satisfaction of the municipality and governing agency; and
7. The appropriate zoning is in force.

### 6.4.2. Trailer Parks and Campgrounds

For trailer parks and campgrounds, the following additional requirements shall apply:

1. Trailer/camp sites will be limited to seasonal and recreational occupancy and will not be used as a continuous year-round dwelling;
2. The density of development will not exceed 15 sites per hectare. Areas of natural environment and open space included in the design may be used in calculating density;
3. Communal open space, which may include natural areas, shall occupy at least one third of the area of the development;
4. Potable water will be supplied by a communal water system or communal faucets to the satisfaction of the appropriate Provincial Ministry ~~Ministry of the Environment and/or Huron County Health Unit~~. Individual wells for trailer/camp sites will not be permitted;

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5. Sewage disposal will be provided by a communal sewage system or a communal washroom facility to the satisfaction of the **Municipality or appropriate Provincial ministry**. ~~Ministry of the Environment and/or Huron County Health Unit.~~ Individual septic systems for trailer/camp sites will not be permitted;
6. Access to the beach shall be provided over land owned as part of the trailer park/campground; and
7. The trailer park and campground shall be under one ownership, with no individually titled properties.

### **6.4.3. New Recreation Development**

In addition to the requirements stated in 6.4.1. and 6.4.2., new recreation development is subject to the following policies.

#### **6.4.3.1. Designation Changes to Recreation**

New recreational development on prime agricultural lands will be discouraged. New recreational development will require an amendment to this Plan to establish a Recreation designation.

Where new lands are proposed to be designated Recreation, applicants shall demonstrate the following:

- The land does not comprise a speciality crop area;
- The area to be designated has minimal impact on adjacent agricultural lands and buildings;
- The development conforms with the Natural Environment policies of this Plan;
- There is an identified need within the 20 year planning horizon for additional land to be designated to accommodate the proposed use;
- Alternative locations have been evaluated and there are no reasonable alternatives which avoid prime agricultural areas; and there are no reasonable alternate locations in prime agricultural areas with a lower priority agricultural lands; and
- MDS setback requirements are satisfied, **with the majority of the required setback being contained on the lands subject to recreational development.**

#### **6.4.3.2. Servicing Requirements**

Adequate services, including water supply, sewage disposal, storm water management and drainage shall be provided to the satisfaction of the Municipality.

Recreational development shall connect to municipal water and sanitary services, where available. Where municipal services are not available, a

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servicing options strategy and hydrogeological study will be provided in accordance with the servicing policies of this Plan.

Development shall be located on public roads of an acceptable standard of construction to the Municipality or the applicable road authority.

Development will proceed in accordance with a detailed site plan and development agreement addressing design, site pattern, phasing, services, landscaping, communal areas and parking.

**6.4.4 Recreation Development within the Bayfield Settlement Area**

The following policies apply specifically within the Bayfield Settlement Area:

1. Existing development is permitted to continue.
2. No additional recreational development is permitted in or abutting the Bayfield Settlement Area unless it is fully serviced.
3. The following development standards shall apply to all development in the Recreation designation:
  - Development will proceed in accordance with a detailed site plan and development agreement addressing design, site pattern, phasing, services, landscaping, communal areas and community facilities;
  - Development must be compatible with surrounding uses;
  - No development will be permitted on the lake bank, beach, beach vegetation area or within river valleys. Setbacks from slopes will be determined with input from the Conservation Authority;
  - Natural features and functions will be protected. The design will be harmonized with natural features, including topography and woodlands;
  - Vehicle access will be provided by a public road developed to municipal standards;
  - Adequate services, including water supply, sewage disposal, storm water management, and drainage shall be provided to the satisfaction of the municipality and governing agency;
  - The appropriate zoning is in force;
  - Trailer sites shall be limited to seasonal and recreational occupancy and will not be used as a continuous year-round dwelling;
  - Existing recreational areas shall not be further intensified (ie. no new sites created);
  - Where a site is anticipating significant impacts from natural hazards (ie. flooding, ice jams), the site will either be relocated elsewhere on the subject property or will cease in use;
  - Communal amenity areas and open spaces shall be provided to a high standard;

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- Municipal water and sewer is required;
- Access to the beach shall be provided over land owned as part of the trailer park if possible;
- The trailer park shall be under one ownership, with no individually titled properties.

#### Special Policy Area #1 (As amended by OPA #19)

Notwithstanding Section 6.2 and Subsection 6.4.2 of the Municipality of Bluewater Official Plan, the Recreation Special Policy Area 1 permits a range of seasonal and year-round uses complementary to the existing golf course, which may include an assembly hall, craft brewery, event venue, flea market, farmers market, a place of entertainment, a restaurant, and a personal services shop. Campgrounds and trailer park uses will not be permitted. All other Recreational Policies in Section 6 of the Municipality of Bluewater Official Plan will continue to apply within the Special Policy Area.

### **6.5. Land Division**

In areas designated Recreation on the Land Use Plan, consents for conveyance may be granted in accordance with the following policies:

1. All consents must conform to the general requirements of Section 9.1.;
2. The area is suited for the recreational use; and
3. For property enlargement, property boundary adjustments and title correction purposes.

## 7. Settlement Areas

### 7.1. Introduction

The Municipality of Bluewater is fortunate to have a variety of settlement areas. The three villages and six hamlets serve the surrounding agricultural community and function as residential areas **provide a variety of residential, commercial, industrial, recreational, social and institutional functions. With their pleasing aesthetic qualities and mix of uses, they are residential and social centers, which provide community services and local employment opportunities.** The lakeshore provides residential opportunities for recreation and permanent living.

~~The Municipality offers a number of choices for individuals who prefer not to live in larger urban places.~~ These settlement areas protect the agricultural land base and natural environment areas by directing development toward designated areas and avoiding scattered non-farm development.

Settlement areas are divided into Primary, Secondary, and Tertiary settlement areas as well as Lakeshore Residential Areas to provide a variety of residential, commercial, industrial, recreational and community facility functions. These areas will develop in a manner consistent with their existing roles, character and level of servicing.

VILLAGES	HAMLETS		LAKESHORE
Primary Settlement Areas	Secondary Settlement Areas	Tertiary Settlement Areas	Lakeshore Residential Areas
Bayfield Hensall Zurich	Brucefield Dashwood St. Joseph	Blake Kippen Varna South of Clinton	Areas designated Lakeshore Residential

### 7.2. Definitions

**Low Density:** permitted dwelling types includes single detached, semi-detached, duplex, triplex, quadraplex and converted dwellings and will generally be two storeys in height. In addition, low density residential uses are permitted to have additional residential units.

**Medium Density:** consists of low density uses, rowhouses and multi-unit buildings not exceeding three storeys. **In addition, low density residential uses are permitted to have additional residential units.**

**High Density:** consists of multi-unit residential uses generally greater than three storeys in height.

**Additional Residential Unit:** a self-contained residential unit with kitchen and bathroom facilities that is located within a single detached, semi-detached or rowhouse dwelling unit or within a building or structure which is accessory to single detached, semi-detached, triplex, fourplex, or rowhouse dwelling.

**Dwelling with Support:** means a residence for the short or long term accommodation of persons who, by reason of their emotional, mental, social or physical condition or legal status, require a group living arrangement for their well-being. This shall include, for example, a group home, crisis care facility, hospice, respite care, but shall not include a hotel or motel.

**Group Home** means premises used to provide supervised living accommodation as per the requirements of its residents, licensed or funded under the Province of Ontario or Government of Canada legislation, for a maximum of 10 persons, exclusive of staff, living together in a single housekeeping unit.

### 7.3. Goals

The goals for settlement areas are:

- To protect and enhance the character and aesthetic qualities of the settlement areas;
- To preserve the heritage features within settlement areas;
- To provide sufficient land for growth within settlement areas through infilling, conversions and new development;
- To prevent the intrusion of non-farm development in agriculture areas;
- To protect natural features and functions from incompatible development;
- To ensure appropriate and adequate services are provided within settlement areas; and
- To promote **and create** safe, attractive, healthy, age-friendly, **accessible, bike-friendly** and walkable **complete** communities **where people can live, learn, work, play and age.**
- **To promote continuity across municipal boundaries by coordinating planning adjacent to neighbouring municipalities..**

## 7.4. General Urban Settlement Area Policies

### 7.4.1. Future Growth

The *primary settlement areas* of Bayfield, Hensall and Zurich will continue to be the focus of development activity in Bluewater over the long term.

Growth and development will be directed first to settlement areas with full municipal sewer and water services. Opportunities in *secondary and tertiary settlement areas* will generally be for infilling and rounding out and for providing limited community facilities, commercial and **industrial employment** lands consistent with the rural character of the community.

### 7.4.2. Promoting Infilling and Conversions

Redevelopment, infilling, and expansion or conversion of existing buildings, including the establishment of ~~second~~ **additional** *residential units* is encouraged as an efficient use of land and services. Infilling and conversions are more likely in *primary settlement areas* due to the availability of services. The design of residential development within already established areas will respect neighbourhood character. The appearance and location of new buildings and structures should incorporate design features which complement existing properties in the immediate area.

### 7.4.3. Accessibility and Universal Design

The **Huron County Universal Design and Accessibility Guideline** Bluewater Universal Design and Accessibility Guideline will be considered in all private development proposals through the site plan review process.

### 7.4.4. Affordable Housing

Housing is one of the most fundamental human needs. It is also a key driver shaping the economic and social sustainability of communities.

#### **Affordable means:**

##### **In the case of ownership housing, the least expensive of:**

- i. housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households; or**
- ii. housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area;**

##### **In the case of rental housing, the least expensive of:**



- i. **a unit for which the annual rent does not exceed 30 percent of gross annual household income for low and moderate income households; or**
- ii. **a unit for which the rent is at or below the average market rent of a unit in the regional market area.**

#### **7.4.4.1 Goals for Affordable Housing**

The following goals are established for affordable housing within Bluewater's *primary*, *secondary* and *tertiary settlement areas*:

- To encourage and facilitate the provision of a full range of housing forms and ownership/rental structures to meet the needs of current and future residents.
- To encourage redevelopment and intensification of underutilized properties for residential purposes.
- To encourage new affordable rental housing to be located in *primary settlement areas* where residents can have greater access to services.

#### 7.4.4.2 Policies for Affordable Housing

1. The Municipality will encourage the development of housing that is affordable for low and moderate income households. In order to provide opportunities for affordable housing units, Council may consider relief from municipal permit fees, taxes and/or development fees, where permitted by legislation.
2. The preferred locations for affordable housing are the *Primary Settlement Areas* due to the availability of services, employment opportunities and community facilities.
3. Affordable housing in new residential development will be tracked and encouraged. **In alignment with the County of Huron, the minimum affordable housing target is 30% of all new residential development in Bluewater. Strategies for moving towards a**Affordable housing may be achieved by:
  - Increasing density through reduced property or unit size;
  - Construction, redevelopment and renovation of a variety of dwelling types including medium to high-density residential dwelling types, *garden suites* and ~~second~~ **additional** *residential units*;
  - Applying for government grants and/or subsidies, including identifying surplus municipal land holdings and land dedication; and
  - Encouraging the establishment of ~~second~~ **additional** *residential units* and *garden suites*.
4. The Municipality will work with other government agencies and the private sector to promote innovative housing forms and development techniques and incentives that will facilitate the provision of affordable housing.
5. Additional Residential Units

Additional Residential Units are self-contained residential units with kitchen and bathroom facilities that are located:

In full service areas: within a single detached, semi-detached or rowhouse dwelling unit or within a building or structure which is accessory to single detached, semi-detached, triplex, fourplex, or rowhouse dwelling.
6. Garden Suites

*Garden suites* are dwellings designed to be moveable, and are permitted within villages, hamlets and in agricultural areas of the Municipality, subject to:

  - Appropriate water and sewage services to accommodate the use;
  - The passing of a temporary use by-law; and

- A development agreement for the occupancy, duration and location ~~of the temporary use.~~

~~7. Mobile homes are not permitted in villages with the exception of where they are permitted under a By-law passed for a garden suite.~~

#### **7.4.5. Land Needs Analysis & Expansion of Settlement Areas**

Sufficient land is designated within Bluewater and shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of at least 20 years, but not more than 30 years, informed by provincial guidance. ~~to accommodate projected growth and development within the 20 year planning horizon.~~ Planning infrastructure, public service facilities, strategic growth areas and employment areas may extend beyond this time horizon. Planning authorities are to maintain at all times the ability to accommodate residential growth for a minimum of 15 years through 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.

Any Expansions of existing Settlement Areas or the establishment of a new Settlement Area will consider: ~~require a supportive comprehensive review.~~ In addition, the proponent of an expansion to a settlement area shall:

- ~~– Demonstrate there is a need within the planning time horizon of 20 years;~~
- ~~– Demonstrate that the proposed expansion is a logical extension of the settlement area and physically suitable for development, considering any constraints, such as Hazard Lands and Natural Heritage Features;~~
- ~~– Demonstrate extension of services are feasible;~~
- ~~– Confirmation of sufficient reserve sewage and water systems capacity within municipal services or that municipal systems will be expanded to ensure reserve capacity;~~
- ~~– Demonstrate that the proposed expansion complies with the minimum distance separation formulae;~~
- ~~– Demonstrate how the additional volume of traffic through the transportation network will be accommodated;~~
- ~~– Demonstrate that impacts of development on the natural environment will be minimized;~~
- ~~– Provide other studies as required to support the proposed development as determined by the County and Municipality; and~~
- ~~– Meet any other requirements as stipulated by the applicable legislation and regulations in effect at the time.~~

- a) the need to designate and plan for land to accommodate an appropriate range and mix of land uses, including whether opportunities for intensification exist;
- b) whether there is sufficient capacity in existing or planned infrastructure and public service facilities;
- c) whether the applicable lands comprise specialty crop areas;
- d) the evaluation of alternative locations which avoid prime agricultural areas and, where avoidance is not possible, consider reasonable alternatives on lower priority agricultural lands in prime agricultural areas;
- e) whether the new or expanded settlement area complies with Minimum Distance Separation formulae;
- f) whether impacts on the agricultural system are avoided, or where avoidance is not possible, minimized and mitigated to the extent feasible as determined through an agricultural impact assessment or equivalent analysis, based on provincial guidance; and
- g) the new or expanded settlement area provides for the phased progression of urban development;
- h) the transportation network can reasonably accommodate the additional volume of traffic and demand for services;
- i) that impacts of development on the natural environment will be minimized.

#### **7.4.6. Industrial Employment/Industrial Areas**

Employment areas include only industrial lands and will be protected for industrial purposes over the long-term. Industrial areas, promote a diverse economic base by maintaining a range and choice of suitable industrial sites that support a range of industrial and ancillary uses. Industrial **Employment** areas are the focus of major concentrations of industrial-related employment growth and development in the Municipality, which may include manufacturing, logistics operations, warehousing, distribution, business park uses and offices. Ancillary commercial and retail uses serving the Industrial area will be permitted. **Community Facility and Highway Commercial uses are not considered Employment Areas.** Industrial areas will be protected for industrial purposes over the long-term.

However, Municipal community facilities (i.e. ambulance station, fire hall, works yard) may be permitted within Industrial areas, subject to the specific policies of the industrial designation and zoning by-law. Removal of lands from the industrial designation will require a comprehensive review.

**Employment Areas shall promote economic development and competitiveness by:**

- a) providing a range and mix of employment uses to provide for a diversified economic base;
- b) maintaining a range and choice of suitable sites for employment uses to support a wide range of employment activities and related uses to accommodate markets ranging from local to international;
- c) accommodating employment uses on full municipal water, sewer and stormwater management systems where possible;
- d) ensuring that employment uses are protected from incompatible sensitive land uses;
- e) providing an appropriate level of transportation infrastructure; and
- f) directing employment related traffic to arterial roads, and away from local residential streets to the extent possible.

#### Expansion of Employment Areas

A proposal to expand the boundaries of an Employment Area shall only be considered where it is demonstrated that:

1. Sufficient opportunities for appropriate employment growth are not available through designated employment areas to accommodate projected needs over the planning horizon within the Municipality, or sufficient opportunities for growth are not available through designated employment areas to accommodate projected regional local area needs as a result of locational or economic considerations;
2. Opportunities for intensification, infill and redevelopment have been explored, and accounted for in evaluating alternatives to an Employment Area expansion;
3. The amount of land included within the expansion area is justified based upon the amount and nature of land available for development within the Municipality as a whole and the Employment Areas on an individual basis, the employment projections for the Municipality, and the intended role of the Employment Area;
4. The proposed expansion is a logical extension of the Employment Area and will be provided with full municipal water and wastewater and stormwater management systems;
5. The proposed expansion has regard for appropriate separation of incompatible sensitive land uses;
6. The land is physically suitable for development, considering any constraints, such as Hazard Lands and Natural Heritage Environment Features;

- 7. The transportation network can accommodate additional volume of traffic and demand for services;**
- 8. A suitable plan for phasing, financing and construction of the infrastructure for the expansion area is developed;**
- 9. Cross-jurisdictional issues have been considered; and**
- 10. Other requirements established by the Provincial Policy Planning Statement, legislation and regulations in effect have been satisfied.**

#### **Removal of Land from Employment Areas**

**Employment Areas only include industrial lands. Employment Areas shall be protected and preserved for employment uses and the Municipality shall discourage the conversion of Employment Areas for other uses.**

**The conversion of lands from Employment Areas to non-employment uses shall only be considered where it is demonstrated that the land is not required for employment purposes over the long-term and that there is a demonstrated need for the conversion.**

**Conversion of employment areas to non-employment uses must satisfy:**

- 1. Justification of the need for conversion of employment lands, including demonstration that sufficient opportunities are not available through redevelopment and intensification;**
- 2. Demonstration that there are no reasonable alternative locations for the proposed use available that would avoid the conversion of employment lands;**
- 3. Description of the planned or available infrastructure and public service facilities suitable for the proposed development;**
- 4. Demonstration that the impacts of development on the natural environment will be minimized;**
- 5. Demonstration that the conversion is compatible with neighbouring uses and will not adversely affect the function of the employment area;**
- 6. There is no past on-site contamination that would negatively impact the proposed use or future users of the site;**
- 7. Consideration of cross-jurisdictional issues;**
- 8. Completion of other studies as required to support the proposed development as required by the County and the Municipality.**

#### **7.4.7. Community Facilities & Infrastructure**

Community facilities for social, recreational, administrative or other purposes, such as community centres, sports facilities or government offices, will locate in

*primary, secondary and tertiary settlement areas* to avoid conflicts with agriculture and to enhance urban areas.

**The following goals are adopted for community facilities:**

- **To reduce deficiencies and improve municipal, social and recreation facilities in order to maintain the quality, safety and stability of the community.**
- **To locate new community facilities where they can best serve the public while ensuring compatibility with surrounding uses;**
- **To provide facilities and services which promote interaction;**
- **To provide efficient and compatible locations for community facilities.**

Community facilities may be permitted by rezoning, provided:

- the proposed location is suitable for the use and compatible with the surrounding uses including the scale and character;
- adequate services are available;
- community facilities should be combined, where possible, to maximise use of space and shared parking; and
- new community facilities may be subject to Site Plan Control to address details of development such as parking, vehicle access, landscaping, tree planting, buffering and design.

#### **7.4.8. Natural Environment, Parks and Open Space**

Natural environment areas will be protected under the policies of the Natural Environment section of this Plan.

**Open space and parkland areas serve many functions, including recreation, social connection, tourism, beautification, providing opportunities for alternate transportation (i.e. walking and biking trails) and access to nature, shade, noise buffers and improved air quality. Open Space and parklands also meet the active and passive recreational needs of the neighbourhood, community and region. Active recreation means activities that result in a healthy increase in aerobic rate. They are typically associated with developed facilities, trails and structured activities. In contrast, passive recreation usually means self-directed activities that require few facilities.**

The establishment of new parks will proceed by amendment to the Zoning By-law. The Municipality will continue to support the development and maintenance of recreational facilities, the acquisition, beautification and maintenance of public parks and the development of recreation programs in accordance with community needs and availability of resources.

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The Municipality may require a parkland dedication of 5% or cash in-lieu for lands being subdivided for residential purposes subject to the provisions of the Planning Act.

Where a property is not designated Natural Environment but natural features exist, an Environment Impact Statement may be required.

**7.4.8.1 Additional Policy Direction for Bayfield Settlement Area**

There are several privately owned parks and open spaces in Bayfield including Pioneer Park, The Flats, and Agricultural Society Park. In 2021, a portion of the 'Century House' property (34 Bayfield Terrace) was donated to Pioneer Park to be used as parkland. Other recreational assets are located on municipal lands but were built and are maintained by a volunteer group, such as the International Croquet Club.

Municipally owned parks include Clan Gregor Square which is the focal point of the Heritage Conservation District and Downtown Area, providing a space for civic, recreational and passive activities. There are several small parks, sometimes referred to as 'pocket parks', such as Ninian Woods Park (located at the corners of Fry and Victoria Streets) and one within Bayfield Meadows at the corner of Sweetgrass and Thimbleweed Streets. A green space is also maintained on Carriage Lanes with minimal programming.

Parks and Open Spaces within the Bayfield Settlement Area are also subject to these policies:

1. Parkland will be provided in sufficient amount and location to serve the needs of residents and to enhance Bayfield as a tourist destination.
2. The conversion of park spaces to any other land use will not be permitted.
3. Parks and public spaces will be acquired and developed through the development process (parkland dedication, donations, bequests and public purchase).
4. The Municipality will give preference to physical parkland rather than cash in lieu for Plans of Subdivision within the Bayfield Settlement Area. The dedication of natural spaces as parkland will be given priority, particularly where there is opportunity to link the space with natural areas on abutting lands. All parkland dedications must be deemed acceptable by the Municipality; hazard areas and stormwater management facilities will not be accepted as parkland.
5. In newly developing areas, the goal is to create a connected green network wherein park spaces are connected with a trail system.
6. To provide equitable access to the many benefits of natural spaces, the development of a public Urban Forest within the Bayfield Settlement Area is desired. The dedication of natural spaces as parkland will be given priority, particularly where there is opportunity to link the space with natural areas on abutting lands.



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7. Where new parks are proposed, the design of the park should avoid an overly manicured and landscaped space in favour of a more natural approach which responds to local history, existing grade, natural areas, integration with active transportation, and preference for natural materials.
8. The unopened road allowances throughout Old Bayfield are designated Open Space to indicate the long term intention for these lands to be used for passive recreation, natural features and buried infrastructure.
9. The parkette located at the western terminus of Victoria Street is intended to be a passive space serving Village residents who walk or cycle to the space. The parkette shall remain unprogrammed save for additional tree planting, landscaping and the placement of limited seating (ie. benches). Access to an abutting accessory building will continue to be provided. No parking or beach access is available at this location.

(as amended by OPA #23)

#### **7.4.9. Lands Designated Development**

Prior to development, an Official Plan Amendment is required on lands designated Development.

#### **7.4.10. Development Standards**

The following development standards apply to all development in the villages and hamlets.

1. Development must be compatible with surrounding uses.
2. Most development will proceed by plan of subdivision. Infilling and small-scale development may proceed by consent based on an acceptable concept plan.
3. Natural features and functions will be protected. The design of new development will be harmonized with natural features, including topography and woodlands.
4. Property sizes will be sufficient to accommodate the proposed method of servicing over the long term. Where septic systems are proposed, developments will comply with the provincial groundwater protection criteria for nitrates, and properties will contain a contingency tile bed area.
5. New developments, including the opening up of new areas, will be required to connect to an existing municipal water supply or establish a new municipal water supply. Where municipal water is not available and an acceptable, supportive Servicing Options Strategy is provided, infilling and small-scale developments may be serviced by communal or individual wells.

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6. New developments, including the opening up of new areas, will be required to connect to municipal sanitary services. Where municipal sanitary services are not available, a Servicing Options Strategy will be required to support the disposal of sewage via a communal or individual on-site system. Where full services are not required, individual on-site sewage disposals systems may be permitted.
7. Development within settlement areas will be contiguous with existing development. Development within fully or partially serviced Settlement Areas will be connected to available municipal water and/or sewer services.
8. Water supply and sewage disposal are subject to approvals from the appropriate authority before development occurs.
9. Open space areas, natural areas and parkland will be conveyed to the municipality or owned in common by the residents. Council may accept payment in lieu of parkland where appropriate.
10. Vehicle access will be provided by a public road developed to municipal standards.
11. Adequate property grading and drainage, and storm water management are required. ~~Low Impact Development through the use of green infrastructure, storm water attenuation and reuse is the preferred method of storm water management. Where Low Impact Development is not sufficient to address storm water management underground storage is preferred.~~
12. A development agreement will be signed and registered on title to the satisfaction of the Municipality.
- 13. New development may require enhanced tree planting to promote shade and heat mitigation over the long term.**

## 7.5. Villages

Bluewater has three larger settlement areas serviced by public water and sanitary services: Bayfield, Hensall and Zurich. These *primary settlement areas* function as social, economic and cultural centres of Bluewater and may provide a full range of services including residential, commercial, industrial, and community facilities. These communities ~~have full municipal water and sewer services and~~ are intended to be the primary location for growth and development.

Bayfield is a historic village bordered by the Bayfield River and the shore of Lake Huron. The population of Bayfield has gradually increased to approximately ~~1250~~ **1394** permanent residents with the seasonal influx of summer residents doubling the permanent population. The quaint, historic, village character remains integral to Bayfield's identity and will be reinforced wherever possible. The residential character of Bayfield has changed in recent years, ~~with the replacement of the Settlement Area~~. The commercial area of the Village has experienced significant change with expansion along Hwy 21. Bayfield has maintained day-to-day liveability by attracting and retaining core services for residents such as a grocery store, pharmacy, veterinary clinic, automobile garage, etc; these core services reinforce the authenticity of the village and allow residents to live year-round as well as support the strong tourism industry.

A Secondary Plan was prepared for Bayfield in 2021-2023; the policy direction of that Secondary Plan has been implemented with the Official Plan and the original document is available for reference and explanatory purposes.

Hensall is located at the junction of Highway 4 and County Road 84. The village provides a focal point for residential, commercial and service functions and has a thriving industrial base. There is adequate land designated for residential and new development should take place through infilling or by registered plan of subdivision/*condominium on full municipal services*.

Zurich is located at the junction of County Roads 2 and 84. The village provides a focal point for residential, commercial and service functions for the surrounding agricultural area. There is adequate land designated for residential development and new development should take place through infilling or by registered plan of subdivision/*condominium on full municipal services*.

(As amended by OPA #23)

### 7.5.1. Village/Hamlet Goals

The goals adopted by this Plan are:

- The goals contained in section 7.3;

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- To allow development as a residential, commercial and social focal point for the surrounding community in keeping with the setting, character and aesthetic quality of the village/hamlet areas; and
- To promote the creative use of landscaping, building and site design in residential development and the integration of new buildings to harmonize with established areas.

### 7.5.2. Village Goals

The following goals are established in addition to the goals listed in section 7.5.1:

- To retain, strengthen and enhance the core areas of the villages as the dominant centres of commercial activity;
- To provide opportunities for *highway commercial* development which do not detract from the goal of retaining a strong, viable core area;
- To promote an orderly pattern and high standard of design for commercial development and redevelopment;
- To make the most efficient use of land and existing services available within the urban boundary by encouraging infilling and conversions and discouraging sprawl development;
- To provide a broad mix of quality housing choices to meet the needs of the community; and
- To meet the urban natural environment, parks and open space needs of the community and to protect unique or fragile natural landscapes.
- **To create vibrant, walkable and complete communities where urban spaces foster interaction and inclusivity for all.**
- **To recognize the critical importance of urban natural environment, parks and open spaces in providing physical and mental health benefits, recreational opportunities and enhancing capacity to adapt to a changing climate.**

### 7.5.3. Village, Residential

1. New residential developments will provide a mix of dwelling types and include affordable housing. All new residential developments should have consideration for the need for housing options for all income types and household sizes. A mix of housing tenures and forms is recognized for its benefits to the entire community.
2. New housing should be designed to blend with the form, scale of existing development and should be compatible with existing or proposed surrounding uses.

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There is a substantial supply of single detached dwellings in established neighbourhoods within Primary Settlement Areas. Single detached dwellings continue to meet some of the housing need but a broader range of housing forms will be permitted and promoted in low density areas. Intensification is considered compatible in established neighbourhoods; with respect to residential development, 'compatible' means development or redevelopment which may not necessarily be the same as or similar to the existing development in the vicinity, but shall not creating undue, adverse impacts on adjacent properties.

3. Residential Development (Low, Medium and High Density)

A variety and mix of housing will facilitate the provision of a full range of housing options including building type, size, tenure (eg. rental, ownership, life lease, etc) affordability, housing which contains supports and location.

New residential development, including infill and intensification, shall occur at a density which efficiently uses land, resources, infrastructure, public lands and community facilities. Intensification and the development of currently designated lands will form the primary method of meeting new housing need and demand which supports the preservation of farmland and natural areas, promotes energy efficiency and maximizes community investments in infrastructure.

New residential development will be directed to locations where adequate services are available. Services to be considered include but are not limited to water supply, wastewater disposal, stormwater management, roads, sidewalks, and public facilities (e.g. schools, parks and open spaces). Where appropriate, new or improved active transportation infrastructure such as walking trails and/or bike paths should be incorporated into the design of new developments.

Healthy neighbourhoods are inclusive of all housing needs. Uses such as group homes, **dwelling with supports**, hospice, overnight respite, emergency housing, transitional housing or others which are defined as Residential with Supports will be permitted in all residential areas.

Additional Residential Units (ARUs) shall be permitted either within the main dwelling and/or in a structure accessory to a residence. A maximum of two Additional Residential Units are permitted per **main** dwelling unit in fully serviced residential areas.

Additional Residential Units shall:

- Be connected to municipal services (water and wastewater);
- Subject to the provisions of the Zoning Bylaw.

New developments in fully serviced greenfield areas are required to be developed to a higher density than existing residential neighbourhoods

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of the settlement areas. For example, including higher density building types, designing buildings with Additional Residential Units, establishing reduced lot area and frontage requirements, etc. All new developments of 40 ~~30~~ or more units will demonstrate how market-based needs such as affordability have been addressed.

High density residential developments are encouraged to locate within or close to the Core Commercial Area or along arterial streets. Co-location of high density uses with parks and/or other community destinations such as community mailboxes is encouraged.

Higher density developments will be subject to Site Plan Control ~~including exterior design control~~. Adherence to the County's Residential Intensification Guidelines **will be encouraged** ~~shall be demonstrated~~, where applicable.

4. Where a conflicting land use exists near a developing residential area, the residential development will incorporate appropriate measures to prevent or alleviate any adverse effect on the residential use.
5. *Medium and high density* sites shall be located in a manner, which minimizes traffic movement through low density residential areas.
6. ~~Development within residential communities shall be evaluated using the following criteria to maintain and protect the existing neighbourhood character:~~
  - a. ~~The proposed built form is compatible with the surrounding neighbourhood and demonstrates compliance with the County's Residential Intensification Guidelines, where applicable.~~
  - b. ~~Development should be compatible with the setbacks, orientation and separation distances within the surrounding neighbourhood.~~
  - c. ~~Where applicable, the proposed pattern of development shall be compatible with the predominant lot pattern of the surrounding neighbourhood.~~
  - d. ~~Roads and/or municipal infrastructure shall be adequate to provide water and wastewater service, waste management services and fire protection.~~
  - e. ~~Surface parking shall be designed to minimize the visual impact.~~
  - f. ~~A proposal to extend the public street network should ensure appropriate connectivity, traffic circulation and extension of the street grid network designed for pedestrian and cyclist access.~~
  - g. ~~Impacts on the adjacent properties will be minimized in relation to grading, drainage, location of service areas, access and traffic circulation, privacy,~~

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- ~~h. Development should maintain access to amenities including neighbourhood commercial facilities, and community facilities including schools, parks and community centres.~~
  - ~~i. Utilities shall be adequate to provide an appropriate level of service.~~
7. The expansion of residential areas will generally be by registered plan of subdivision or condominium. New residential development should occur at a density which effectively uses land, resources, infrastructure, and community facilities. New developments will be designed and phased in a way to maintain a continuous urban form, interconnected road and servicing network, and will be staged to the availability and capacity of Municipal services.
  8. Street design shall form an integrated network of connected, direct and easy to follow routes which are built on existing networks, promote walking through the provision of sidewalks, trails and open space to link homes with shops, schools, parks and other important destinations. Streets shall be designed to be safe, pedestrian-scale and well maintained.
  9. Adequate parks, water supply, sanitary waste disposal, storm and surface drainage, roads, sidewalks and street lighting are available or are made available to serve the proposed development.
  10. Residential development shall proceed with concern for compatibility of surrounding land uses. Residential development in proximity to Industrial uses shall proceed according to Ministry of Environment, **Conservation and Parks and Climate Change** Guideline D-6 'Compatibility between Industrial Facilities and Sensitive Land Uses' as updated. Mitigation measures will be included in the development and redevelopment of residential land uses located or being proposed in areas subject to the impact of noise and/or vibration.
  11. Natural site features including tree cover and topography will be protected and incorporated into the design concept of new residential developments as far as possible and landscaping will be used to enhance residential character and quality. Natural environment enhancements should be designed to promote both ecological and human benefits in order to promote healthy, safe and walkable neighbourhoods.
  12. Residential uses will be allowed within the *core commercial area* above or behind commercial uses, but must be provided with adequate off-street parking facilities. The Municipality may consider a cash-in-lieu of parking by-law in situations where off-street parking facilities are not available.

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13. Home occupations, including bed and breakfast establishments, will be allowed in residential areas subject to the provisions of the implementing Zoning By-law.

14. ~~Group homes~~ **Dwelling with Supports**

Healthy, complete communities are inclusive of all residents. A dwelling with supports, as defined within the Official Plan, is permitted in all residential areas with the exception of the Lakeshore Settlement Area.

15. Residential Care Facilities

Residential care facilities include nursing homes, rest homes, and long-term residential care for seniors and those with disabilities, and independent dwelling units. These residential uses will be permitted subject to the following:

- a. Wherever possible, this type of housing is located near appropriate services and amenities, including physical infrastructure such as sidewalks, **parking, sufficient road access,** and soft services, such as community facilities and social services.
- b. **Wherever possible, the development is connected via sidewalk or multi-use trail/pathway to existing municipal infrastructure to ensure residence have access to amenities and opportunities for physical activity.**
- c. Development is designed in harmony with the scale, building height and character of the surrounding area.
- d. Appropriate site planning measures are used to ensure compatibility with adjacent residential uses.
- e. Where required, the residential care facility **facilities** will **comply with Provincial legislation** ~~be licensed by the Province.~~

16. Residential Conversions

Residential conversions to multi-household units will be permitted subject to the following:

**Additional Residential Unit**

**A self-contained residential unit with kitchen and bathroom facilities within dwellings or within accessory structures may be permitted in a single detached dwelling, semi-detached dwelling, or row house, or accessory structure provided that:**

- a. Sufficient road access, on-site parking, amenities and services are provided to meet the needs of the development.
- b. Municipal sanitary, storm and water supply services are available and have the capacity to accommodate the development.



- c. **There are a maximum of two dwelling units, either with both residential units located in the principle dwelling or with one residential unit located in the principle dwelling and a second unit located in an accessory structure;**
- d. The residential character of the area is maintained. All building exteriors shall maintain the residential character of the surrounding neighbourhood.
- e. **Additional residential units shall be permitted within both existing and new dwellings**
- f. Appropriate site planning measures are used to ensure compatibility with adjacent residential uses.
- g. Conversions meet the requirements of the Zoning By-law, the property standards and occupancy by-law. **The implementing Zoning By-law shall establish the zones within which Additional Residential Units may be permitted and shall include provisions to regulate the use.**

17. Additional Policy Direction for Bayfield Settlement Area

New development in Bayfield and the surrounding area designated for development will be phased in a contiguous manner on full services based on a servicing study. Existing properties or undivided original lots adjacent to the former Village of Bayfield on Ranges B-M of Registered Plan 144 will be permitted one residence on private services, where full services are not readily available, subject to rezoning. Further development will proceed by plan of subdivision in a contiguous manner on full services based on a servicing study. Existing residences on properties 2.5 hectares or larger may be severed subject to the land division policies, a concept plan of the area and a rezoning to prohibit a new residence on the retained lands until a Plan of Subdivision is approved on full services.

Notwithstanding anything else in this Plan, the 5.6 hectare (13.8 acre) parcel of land comprised of Lot 8, Range D and Lot 8 Range E, as shown on Plan 144, may be developed for single family residential purposes by creating up to three separate properties by Planning Act consent, subject to the following:

- Each single family residential property must have suitable access to an open and maintained public road;
- Not more than one residence shall be permitted on each of the three properties;
- One of the three properties shall include the residence which existed on January 1, 2006;

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- Each property must be of sufficient size to accommodate private services; and
- The configuration of the properties and the defining of building envelopes shall be illustrated on a concept plan which takes into account the natural environment features on each property.

New residential development, including infill, will occur at a density which efficiently uses land, resources, infrastructure, public lands and community facilities. Where infill is proposed in Old Bayfield (north of Cameron Street and west of the Ranges), heritage attributes will be retained wherever possible and new development will be integrated in an appropriate manner with consideration to the established scaled and design of the neighbourhood.

Larger residential developments are subject to Site Plan Control.; ~~demonstrated compliance with 'Bayfield Site Design Guidelines' is required through this process.~~

Natural features including tree cover and topography will be protected, enhanced and incorporated into new design wherever possible and landscaping will be used to enhance the residential character and quality.

Additional Residential Units are permitted in all areas of Bayfield subject to the requirements of the Zoning By-law and the Municipal Servicing Bylaw. The County's Additional Residential Unit Guideline gives examples of how appropriate site planning measures can be used to ensure compatibility with adjacent residential uses. A maximum of two Additional Residential Units are permitted per property with one unit permitted to locate in a detached accessory structure.

The Zoning By-law will establish low, medium and high density residential areas. Medium density development may be integrated with low density areas provided they are low rise and do not exceed three storeys.

Higher density uses are encouraged to locate on arterial streets, on select sites near the Core Commercial Area and in newly developing areas. Sites should be located near parks and open spaces where possible.

Residential development within existing neighbourhoods which contributes to an efficient use of land and infrastructure, and promotes affordability will be encouraged provided compliance is demonstrated with the County's Residential Intensification Guidelines through an Urban Design Brief.

In new and developing areas, the following development standards apply:

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- The expansion of residential areas will generally be by a registered plan of subdivision or condominium;
- New residential development should occur at a density which effectively uses land, resources, infrastructure, and community facilities;
- New developments will be designed and phased in a way to maintain a continuous urban form, interconnected road and servicing network, and will be staged to the availability and capacity of Municipal services;
- A minimum density of 15 units per hectare is required where site conditions permit though density calculations are to exclude areas with significant natural features;
- ~~Submission of Urban Design Brief which outlines~~ Overview of how the design of the subdivision or development ~~complies with~~ **considers** the County Residential Intensification Guideline, particularly the Guidelines for New Neighbourhoods, and has considered the local context of the Village;
- A connected community trail must be incorporated in lieu of sidewalks and must link with existing developments and/or provide opportunities for future linkages; **and where possible alternative forms of transportation including bicycle must be provided;** and
- Enhanced tree planting along arterial and internal streets is required. Accommodating enhanced street trees is made possible due to the space made available within the 66ft road allowance by not providing sidewalks.

Areas designated Residential with a Natural Environment Notification Overlay are lands on which development may be considered after an evaluation of the ecological function of the area is completed. An Environmental Impact Study will be required as a complete application for any large, undeveloped property at the time of re-zoning for development. Once a property has been evaluated and permissions for development granted, the portions of the property which are to remain in a natural state will be designated and zoned Natural Environment. Where an Environmental Impact Study is supportive of development, new development will be required to submit a tree savings plan.

Infilling and rounding out of development on Carriages Lanes, Old River Road, and Saw Mill Road is permitted on private services subject to hydrogeological study requirements.

**17.1 Special Policy Areas within Bayfield Settlement Area**

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Special Policy Area 1 for Bayfield

Notwithstanding the Residential designation, those lands shown as Special Policy Area 1, Bayfield may also be used for commercial winery, vineyards, an accessory dwelling unit, and other associated complementary commercial uses. Notwithstanding the policies of Section 9.1 of the Official Plan, where a development agreement is in place permitting newly created properties to use private septic servicing and also mandates that connection to municipal sanitary service will occur as soon as it's available then the public sewer standards can be used.

Special Policy Area 2 for Bayfield

Notwithstanding the policies of Section 9.1 of the Official Plan, where a development agreement is in place permitting newly created properties to use private septic servicing and also mandates that connection to municipal sanitary service will occur as soon as it's available then the public sewer standards can be used. (As amended by OPA 15)

Special Policy Area 3 for Bayfield

Notwithstanding the policies of the Residential designation to the contrary, in the lands designated as Special Policy Area development serviced by public water service and by individual private on-site sewage systems shall be permitted. (As amended by OPA 17)

18. Special Policy Area for Hensall

Notwithstanding the Residential designation, those lands described as Lot 318 Plan 271, Hensall may also be used for office purposes. (As amended by OPA #23)

### **7.5.4. Village, Commercial**

#### **7.5.4.1. Core Commercial Area**

1. The *core commercial areas* in the villages shall continue to be the dominant, most intensive and diversified centres of commercial activity in the Municipality.
2. The core will be promoted as a pedestrian-oriented shopping and service area and will continue to be compact and intensive.
3. The decentralization of general commercial uses will not be permitted in order to protect the long-term viability in the core area.
4. The use of land will continue to be compact, intensive and tightly built up.
5. The core areas includes significant heritage resources which shall be preserved, protected and enhanced. In Bayfield, the Heritage Conservation District Plan and Guidelines are the dominant planning tool for Main Street North, Clan Gregor Square and Elgin Place and direct how change is managed on properties within and adjacent to the District.
6. The design of development in the *core commercial areas* will be compatible with the character of the surrounding built and natural environment.
7. Residential uses will be allowed on upper storeys or to the rear within commercial buildings provided that a minimum of 50% of the ground floor area is used for commercial, office or community facility use. Residential development will be encouraged in the Core Commercial Area. Multi-unit forms of housing will be permitted in accordance with the policies of this Plan including conversion of existing commercial buildings and new residential construction. Residential uses will be located above and behind non-residential uses fronting onto traditional main streets and at street level and above on supporting/side streets within the Core Commercial Area. Where a residential use is located above/behind, a minimum of 50% of the ground floor areas must be used for commercial, office or community facility use and the non-residential use must extend across the entire frontage of the building.
8. Existing residences may be extended, enlarged or re-established subject to section 9.4. (Non-conforming uses) of this Plan.
9. Where the *core commercial area* abuts a residential neighbourhood, the core commercial use will provide adequate measures (i.e. landscaping, buffering) to ensure compatibility.
10. New development and redevelopment will proceed in an orderly and compact manner and the piecemeal infiltration into the adjoining residential neighbourhoods will not be permitted.

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11. The intensification of the existing core will be permitted provided adequate servicing and parking are available, and the character of the main street is maintained.
12. On-street parking will continue to provide a significant amount of core area parking requirements and off-street parking areas shall be prohibited from occupying any street frontage so a void in the heritage streetscape is not created. **Adequate bike parking facilities shall also be provided.**
13. The natural landscape of the core area will be enhanced to promote a high quality viewscape and park-like setting. In Bayfield, Clan Gregor Square anchors the Downtown and shall remain a public park and place of assembly for civic, cultural, **social, promotional** and recreational activities. New development around Clan Gregor Square shall **generally** be two stories in height and sympathetic in design to the heritage character of the area. **Larger buildings, up to three storeys in height, may be considered for properties around Clan Greg Square provided compliance is demonstrated with the Heritage Conservation District Plan.**
14. Signs will be limited to those necessary to identify the use, property, and type of service or product provided and designed to avoid clutter, glare and distraction. Billboard advertising shall be prohibited.
15. Grouped commercial establishments will be allowed subject to a rezoning to permit more than one main building/use per lot, and the use is compatible to a core location. Minimum or maximum floor areas may be established by Council prior to approval. The development will not detract from the heritage character of the core and its heritage district.
16. Notwithstanding the Core Commercial designation, the lands described as Lot 219, Plan 263, Hensall, may also be used for an assembly manufacturing use that is limited to assembly by hand only (hand tools only). As amended by OPA#13 (By-law 11-2020)
17. Additional Policy Direction for Bayfield Settlement Area

The Core Commercial area will continue to be the centre of economic, social and cultural activity in Bayfield and the preferred location of a new retail development. There is limited opportunity to expand the Core Commercial designation and thus, this area must be protected for core uses (retail, restaurants, small offices, service industries and accommodation). The decentralization of these uses from the Core will not be permitted unless otherwise contemplated in this plan.

Larger format retail and offices (greater than 280 sq. m. or 3000 sq. ft) are not compatible with the scale of Main Street North and shall be directed to

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the Core Commercial Area east of Hwy 21 or the Highway Commercial Area designation.

The Core Commercial area is the preferred location of community facilities. New and existing community facilities are permitted within the Core Commercial designation and may convert to other uses such as commercial or residential without an amendment to the Plan or Zoning By-law. Adaptive reuse of buildings is encouraged to preserve village history and identity.

Residential uses may be located above and behind non-residential uses fronting Main Street, and at street level around Clan Gregor Square. The residential properties north of Catherine Street are to be maintained as residential; this section of Main Street North acts as the transition **space between the Core Commercial area and the residential neighbourhood to the north.** ~~from the bustle of Main Street before the calm of the green.~~

On-street parking will continue to provide a significant amount of the parking requirements in the Core Commercial Area. **Adequate bike parking facilities shall be provided.** Off-street parking shall be prohibited from occupying any street frontage on Main Street or surrounding Clan Gregor Square, with the exception of those properties east of Highway 21, north of Howard Street. Where off-street parking abuts the street, a landscaped buffer will be required to create a sense of enclosure and enhance aesthetic appeal.

**7.5.4.2. Highway Commercial**

Highway commercial uses are oriented to highway related functions. They take on a variety of forms and share characteristics such as being essential to the operation of the highway system, are oriented to or economically reliant on serving vehicular traffic and the travelling public, they require large tracts of land for large buildings, extensive parking and loading operations, require access to a major road, and provide neighbourhood convenience goods or services. *Highway commercial* uses will be permitted in the areas designated as highway commercial on the Land Use Plans for the villages (Schedules C, D, E), subject to the following:

1. *Highway commercial* uses will be confined to designated areas on arterial roads and will be grouped for design and service reasons;
2. *Highway commercial* areas will be developed to complement and not compete with or undermine the Core Commercial area functions;
3. Large space users which are not of a *highway commercial* nature may be permitted in this designation subject to rezoning provided that insufficient space is available in the *Core Commercial area*, and can identify a market need and no undue negative impact on the Core;

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4. Site plan control is implemented to regulate the details of development such as buffering, landscaping, berming, screening and setbacks for outdoor storage, regulation of signs, on-site parking and loading areas, outdoor lighting, outside storage and refuse collection, outdoor display areas, and compatibility between uses; and
5. Severances may be allowed for infilling or extension, however, a concept plan may be required prior to the approval to ensure the orderly subdivision of land.
6. Additional Policy Direction for Bayfield Settlement Area

Bayfield has a limited number of high visibility highway commercial sites and thus their use must be reserved for uses which require a visible location, utilities for the public or uses which are otherwise provided for in this Plan. Larger format retail and offices (greater than 280 sq. m. or 3000 sq. ft) are directed to the Highway Commercial designation. For Highway Commercial areas fronting onto Mill Road, the integration of shared infrastructure with abutting residential is encouraged; for example, a stormwater management pond serving a broader area is permitted in either designation.

The design of new development should respond to the village context and be pedestrian oriented. All new Highway Commercial developments must demonstrate compliance with the 'Bayfield Site Design Guidelines' which will be enforced through the Site Plan Control process **where applicable or enforceable.**

Access to and within Highway Commercial areas will be highly connected and cater to those accessing services through active transportation. To achieve this, internal sidewalks are required and must be connected to existing trails or provide connection potential for future connections. Cyclist parking areas are encouraged for all uses and required for larger scale parking lots.

(As amended by OPA #23)

#### **7.5.5. Village, Industrial/Employment**

Industrial uses will be permitted in the areas designated industrial on the Land Use Plans for Hensall and Zurich (Schedules D,E), subject to the following:

1. Industrial development will be based on *full municipal services*;
2. The Zoning By-law may establish classifications of industrial uses (i.e. light industrial, general industrial) based on the potential influences on the surrounding area from noise, air emissions, vibration, or odour. Ministry of Environment, **Conservation and Parks** D-6 'Compatibility between Industrial Facilities and Sensitive Land Uses' may contribute to the industrial zone classifications; and



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3. Where industrial areas abut sensitive land uses, such as residential or community facility uses, the following additional standards will apply:

- **Site design shall consider appropriate landscaping, buffering, entrances and exits, signage, lighting, and the location and size of parking (including promotion of bicycle parking for employees), loading and storage areas. All of these elements will be considered in every development, with special consideration for neighbouring sensitive uses.**
- The type of industry will be restricted to ensure compatibility; and
- Site planning, building design and performance standards relating to the appearance, odour, noise, dust, traffic movement and other nuisances shall be applied to minimize any adverse effects which may arise from industrial operations, open storage or the movement of heavy traffic.

#### **7.5.6. Village, Harbour**

The Harbour designation applies to lands surrounding the mouth of the Bayfield River. The harbour contains several different areas: the federally owned portions which are rented out to primarily pleasure craft and some fishing boats, **and** Harbour Lights Marina on the North side **and South Shore Marina.**

The goals of the Harbour designation are:

- To maintain public access to the waterfront on the south shore;
- To maintain access for pleasure boats and fishing industry boats;
- To protect and revitalize the North shore for marine-related businesses and activities;
- To celebrate the rich marine history of Bayfield; and
- To respect the natural hazard functions of the River and Lake.

The lands designated Harbour in Bayfield are subject to the following policies:

1. Preserve built cultural heritage fabric through the maintenance of the remaining buildings on the North shore of the marina.
2. The land on the south side of Fisherman's Wharf Road is owned entirely by the Federal Government (Department of Fisheries and Oceans). Some of the buildings are representative of fish huts and should be retained for cultural heritage value.
3. Only marine-related and accessory tourism businesses are permitted to locate within the Marina designation. Temporary commercial uses, such as the renting of paddleboats or kayaks, is permitted on the south side provided no permanent facilities are required and said businesses obtain a license from the Municipality.
4. Any development in the marina is required to comply with marine archaeology assessment requirements.

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5. The design of buildings, uses and landscaping will be compatible with the existing development and uses within the Marina, and will be appropriate for a nautical location and of historic character, where appropriate.
6. Proposals for new or expanding development will site and design building facilities that:
  - Consider site topography, vegetation, soil, and drainage;
  - Are compatible with surrounding uses;
  - Are designed to integrate with the waterfront setting;
  - Consider nearby heritage resources;
  - Are serviced by municipal water and sewer; and
  - Where owned by a government entity, the public will have access to the waterfront.
7. An EIS may be required to assess the effect of a proposed development on the natural environment and to determine, where appropriate, measures necessary to mitigate impacts. Studies may also be required to satisfy the requirements of the Ausable Bayfield Conservation Authority.
8. The Harbour designation includes the Bayfield River and Lake Huron between the shore and the corporate municipal boundary.
9. The Harbour will be kept free of structures except for those required for shipping, navigation, flood/erosion control, harbour protection and walls, and the Highway 21 Bridge. Piers, docks, groynes, retaining walls, breakwaters and similar structures will be permitted with appropriate environmental impact assessments in accordance with the requirements of regulating agencies.
10. Land reclamation activities by major backfilling to increase the land area for marina uses may be permitted subject to:
  - necessary studies of the effects of sedimentation, river flows, flooding, ice jamming, erosion, marine archaeology and other possible effects;
  - the approval of regulating agencies, and
  - an amendment to the Official Plan and Zoning By-law.

(As amended by OPA #23)

## 7.6. HAMLETS

Hamlets are considered *secondary settlement areas* or *tertiary settlement areas*. Hamlets with partial municipal services are considered *secondary settlement areas*. Hamlets are less densely populated than Villages. These areas are intended to accommodate a limited amount of growth appropriate to the level of servicing available.

Tertiary settlements were small service centres in the past but now provide limited residential and social uses. These communities are serviced by individual (private) or privately operated communal on-site services so development in these areas will be small-scale and limited to infilling and rounding out while maintaining the style and function of these areas.

### 7.6.1. Hamlet Goals

The goals adopted by this Plan for the hamlets are:

- The goals contained in section 7.3;
- To promote development as a residential focal point for the surrounding agricultural community with a limited degree of commercial and social services;
- To identify the boundaries of these settlement areas and to promote compact development in a style and form which compliments existing development within these boundaries;
- To regulate the development of these areas according to the feasibility of servicing;
- To preserve the natural setting and aesthetic qualities of the urban places;
- To meet the urban natural environment, parks and open space needs of the community and to protect the natural landscapes that existing within and adjacent to urban settlement areas;
- To maintain stable residential neighbourhoods **and green spaces** that are safe, well-designed, **includes of trees, attractive,** age-friendly **and** walkable, **bike friendly and accessible**; and
- To maintain opportunities for community facilities and commercial activities where appropriately serviced and located to serve the community needs.

### 7.6.2. Hamlet Policies

In addition to the policies defined in section 7.4, the following applies in the hamlets:

1. Development will take place primarily through the registered plan of subdivision and/or condominium process. Limited infill development

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will be permitted by consent/severance subject to the land division policies of Sections 7.9 and 9.1. When consents are used to develop small holdings, they will be based on a predesign approved by the Municipality and will indicate how the proposed properties fit into the existing development pattern.

2. The hamlets provide local commercial and industrial services. Commercial or industrial uses may be permitted by rezoning in the *secondary and tertiary settlement areas* subject to the following:
  - the use is compatible with the character of, and other land uses within, the area;
  - adequate services and storm drainage are available;
  - adequate vehicular access and on-site parking;
  - adequate landscaping and buffering; and
  - site plan control is implemented to regulate the details of development.
3. Home occupations, including bed and breakfast establishments, will be allowed in Villages, Hamlets and on Agriculture properties subject to the provisions of the Zoning By-law.
4. Additional Residential Units will not be permitted in privately serviced settlement areas.

## **7.7. LAKESHORE RESIDENTIAL**

The scenic shore of Lake Huron attracts recreation, tourism and residential development. Significant pressure for development exists along the lakeshore and ravines. Development pressure will be directed to designated areas along the lakeshore. Development is directed away from the river systems which will be protected under the Natural Environment policies of this Plan.

Most of the lakeshore development began as summer cottages. Many seasonal cottage areas remain, although the conversion of seasonal cottages to year-round dwellings is increasing. Recent development along the lakeshore has developed for year-round residential use.

This plan allows development in designated lakeshore areas provided natural features and functions are protected, provided development is compatible with surrounding uses, and density and services can be adequately addressed. The Lakeshore Residential area is limited to residential uses only.

### **7.7.1 Lakeshore Residential Goals**

The goals identified by the community and adopted by this Plan are:

- The goals listed in Section 7.3 for settlement areas;
- To protect the natural features and functions of the lakeshore from incompatible development;
- To direct development to designated areas compatible with surrounding uses;
- To ensure clean drinking water and ravine and lake water for residents through the appropriate management of services and land use; and
- To have regard for the natural processes such as erosion and flooding occurring along the Lake Huron shoreline.

### **7.7.2. Lakeshore Residential Policies**

#### **7.7.2.1. Development Standards**

The following development standards shall apply to all residential development along the lakeshore:

1. Development must be compatible with surrounding uses;
2. Development will proceed by plan of subdivision. Infilling and small-scale development may proceed by consent based on an acceptable concept plan;
3. No development will be permitted on the lake bank, beach, beach vegetation area or ravines. Setbacks from slopes will be determined with input from the Conservation Authority and will be directed outside of the defined stable slope limit;

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4. Natural features and functions will be protected and the design will be harmonized with natural features, including topography and woodlands;
5. The density of development will not exceed 1 dwelling per .4 hectares and areas of natural environment included in the design may be used in calculating density;
6. ~~Second~~ **Additional** *residential units* are not permitted in the Lakeshore Residential designation;
7. Lot sizes will be sufficient to accommodate the proposed method of servicing over the long-term. Where septic systems are proposed, developments will comply with the provincial groundwater protection criteria for nitrates, and the County of Huron's Terms of Reference for Nitrate Studies. All lots will be sized to accommodate a conventional septic system but a contingency bed area is not required.
8. New developments, including the opening up of new areas, will be required to connect to the existing municipal water supply;
9. For new developments, including the opening up of new areas, the Municipality may require a study on the need for a piped sewage system and treatment facility. Where full services are not available, individual septic systems may be permitted;
10. Water supply and sewage disposal are subject to approvals from the appropriate authority before development occurs;
11. Consideration will be given to the need for public access to the beach;
12. Open space areas, natural areas and parkland will be conveyed to the municipality or owned in common by the subdivision residents. Council may accept payment in lieu of parkland where appropriate;
13. Vehicle access will be provided by a public road developed to municipal standards. For existing properties and the creation of properties through minor infilling, access may be provided by a public road or existing right-of-way developed to a satisfactory standard;
14. Adequate lot grading and drainage, and storm water management are required. Low Impact Development through the use of green infrastructure, storm water attenuation and reuse is the preferred method of storm water management. Where green infrastructure is not sufficient to address storm water management underground storage;
15. A development agreement will be signed and registered on title to the satisfaction of the municipality; and
16. The appropriate zoning is in force.

17. ~~Additional Residential Units are not permitted within the Lakeshore Residential Designation.~~

**7.7.2.2. Lot 4, Lake Road West, Stanley West**

The Lakeshore Residential designation south of the ravine on Lot 4, L.R.W., Stanley West recognizes the existing dwelling and accessory structures on this 41.5 hectare property. This Lakeshore Residential designation will not be permitted to be severed from this property and consents will not be granted within this Lakeshore Residential designation.

## **7.8. RESIDENTIAL PARK**

The Municipality has one Residential Park on Part Lot 9, Lake Road West, Hay West Ward. This Plan recognizes the park and confines it to its present boundaries. *Residential parks* are not permitted to be scattered throughout the municipality. *Residential parks*, where allowed, must be located within Settlement Areas and designated as Residential Park only where compatibility is achieved with surrounding uses.

### **7.8.1. Residential Park Definition**

*Residential parks* are year-round housing developments consisting of single-detached dwellings in the form of mobile **manufactured** homes, modular homes, or built-on-site dwellings. The land is held under single ownership as one title, and individual dwellings are owned or leased by their occupants. The park is serviced by a communal water system and a communal sewer system. Accessory commercial and recreational uses are permitted.

### **7.8.2. Residential Park Goals**

The goals adopted by this plan are:

- The goals for settlement areas listed in Section 7.3;
- To ensure the orderly development of the existing Residential Park; and
- To regulate the development of additional *residential parks* in the Municipality.

### **7.8.3. Residential Park Policies**

#### **7.8.3.1. Development Standards**

The following development standards shall apply to *residential parks*:

1. Development must be compatible with surrounding uses;
2. Development will proceed in accordance with a detailed site plan and development agreement addressing design, site pattern, phasing, services, landscaping, communal areas and community facilities;
3. No development will be permitted on the lake bank, beach, beach vegetation area or ravines. Setbacks from slopes will be determined with input from the Conservation Authority;
4. Natural features and functions will be protected and the design will be harmonized with natural features, including topography and woodlands;
5. The overall density of development will not exceed 15 dwellings per gross hectare and areas of natural environment included in the design may be used in calculating density;



6. Communal open space, which may include natural areas, shall occupy at least 25% of the area to be developed;
7. Potable water will be supplied by a communal or municipal water system to the satisfaction of the Ministry of the Environment, **Conservation and Parks**;
8. Sewage disposal will be provided by a communal sewage system to the satisfaction of the Ministry of the Environment, **Conservation and Parks** and individual septic systems for dwellings will not be permitted;
9. Vehicle access to the *Residential Park* will be provided by a public road developed to municipal standards and vehicle access within the *Residential Park* will be provided by internal roads developed to appropriate standards;
10. Adequate lot grading and drainage, and storm water management are required;
11. The appropriate zoning is in force; and
12. Individual dwelling sites within *residential parks* will not be converted to separately titled holdings.

## **7.9. LAND DIVISION**

In areas designated Settlement on the Land Use Plan, consents for conveyance may be granted in accordance with the following policies:

1. All consents must conform with the general requirements of Section 9.1;
2. The area is not large enough or suited to development by a registered plan of subdivision;
3. Infilling and small-scale developments for areas that are already substantially developed;
4. For commercial, industrial or community facility uses in villages, hamlets and urban areas;
5. For assembling of land for future development;
6. For lot enlargement, lot boundary adjustments and title correction purposes; and
7. Notwithstanding the density of development policy of Section 7.8.2.1, for lands designated Lakeshore Residential a minimum lot size of 1850 sq. metres shall apply where the proposed consent is within a development or registered plan of subdivision developed before May 31, 1979 (Stanley West Ward) or January 28, 1981 (Hay West Ward). Where the proposed consent is within a development or registered plan of subdivision developed after May 31, 1979 (Stanley West Ward) or January 28, 1981 (Hay West Ward), the density provision of 1

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recreational residence per .4 hectares shall be maintained for the subdivision as a whole.

## 8. Community Wide Policies

### 8.1. Community Economic Development

#### 8.1.1. Introduction

Agriculture, manufacturing, tourism, technology, healthcare and small business form the foundation of Bluewater's economy. Economic activity provides jobs and builds wealth, contributing to a viable community and a quality of life that is valued by local residents.

The community is concerned with stimulating employment for all existing and future residents in the Municipality. This Plan supports the continuation of existing economic activities and the creation of new businesses, including service-oriented businesses, with the aim of sustainable development. The following goals and policies are primarily aimed at providing direction and ensuring that community economic development efforts continue.

#### 8.1.2. Definitions

***Economic Development*** includes any efforts that benefit the community as a whole, which contribute to community identity, quality of life and economic stability.

**These include but are not limited to: neighbourhood improvement; core area rehabilitation; industrial development; heritage conservation; provision of both municipal and social services; tourism promotion; information, and communication technology (IT) infrastructure; and community activities.**

**Quality of Life is defined as accessibility to health care and education. It includes the provision of: soft services including recreation, culture and heritage; hard services such as roads, sewage and waste disposal; a clean environment; and clean water. These elements are indicators of a healthy community, with the existence of these quality of life elements coinciding with a stable local economy.**

#### 8.1.3. Goals

The goals identified by the community and adopted by this Plan are:

- To protect and enhance all economic sectors **while ensuring a mix and range of employment opportunities including industrial, commercial, and community facility;**
- To recognize that each community within the Municipality is unique in regards to needs for *economic development* initiatives and **to strengthen, seek out and encourage development that will have a positive economic impact;**

~~To encourage new and innovative pursuits;~~ **To maintain a balance between encouraging and supporting flexibility and innovative ideas, while continuing a compatibility of land uses.**

- To provide appropriate hard and soft services which improve the health, wellbeing and enjoyment of residents in the community; and
- To encourage communication and partnerships between individuals, organizations, businesses and government.

The following policies are not specific to one land use designation but rather apply to all lands within the Municipality.

#### **8.1.4. Policies**

All *economic development* activities shall be in keeping with the land use policies of this Plan. The Municipality will consider innovative activities or land uses which:

- promote sustainable *economic development*;
- protect and enhance the natural environment; and
- are compatible with surrounding land uses.

A sufficient supply of land is available in the settlement areas to allow for growth of the various economic sectors. Servicing requirements are contained in the land use policies. The Municipality encourages improvements to information and communication technologies.

The Municipality may undertake economic initiatives as per the Bluewater **Corporate Strategic Plan (2024-2027)** ~~Economic Development Strategic Plan (2015)~~ in accordance with this Plan.

## **8.2. COMMUNITY IMPROVEMENT**

### **8.2.1. Introduction**

Community improvement activities are intended to improve the existing physical landscape through municipally-driven or incentive-based programs.

**Community Improvement means the planning or replanning, design or redesign, resubdivision, clearance, development or redevelopment, 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 uses, buildings, works, improvements or facilities, or spaces therefore, as may be appropriate or necessary. Community improvement also includes the provision of affordable housing.**

### **8.2.2. Goals**

The following Community Improvement goals and objectives are adopted:

- To improve the physical appearance and environmental condition of the community;
- To foster community pride;
- To attract business investment and new residents to the Municipality of Bluewater;
- To involve the public in identifying areas needing of community improvement, what deficiencies exist, and the improvement and rehabilitation priorities; and
- To focus on the redevelopment of the commercial centres and protection of heritage assets throughout the municipality.

### **8.2.3. Policies**

1. Council may pass a By-law designating a Community Improvement Project Area under section 28 of the Planning Act, RSO 1990, as amended. The boundary of the Community Improvement Project Area may be the whole of the Municipality of Bluewater, or any part thereof.
2. The Municipality may develop a comprehensive program for the preservation, rehabilitation, reuse and redevelopment of an area through the preparation of one or more Community Improvement Plans within the municipality.
3. In determining the location of a Community Improvement Project Area and preparation of a Community Improvement Plan, one or more of the following conditions shall exist:

Sec. 8.2 Community Wide Policies: Community Improvement

- Buildings (including facades), structures, and / or properties which are of heritage or architectural significance in need of preservation, restoration, repair, rehabilitation or redevelopment;
- Built or natural heritage resources in need of preservation or renewal;
- Non-conforming or incompatible land uses or activities;
- Deficiencies in physical infrastructure or community facilities and services,
- An inadequate mix of housing types;
- Known or perceived environmental contamination;
- **Lack of public and private parking facilities, including bicycle parking;**
- Poor visual quality, including streetscape and design **(i.e. lack of trees, benches, art, and poor lighting);**
- High industrial or commercial vacancy rates;
- Any other relevant social, economic, or environmental reason;
- **Areas where elements of the natural heritage or parks system present opportunities for municipal improvements that would encourage redevelopment and improved recreational facilities for the community** and/or;
- Demonstrated support by residents and taxpayers of the area.

#### 8.2.4. Implementation

Community improvements may be implemented through Community Improvement Plan(s) in the following ways:

1. Ongoing maintenance, rehabilitation, redevelopment of areas containing deficient or deteriorated buildings, land use conflicts, environmental contamination, deficient municipal services, or economic instability.
2. Establish financial programs to stimulate private sector redevelopment and rehabilitation that addresses identified economic, social, housing, or environmental needs through:
  - Provision of public municipal funds, such as grants and loans, and
  - Application for financial assistance and participation in programs from senior levels of government.
3. Acquisition of land and/or buildings by the Municipality for environmental remediation, rehabilitation or improvement. This may include the possible sale or lease to other persons or government authorities.

Sec. 8.2 Community Wide Policies: Community Improvement

4. Continue support of the Chambers of Commerce and Business Improvement Area (BIA) organizations in their efforts to maintain a strong and viable commercial centres.
5. Support heritage conservation through financial incentives programs under the Ontario Heritage Act, and to continue to support the efforts of the Bluewater Heritage Advisory Committee in their efforts to identify, protect, and enhance *cultural heritage resources*.

### 8.3. Cultural Heritage

The Municipality of Bluewater is rich with cultural heritage resources: the well-preserved commercial architecture along Main Street Bayfield, the Town Hall in Hensall and the many beautiful churches throughout the Municipality are only a few examples of the community's cultural heritage resources.

The Municipality recognizes that cultural heritage plays a vital role in the community and offers both tangible and intangible value. Tangible Cultural Heritage Value includes the use and re-use of buildings and generation of money from tourism. Intangible Cultural Heritage Value includes the memory of place, identity with the past and enjoyment of architectural beauty. Cultural heritage resources will be identified and conserved so they may be experienced and appreciated by existing and future generations, and enhance the Municipality's sense of history, sense of community, identity, sustainability, economic health and quality of life.

#### 8.3.1. Definitions

**Conservation** is the identification, protection, use and/or management of *cultural heritage resources* in such a way that their heritage values, attributes and integrity are retained. This may be addressed through a conservation plan or *heritage impact assessment* or designation.

**Cultural Heritage Resources** are built or natural features which are determined to have *cultural heritage value* under the Ontario Heritage Act. Heritage Resources include but are not limited to buildings, structures and districts of historical significance, archaeological sites, and significant natural, cultural and human-made landscapes.

A **Protected Heritage Property** is real property individually designated by by-law and/or heritage easement conservation agreement under the Ontario Heritage Act (as shown on Appendix 2). As new properties are designated, Appendix 2 may be updated without amendment to this Plan.

**Adjacent Lands** are those lands contiguous to or in the immediate vicinity of a *protected heritage property* or *Heritage Conservation District*.

A **Heritage Conservation District** is a collection of cultural features or an area, described in a *Heritage Conservation Plan* and designated by Council under the *Ontario Heritage Act*. A *Heritage Conservation District Plan* contains development guidelines and an explanation of the character-defining elements associated with the District.

**Cultural Heritage Value** includes design, physical, contextual historical, or associative value, as defined in Ontario Regulation 9/06.

**Heritage Attributes** means the principal features or elements that contribute to the *Cultural Heritage Value* or interest of a *cultural heritage resource* or a *protected heritage property*, and may include the property's built or



manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (including significant views or vistas to or from a *protected heritage property*).

***Heritage Impact Assessment*** uses text and graphic material including plans, drawings, photographs to combine the results of historical research, field work, survey, analysis, and descriptions(s) of *cultural heritage resources* together with a description of the process and procedures in delivering potential effects and mitigation measures as required by official plan policies and any other applicable guidelines. A *heritage impact assessment* must be prepared by a qualified person to the satisfaction of the Municipality.

### **8.3.2. Goals**

The following goals are adopted to promote heritage conservation:

- To conserve the municipality's *cultural heritage resources* through their identification, protection, use and/or management in so their heritage values, attributes and integrity are retained so that present and future generations are able to appreciate and enjoy the Municipality's heritage resources;
- To ensure that all development or redevelopment and site alteration is sensitive to and respects *cultural heritage resources* and that *cultural heritage resources* are conserved;
- To increase community awareness of the value of heritage resources, historic features and heritage conservation;
- To lead the community by example with the identification, protection, use and/or management of *cultural heritage resources* owned or leased by the Municipality;
- To ensure that present and future generations are able to appreciate and enjoy the Municipality's heritage resources;
- To engage in and promote innovative and pro-active programs and approaches of heritage conservation throughout the Municipality;
- To encourage and facilitate partnerships and co-operative ventures involving the public and private sector for the preservation of heritage resources; and
- To support cultural activities.

The Municipality will involve the public in its heritage conservation programs, especially the *Heritage Conservation District Plan*. The Municipality will facilitate, recognize and encourage residents and volunteers in leadership roles for the protection of heritage resources.

### **8.3.3. Policies and Actions**

To achieve the above stated heritage conservation goals, the following policies and actions are adopted.

#### **8.3.3.1. Cultural Heritage Resources**

1. *Cultural Heritage Resources* will be protected in accordance with applicable legislation and recognized heritage protocols. The Municipality may:
  - maintain a Register of Properties of Cultural Heritage Value or Interest;
  - designate cultural heritage resources;
  - establish heritage conservation districts and adopt or update heritage conservation district plans and guidelines;
  - establish guidelines on the management of *cultural heritage resources*; and
  - designate cultural heritage landscapes or cemeteries; ~~may establish policies and/or urban design and architectural guidelines to recognize the importance of and guide alterations within the cultural heritage context.~~

Heritage resources and archeological sites should be identified, protected and preserved. In identifying *cultural heritage resources*, the following will be considered:

- Architectural merit;
- Historic, social, cultural and political significance to the local community;
- Economic importance: for example, in promoting tourism; and
- Context: the location and use of the heritage feature and how it relates to and supports the wider community and neighbouring land uses and structures.

All properties containing *cultural heritage resources* are subject to the policies in this section. A property does not have to be listed or designated to be considered as having *Cultural Heritage Value* or interest.

2. Council will seek to conserve heritage resources by considering the potential impact of development or other land disturbances on those resources.
3. For any proposed development or site alteration within a *Heritage Conservation District*, or on any property adjacent to a property designated under the Heritage Act, the developer must demonstrate that the *cultural heritage value, heritage attributes* and integrity of existing Heritage Resources are retained. The developer will work with the

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Municipality to determine what is required to demonstrate protection of existing Heritage Resources based on the scale and location of a proposed development, and this may include:

- The requirement for a heritage impact assessment, carried out by a heritage professional or architect;
  - The requirement for an archaeological assessment in areas of archaeological potential or in areas with known archaeological resources, carried out by a licensed archaeologist;
  - Conformity with the *Heritage Conservation District Plans* or area design guidelines, where they exist; and/or
  - Site Plan Control ~~exterior design controls~~, ensuring proposed development or redevelopment is of compatible height, massing, scale setback and architectural style.
4. Mitigation measures and alternative development approaches may be required to conserve the *heritage attributes* of the protected property.
  5. All options for on-site retention of designated buildings and structures shall be exhausted before resorting to relocation. Relocation of designated buildings shall only be considered through a *heritage impact assessment* which addresses retention and relocation.
  6. Opportunities for economic diversity will be enhanced by preserving the Municipality's unique small town and rural atmosphere, including heritage features and a wide range of goods and services. The well-being of downtowns and main streets in Bluewater will be preserved by appropriate regulation of core and non-core development.

**8.3.3.2. Municipal Heritage Advisory Committee**

Bluewater Council has established a Municipal Heritage Advisory Committee to advise Council on heritage matters.

The Bluewater Heritage Advisory Committee (BHAC) is an advisory Committee of Council, whose role is to provide advice on matters relating to the Ontario Heritage Act and significant or designated districts or archaeological sites.

**8.3.3.3. Heritage Conservation Districts (HCD)**

Areas of architectural or historical significance may be designated as a *Heritage Conservation District*. In the identification and evaluation of a potential *Heritage Conservation District*, regard will be had to, but not limited to the following criteria:

1. The area contains a concentration of *cultural heritage resources* such as buildings, structures or landscapes, which reflect an aspect of the history of the community by nature of their location and the historical significance of the setting in which they are located;

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2. The area contains a concentration of *cultural heritage resources* that are of a particular style of architecture or method of construction which is historically significant or architecturally significant to the community, region or Province;
3. The area may contain other important physical, archaeological, environmental, cultural or aesthetic characteristics that do not constitute designation of a district, but when considered together with other *cultural heritage resources* collectively support the reason for designation; or,
4. the area has a special association that is distinctive within the community and, as a result, contribute to the character of the entire community.
5. In evaluating the rationale for the designation of an area as a *Heritage Conservation District*, the Municipality will prepare a *Heritage Conservation District Study* in accordance with the Ontario Heritage Act.

The Study will be considered by Council and form the basis for the preparation of a *Heritage Conservation District Plan*. The Plan will contain policies and guidelines to manage change including development or redevelopment and alterations, to be keeping with the scale, form and heritage character of the properties within the District. The HCD Plan will be considered by Council for adoption together with the designation of the *Heritage Conservation District* by By-law.

**8.3.3.3.1 Bayfield Heritage Conservation District**

The Municipality of Bluewater currently has one designated *Heritage Conservation District* which applies to Main Street North, Clan Gregor Square and Elgin Place in Bayfield; **the Plan was established in 1983 and updated in 2025 with an expansion of the District and a new Plan.** This area is described in the *Heritage Conservation District – Appendix 10*. Appendix 10 includes properties designated under the Ontario Heritage Act but does not include land use designations for the purpose of this Plan and can be changed without an amendment.

**8.3.3.4. Demolition of Heritage Resources**

The Municipality will discourage the demolition of heritage resources to the extent of the Municipality's legislative authority. Conditions may be required if a demolition permit is granted. For example, a condition of approval could require, prior to demolition, the documentation of the property for historical or archival purposes.

The Municipality may acquire easements or covenants on properties of architectural, archaeological, or historical significance in order to assure the continued presence of these resources. The transfer of development rights may be allowed for the express purpose of maintaining and preserving buildings of historical and/or architectural significance.

### 8.3.4. Archaeological Resources

During the pre-consultation process development applications will be reviewed to determine the potential presence of archaeological resources, as identified on the Ministry of Tourism and Culture archaeological potential checklist. Where moderate to high archaeological potential is identified, an archaeological assessment is required.

Where the archaeological assessment in accordance with the review by the Ministry of Tourism and Culture identifies *significant archaeological resources*, protection is required as follows:

- The land or site be protected from destruction or alteration by the development wherever possible; or
- Consideration of the inclusion of the site, where feasible, into lands designated for open space, parkland, or natural environment; or
- Where an archaeological resource cannot be protected on site, removal of the archaeological resources by a licensed archaeologist, prior to site grading or construction may be permitted.

**Early and meaningful engagement with Indigenous Nations communities is required when an archaeological assessment is completed, to ensure their interests, perspectives and knowledge are considered when identifying, protecting and managing archaeological resources, built heritage resources and cultural heritage landscapes.**

**Archaeological assessment reports prepared by licensed consultant archaeologists are to comply with the Standards and Guidelines for Consultant Archaeologists as set out by the Province, the terms and conditions of an archaeological licence under the Ontario Heritage Act, and any applicable Indigenous communities archaeological standards.**

## 8.4. Community Design

**The Municipality of Bluewater supports and encourages a high standard of design for public and private development to enhance the quality of life within the community.** Community design is concerned with the application of high standards of amenity to the development and redevelopment process to enable the creation of stimulating, vibrant and livable places. Community design is a key component in achieving a definable sense of community identity. Tangible elements of the community environment such as the built form, open space, and public realm, and their relationship to one another, should be organized and designed in an attractive, functional and efficient manner. The goals are to create a community environment which is ~~stable~~, pleasing, aesthetic, enjoyable and conducive to the economic betterment of the community, to enhance the unique aspects of the hamlets, villages and lakeshore areas and further, to strengthen community identity. The community

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design principles outlined below will be applied as appropriate to the local context of the hamlets, villages and lakeshore areas.

The policies of the Community Design section will be enforced through the Site Plan Control process where possible. The specific policies of the Bayfield Site Design Guideline are in addition to these policies. (as amended by OPA #23)

**The following goals are adopted to promote Community Design:**

- **To promote a high standard of urban design;**
- **To respect site context and enhance sense of place;**
- **To promote social connection and interaction;**
- **To promote creativity and innovation;**
- **To provide well-designed, accessible and inclusive spaces;**
- **To promote built form which mitigates the ongoing impacts of climate change; and**
- **To build on and enhance cultural heritage resources.**

**8.4.1. Public Realm**

The design of the public realm will promote creativity and innovation and include:

- a network of streets accommodating choices for pedestrians, cyclists and vehicles;
- walkable street lengths for pedestrians;
- a network of accessible and interconnected pedestrian-oriented spaces and routes;
- comfortable and accessible public spaces that respond to their surroundings; and
- furnishings, trees and landscaping, wayfinding, and public art that provide orientation and a sense of identity.

**8.4.2. Streetscapes**

Streetscapes will:

- enhance the local context and create a sense of identity;
- promote a pedestrian-oriented environment that is safe, attractive and barrier-free;
- provide well designed and coordinated tree planting, landscaping, lighting and furnishings;
- provide wayfinding and navigational information; and

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- provide cohesion and seamless transitions between the public and private realms.

New development should contribute to the creation of a cohesive streetscape by:

- placing the principal building entrances towards the street and where applicable, towards corner intersections;
- framing the street and creating a sense of enclosure;
- providing variation in façade articulation and details;
- ~~– connecting active uses to the public realm to enhance the liveliness and vibrancy of the street, where applicable;~~
- incorporating sustainable design elements, such as trees, plantings, furnishings, lighting, etc.;
- coordinating ~~improvements~~ in building setback areas to create transitions from the public to private realms; and
- improving the visibility and prominence of and access to unique natural, heritage, and built features.

Above-ground utilities should be grouped to minimize visual and physical intrusions on the streetscape.

### **8.4.3. Street Design/Layout**

Development should establish or reinforce a modified grid street pattern with an interconnected network of roads designed to:

- disperse traffic by providing alternative routes;
- enhance pedestrian and cyclist movement; and
- respond to existing natural and topographical features.

**Culs de sac** ~~Dead end streets~~ will only be considered where warranted by physical conditions or neighbourhood **character and should incorporate opportunities for pedestrian connections that link adjoining neighbourhoods.**

### **8.4.4. Gateways**

Gateways are located at visually prominent sites located at major entry points into the villages. Gateways should create a sense of entrance and arrival through well-designed built form, landscaping and enhanced streetscape treatments that contribute to community image and identity. Development at gateways should be well-designed, pedestrian-scaled, address the public realm, and complement the distinctive character of the area.

### **8.4.5. Public Art**

Public art installations are encouraged, especially in areas with cultural significance, to foster community identity through the interpretation of local history, traditions and culture. Public art should be located in publicly-accessible areas, such as public parks, plazas, courtyards, gateways and civic building sites, for the purposes of bolstering the community's character and identity.

Developments that include space that will attract significant pedestrian traffic are strongly encouraged to include public art in the design of the building and/or site. The inclusion and installation of public art as part of public infrastructure projects will be considered where appropriate.

### **8.4.6. Built Form**

Built form is important to community design because it helps to form the sense of place and identity for the community. Built form will be enhanced through the following:

- Buildings should be designed to create a sense of identity through massing, form, placement, orientation, scale, architectural features, landscaping and signage;
- Building design and placement must be compatible with the existing and planned surrounding context;
- To achieve compatibility between different land uses, development will be designed to accommodate an appropriate transition through landscape buffering, spatial separation, and compatible built form; and
- Buildings will present varied and visually permeable façades to all adjacent streets, urban squares, and amenity spaces through the use of windows, entry features, and human-scaled elements.

Main principal entrances to buildings should be oriented to the public sidewalk and on street parking for direct and convenient access for pedestrians.

Development will be designed with variation in building mass, façade treatment and articulation to avoid sameness.

Buildings located on corner properties will provide a distinct architectural appearance with a high level of detailing and articulated façades that continue around the corner to address both streets.

~~New development will ensure that proposed building heights and form are compatible with adjacent existing development by employing an appropriate transition of height and form from new to existing development, which may include setbacks, façade step backs or terracing in order to reduce adverse impacts on adjacent properties and/or the public realm.~~

~~Continuous street walls of identical building height are discouraged. Variety in rooflines should be created through subtle variations in roof form and height.~~



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New development should be fully accessible by incorporating universal barrier-free design principles.

Rooftop mechanical equipment will not be visible from view from the public realm, **where possible.**

Outdoor amenity areas on buildings should incorporate setbacks and screening elements to ensure compatibility with the local context.

~~Buildings should be sited to maximize solar energy, ensure adequate sunlight and sky views, minimize wind conditions on pedestrian spaces and adjacent properties, and avoid excessive shadows.~~

### **8.4.7. Landscaping & Tree Cover**

Landscaping design and treatments should:

- enhance the visual appeal and human scale of development;
- create an attractive environment for pedestrian movement;
- frame desired views or focal objects;
- define the various functions within a development; and
- provide seasonal variation in form, colour, and texture.

Development should preserve and enhance tree cover by:

- maintaining existing healthy trees, where possible;
- providing suitable growing environments;
- increasing tree canopy coverage;
- incorporating trees with historic or cultural significance; and
- integrating a diverse mix of native plant species.

Landscaping should be incorporated to provide shade and wind protection and will enhance natural areas and open space features by incorporating native and non-invasive species.

### **8.4.8. Pedestrian Access and Circulation**

Access to pedestrian walkways should be barrier-free.

Developments will incorporate safe and direct access and circulation routes to and through the site that connect pedestrians to main entrances of building(s), amenity and parking areas, the public sidewalk and adjacent developments, where appropriate.

In areas with high levels of pedestrian traffic, walkways should be extended from curb to building face and enhanced by appropriate landscaping treatments.

Walkways should provide continuous routes across driveway entrances and drive aisles and through parking areas to promote safety and signify priority over driving surfaces.

### **8.4.9. Vehicular Access and Circulation**

Developments should incorporate safe and direct vehicular access and circulation routes with defined internal driving aisles to direct traffic, establish on-site circulation, and frame parking areas.

**For commercial properties,** shared driveway accesses are encouraged to maximize the areas available for landscaping, minimize disruption of the public sidewalk, and minimize expanses of pavement.

#### **8.4.10. Parking**

To provide safe and attractive pedestrian environments, surface parking areas should be organized into appropriately sized areas (parking courts) separated by a combination of built form, landscaping, and pedestrian facilities.

Surface parking areas should be:

- located in the rear or side yard, or in areas that can be appropriately screened, so they do not dominate the streetscape, but are sufficiently visible for safety and functionality; and
- connected to the on-site pedestrian network and streetscape through landscaped pedestrian linkages.

Barrier-free parking spaces will be located close to principal building entrances.

**Adequate bike parking facilities shall be provided.**

Surface parking areas should incorporate planted landscaped areas that:

- effectively screen parked vehicles from view from the public realm;
- provide shade, wind break, and visual relief from hard surfaces;
- clearly define the vehicular circulation route(s); and
- are sufficiently sized to support the growth of trees and other vegetation.

#### **8.4.11. Lighting**

Lighting levels will be appropriate for the size, character and function of buildings and sites.

Appropriately-scaled pedestrian lighting should be provided at building entrances, pedestrian walkways, steps and ramps, amenity areas, parking areas and other site features.

All building and site lighting will be mitigated at the source to minimize impact on adjacent properties and public roads.

Outdoor lighting fixtures will direct light away from the night sky. Energy efficient outdoor lighting fixtures are encouraged.

Incorporating subtle accent lighting on prominent buildings, monuments and other built features to accentuate civic and architectural design is encouraged.

#### **8.4.12. Signage**

Signage will be compatible with the scale and architectural design of the building, the site features and activities.

To ensure that the character of residential areas is maintained, the use of exterior signs and other exterior advertising devices should be minimized.

Signs on cultural heritage properties or within *Heritage Conservation Districts* or cultural heritage landscapes will be compatible with the architecture and character of the property or district.

#### **8.4.13. Service, Loading and Storage Areas**

Service and loading areas should be:

- located and oriented away from the general circulation of pedestrians and motor vehicles both on-site and in the public right-of-way;
- accessible but not visible from the public realm; and
- separated and buffered from residential areas.

The visual and noise effects of activities associated with service and loading areas on the surrounding environment should be minimized by locating such areas behind buildings, erecting noise walls and fences, and screening with tree and shrub plantings.

Site and building services and utilities such as waste storage facilities, air handling equipment, hydro transformers and telecommunications equipment should be located within the rear yard or away from and/or screened from public streets, adjacent residential areas and other sensitive land uses.

#### **8.4.14. Climate Change**

**Local climate change impacts are expected to include higher average temperatures, increased precipitation, increased intensity of rainfall, more extreme fluctuations in lake and river levels, increased lake effect snow events, more frequent and severe ice storms, and more frequent and severe wind gust events.**

**Bluewater will work towards reducing greenhouse gas emissions and preparing for the impacts of a changing climate through approaches that:**

- a) support the achievement of compact and complete communities;**
- b) incorporate climate change considerations in planning for and the development of infrastructure, including stormwater management systems, and public service facilities;**
- c) support energy conservation and efficiency;**
- d) promote green infrastructure, low impact development, and active transportation;**
- e) protect the environment and improve air quality; and**
- f) take into consideration any additional approaches that help reduce greenhouse gas emissions and build community resilience to the impacts of a changing climate.**

#### **8.4.15. Energy**

**Renewable energy uses such as wind, solar and biomass energy facilities can provide economic and environmental benefits to the Municipality and its residents. The Municipality supports and promotes the development of renewable energy facilities in accordance with Provincial and Federal requirements.**

**Energy projects are encouraged within settlement area boundaries in areas where they can be accommodated without creating land use conflict, such as industrial parks. Additional direction is provided within the Agriculture section of this Plan.**

**The distance from new sensitive receptors, such as new residential uses and community facilities to existing commercial scale wind turbines, shall be regulated by the Zoning By-law. In no case shall a commercial scale wind turbine be established within 1000 metres of a settlement area boundary, excepting tertiary settlement areas.**

## 8.5. INFRASTRUCTURE AND SERVICING

Infrastructure uses are necessities and include the provision of potable water, roads, sewage treatment and storm water management. Infrastructure and servicing vary in scale, function, and locational requirements and require planning guidelines and controls to ensure compatible integration within the community. Infrastructure and servicing are fundamental building blocks for development and have the potential to greatly impact the environment.

### 8.5.1. Definitions

Infrastructure and Servicing cover a broad range of land uses that provide facilities for public service and public use. These are owned or operated by public, semi-public or private enterprises to meet the infrastructure requirements of the community.

**Full Municipal Services** means piped sewage and water services that are connected to Municipal centralized waste water and water treatment facilities.

**Private Communal / Shared Services** means non-municipal sewage systems and water works services that provide for the distribution, collection or treatment of sewage or water but which:

- Are not connected to full Municipal sewage and water services; and
- Are for the common use of six or more residential units/properties.

**Individual On-Site Sewage Services** means sewage systems that are owned, operated and managed by the owner of the property upon which the system is located.

### 8.5.2. Goals

The following goals are adopted for Infrastructure and Servicing:

- To reduce deficiencies and improve Municipal services in order to maintain the quality, safety and stability of the community. This includes the creation of new services where necessary, having regard to the needs of the residents of the Municipality;
- Consider comprehensive storm water management for development within the Municipality;
- To provide efficient, cost effective, and compatible locations for infrastructure and utilities;
- To establish a road system capable of providing for the safe and efficient movement of people, goods and services;
- To provide a system of Municipal services consistent with the needs and resources of the community, including: high standards of design, and sound planning, engineering, and environmental practices;

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- Coordinate planning for infrastructure and utilities with long-range land use planning;
- Direct majority of development to urban settlement areas with *full municipal services*; and
- Protect infrastructure and utility facilities from the establishment of sensitive and incompatible land uses.

### **8.5.3. Policies**

Infrastructure will be permitted without amendments to the Official Plan and Zoning By-law provided they are established in consultation and co-operation with the Municipality. Development of Infrastructure and Servicing may be made conditional upon public meetings and agreements at the discretion of the Municipality, unless they are subject to the Environmental Assessment Act review process.

#### **8.5.3.1. Water and Sewage Services**

##### **8.5.3.1.1. Hierarchy of Servicing Options**

*Full Municipal sewage and water services* are the preferred form of servicing in settlement areas. In areas serviced by full Municipal sewage and water services, new and infill development will only be permitted if the water and sewage systems have sufficient capacity to accommodate previously approved development commitments and any proposed new development.

New subdivisions, condominiums and multi-unit infill developments will only be permitted on full Municipal sewage and water services. If full services are not available the Municipality may permit development on the standard of servicing to be determined by a sewage strategy.

A Sewage Strategy for the Municipality is recommended by the Ministry of the Environment and Climate Change. Requirements for this strategy are available in *Guideline D-5: Planning for Sewage and Water Services*. Prior to the availability of the Municipal Sewage Strategy, individual applications for new development (subdivision, condominium and multi-unit infill) will require sewage servicing plans. Both the Municipal Sewage Strategy and Individual Servicing Options Statement shall should address:

- Consideration of the location, the amount and type of servicing needs for the proposed use when determining the appropriate level of service to be used;
- Consideration of a reasonable range of alternatives;
- Identification, consideration, and evaluation of the effects of each alternative on all aspects of the environment;
- Systematic evaluation of alternatives, their advantages and disadvantages, to determine their net environmental effects; and

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- Documentation of the planning process followed, to clearly outline the decision-making process with respect to the project.

For further guidance regarding servicing option statement requirements consult the Ministry of Environment Ministry of Environment and Climate Change Procedure D-5-3: Servicing Options Statement.

Where municipal sewage services or private communal sewage services are not provided, individual on-site sewage services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts. Generally, individual services may only be used for infill and minor rounding out.

Any development proposed on private systems must be supported by studies that include, as a minimum, evaluations of percolation rates and impacts on ground water resources and adjacent watercourses. Approval of development will require that these studies demonstrate no adverse impacts on the quality of surface water, groundwater and the water in active wells operating in the general vicinity.

Lot creation in the villages and partially serviced hamlets may only be permitted if there is confirmation of sufficient reserve sewage system capacity and reserve water system capacity within municipal sewage services and municipal water services or private communal sewage services and private communal water services.

**8.5.3.1.2. Water Supply**

Development shall connect to municipal water services where available. Where municipal water service is not available or could not be reasonably extended, then private communal services is the preferred form of servicing. Where municipal water services or private communal water services are not provided, individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts.

All water supplies to areas of new development in a settlement area will be provided in accordance with the Safe Drinking Water Act and its regulations, as amended.

Land uses within Wellhead Protection Areas surrounding Municipal Wells will be protected in accordance with Clean Water Act, 2006, and the Ausable Bayfield Source Protection Plan.

Lands within Wellhead Protection Areas will be developed in accordance with the policies in section 8.6 of this Plan.

Where private wells are no longer in use, they are required to be properly decommissioned by a licensed professional.



#### **8.5.3.1.3. Development Agreement**

Lot creation or new development will be required to enter a development agreement with the Municipality, registered on title, which may address the following:

- Water supply;
- Sewage disposal;
- Lot grading and drainage;
- Storm water management including erosion and sediment control;
- Landscaping;
- Securities;
- Sidewalks and lighting;
- Protection of natural features;
- Utilities (hydro, gas, telephone, etc.); and
- Other information as required by the Municipality of Bluewater.

#### **8.5.3.2. Roads**

It is the policy of the Municipality of Bluewater to provide and maintain efficient, cost-effective and reliable transportation systems.

Transportation land use considerations will be integrated at all stages of the planning process including connectivity among transportation systems and promotion of alternative, safe, energy efficient transportation modes. Land use patterns which supportive active transportation **(i.e. bike lanes and multi-use trails)** will be promoted.

The following policies shall apply to all Municipal Roads as identified on Schedule “M” to this Plan.

##### **8.5.3.2.1. Development to front on Public Roads**

All development must front on a public road constructed to the appropriate Provincial, County or Municipal standards. New private roads will not be permitted unless they are registered as private roads under the Condominium Act. Road alignments, widths, layouts and construction standards will be appropriate to the functional classification of the road, projected traffic volumes, prevailing design and safety standards. New roads, created by plan of subdivision or consent, shall be **construction constructed** to minimum standards as required by the Municipality prior to their assumption as a public road.

##### **8.5.3.2.2. New Development**

The development of undeveloped lands in an existing or proposed Plan of Subdivision will require roads to be built to a standards established by the road

authority and subsequently assumed by the road authority. Under the terms of the Subdivision Agreement, subdivision roads will be built by the developer under the supervision of the Municipal Engineer and all costs borne by the developer.

**8.5.3.2.3. Infill Development**

Where a public but unassumed road or a private road accesses properties which are already developed, infill development will be permitted on other existing properties along such road provided the owner registered on title a notice regarding the unassumed or private nature of the road.

**8.5.3.3. Waste Management**

The Municipality will manage solid waste and recycling in accordance with best management practices and provincial regulations.

The active and closed landfill sites in the municipality are shown on the land use plan. Proposed development within 500 metres of an active or closed landfill site will require verification from a qualified professional that the site is not affected by the migration of contaminants. Ministry of Environment and Climate Change Guideline D-4, Land Use On or Near Landfills and Dumps provides guidance regarding the study requirements for development in proximity to landfills.

It is prohibited to:

- dispose of industrial and commercial waste by means of a well; and/or
- establish a municipal waste disposal site greater than 10 hectares with the potential of discharging vinyl chloride in Wellhead Protection Areas A to C assessed at a vulnerability score of 8 or greater as shown on Appendix 9, 9A and/or 9B.

**8.5.3.4. Development Adjacent to Railways**

Where development is proposed adjacent to a railway, right of way matters relating to fencing, setbacks, noise, vibration, drainage and road crossings shall be addressed to the satisfaction of the rail authority and Municipality of Bluewater.

**8.5.3.5. Development Adjacent to Sewage Treatment Plants**

Where development is proposed adjacent to a sewage treatment plant, a setback of 100 metres shall apply as per the Ministry of Environment and Climate Change Guideline D-2, Compatibility between Sewage Treatment and Sensitive Land Use.

## **8.6. SOURCE WATER PROTECTION**

Source Protection Plans are in effect to protect the current and future municipal drinking water supply system. Water quality will be protected, improved and restored with priority given to vulnerable areas as identified by and in accordance with the policies contained in the most recent versions of the following Source Protection Plans. These vulnerable areas are at risk of contamination from incompatible land uses and other drinking water threats.

In Huron County there are four types of vulnerable areas of supply to the water supply- *Wellhead Protection Areas, Intake Protection Zones, Highly Vulnerable Aquifers, and Significant Groundwater Recharge Areas*. The policies in this Plan addressing these vulnerable areas build upon the approach, definitions and policies in the Ausable Bayfield Source Protection Plan.

The Municipality will protect, improve and restore municipal drinking water resources by implementing the Source Protection Plan as legislated by the Ontario Clean Water Act (OCWA). The components of the Municipality's strategy will include:

- Education and Outreach;
- Prohibiting activities that are hazardous to the drinking water supply (OCWA Section 57);
- Developing and Implementing Risk Management Plans (OCWA Section 58);
- Restricted Land Use Notices (OCWA Section 59); and
- Addressing the 21 Drinking Water Threats identified in the OCWA.

For lands located within a wellhead protection area where the vulnerability score is 10, the lot size for any proposed development on existing properties of record' that would include a small on-site sewage system, will be based at a minimum on the most current version of the Ministry of the Environment and Climate Change's Guidelines for Individual Onsite Sewage Systems.

For private septic systems and previously approved developable properties within a wellhead protection area where the vulnerability score is 10 and no municipal sanitary sewer exists, all future or replacement systems shall be located as far as practically possible from the wellhead while remaining in compliance with the Building Code.

For lands within a wellhead protection area where the vulnerability score is 10, all properties directly abutting a municipal sanitary sewer must connect to that sewer, and any private septic systems on those properties and all private septic systems on those properties must be decommissioned.

Where feasible, sewage collection and treatment systems shall be located outside of the wellhead protection areas with a vulnerability score of 10.

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Sec. 8.5 Community Wide Policies: Infrastructure and Servicing

Source water information is included on Appendices ~~96~~, **6A** and ~~9A~~**6B** of this Plan. These appendices may be amended without amendment to the Plan.

## 9. Implementation

### 9.1 General Land Division Policies

The policies outlined here apply to the creation of all new properties.

The creation of all new properties by plan of subdivision/condominium or by consent shall comply with the specific requirements of the land use designation and with the following general requirements:

1. Development shall be in accordance with the designated uses as shown on the Land Use Maps which accompany this Plan, the associated land use policies and the provisions of the Zoning By-law. Where a zoning by-law amendment is required, such amendment shall be in force before final approval of the subdivision, consent or condominium.
2. All properties must abut a public road developed to a standard of construction acceptable to the relevant road authority (Municipality, County or Ministry of Transportation). Units within a plan of condominium may abut a private road (common element) developed in accordance with a development agreement.
3. Development will not result in traffic hazards from limited sight lines on curves, grades or near intersections.
4. Adequate services shall be available or made available including water supply, sewage disposal, lot grading and drainage, and storm water management. Where private wells are no longer in use, they are required to be properly decommissioned by a licensed professional.
5. For lands located within a wellhead protection area where the vulnerability score is 10, new properties will only be permitted where they are serviced by municipal sanitary services or where an on-site septic system could be located outside of the vulnerable area with a vulnerability score of 10.
6. For new property creation the following minimum property area, minimum property frontage and maximum property area will apply in the applicable land use designation and category:
  - ~~—For farm properties in the Agriculture designation the minimum property area is 30 hectares and the minimum frontage is 150 metres;~~
  - ~~—For surplus farm residence severances in the Agriculture or Extractive Resources designation the maximum property area is 4 hectares;~~
  - ~~—For Agricultural Commercial Industrial properties in the Agriculture designation the minimum property area is 4,000 square metres and the minimum frontage is 30 metres;~~
  - ~~—For properties designated *Highway cCommercial* the minimum property area is 1,500 square metres and the minimum frontage is 30 metres;~~

## Sec. 9.1 Implementation: General Land Division Policies

- ~~For properties designated Core and the property is on public water and private septic the minimum area is 1,650 square metres and the minimum frontage is 30 metres, and when the property is on private services the minimum area is 1,850 square metres and the minimum frontage is 30 metres.~~
- ~~For properties designated Community Facility the minimum property area is 600 square metres and the minimum frontage is 20 metres;~~
- ~~For properties designated Industrial in areas with full municipal water and sewer the minimum property area is 450 square metres and the minimum frontage is 20 metres, in areas with partial or private services the minimum area is 1,400 square metres and the minimum frontage is 25 metres.~~
- ~~For properties designated Residential and used for *Low density* development the following minimum property area and frontage applies:~~

~~—Single Detached Dwellings:~~

	Full services (Public Water & Public Sewer)	Public Water & Private Septic	Private Water & Private Septic
Area (min.) Interior property	450 m <sup>2</sup>	1,650 m <sup>2</sup>	1,850 m <sup>2</sup>
Area (min.) Corner property	540 m <sup>2</sup>		
Frontage (min.) Interior property	15 metres	23 metres	
Frontage (min.) Corner property	18 metres		

~~—Semi Detached, Link Semi-Detached and Duplex Dwellings:~~

	<b>Semi-Detached</b>	<b>Link Semi-Detached</b>	<b>Duplex</b>
Area (min.) Interior property	270 m <sup>2</sup> per unit	270 m <sup>2</sup> per unit	540 m <sup>2</sup>
Area (min.) Corner property	315 m <sup>2</sup> per unit	330 m <sup>2</sup> per unit	
Frontage (min.) Interior property	15 metres	10 m per unit	23 m

	<b>Semi-Detached</b>	<b>Link Semi-Detached</b>	<b>Duplex</b>
Frontage (min.) Corner property	18 metres	Interior unit: 10 m Corner unit: 13 m	

— **Triplex and Quadruplex Dwellings:**

	<b>Triplex</b>	<b>Quadruplex</b>
Area (min.) Interior property	810 m <sup>2</sup>	940 m <sup>2</sup>
Area (min.) Corner property	1,080 m <sup>2</sup>	1,260 m <sup>2</sup>
Property Frontage (min.)	20 metres	

— **Multiple Attached Dwellings:**

Property frontage for each dwelling unit (min.):	8 metres
interior unit	11 metres
end unit (not a corner unit)	14 metres
end unit abutting a side street	
Area for each dwelling unit (min.):	400 m <sup>2</sup>
end unit abutting a side street	350 m <sup>2</sup>
all other units	

— **Residential High Density:**

Area (min.)	730 m <sup>2</sup>
Property Frontage	20 metres

— **Long Term Care Home or Retirement Home:**

Area (min.):	
First five units	550m <sup>2</sup>
Each additional unit	75m <sup>2</sup>
Property Frontage (min.)	20 metres

— The minimum property area for a Residential Park is 1 hectare with a minimum frontage of 75 metres;

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### Sec. 9.1 Implementation: General Land Division Policies

- ~~— The minimum property area for a Trailer Park and Campground is 4 hectares with a minimum frontage of 40 metres;~~
- ~~— The minimum property area for a Recreational Commercial use is 1,850 square metres with a frontage of 23 metres.~~



## 9.2 Implementation

Bluewater's Official Plan establishes a policy direction for land use in the Municipality. A number of tools, actions and activities are used to implement the Plan, ranging from incentives and directives to community and Municipal organizations, to regulations under the Municipal Zoning By-law.

This Plan will be put into action through the many individual and collective decisions of the residents of Bluewater.

All decisions and actions, including those of the following individuals, groups and agencies, must conform with and fulfill the principles, goals and policies of this Plan. This Plan will be implemented by:

- Residents, individuals, organizations and community groups;
- Municipal Council and its committees, including passing, Secondary Plan(s), a zoning by-law, building by-law and other appropriate by-laws, and development / subdivision agreements;
- County Council and its committees, including the control of lot and subdivision creation;
- The ~~Local Planning Appeal~~ **Ontario Land** Tribunal, other tribunals and the courts; and
- Senior levels of government who, while not bound by the plan, will be asked to consider the Plan's policies in their decisions:-
- **Municipal Council may choose to delegation delegate decision-making for to municipal staff for specified applications in accordance with the Planning Act**

## 9.3. Interpretation

### 9.3.1 General Interpretation

The boundaries of land use designations on Schedule B to **N** are general and approximate, ~~although~~ **except where** they generally coincide with defined features such as roads, **railway lines, transmission lines,** property lines, **shown in the local zoning by-law or other clearly defined** physical features **and in these cases, are not open to flexible interpretation.** Where the general intent of this Plan is maintained, minor adjustments to the boundaries of ~~land use designations~~ will not require an amendment to this Plan. **Lot lines are intended as an approximate delineation between different designations.**

The numerical figures in this Plan provide direction, but should not be interpreted as absolute and rigid. Where the general intent **and spirit** of this Plan is maintained, minor variations of numbers are permitted without amendment to this Plan.

The word "existing" means existing at the date of adoption of this Plan.

~~Appendix maps should be used to assist in interpreting the land use maps.~~  
**The appendices that accompany this Official Plan are for informational purposes. These appendices may be amended without requiring an amendment to this Plan.**

The correction of spelling errors, changes to punctuation and language or corrections of clerical, grammatical, **cross-referencing, formatting,** or typographical errors which do not affect the intent of the document in any way, do not require an amendment to this Plan.

Where an Act or portion of an Act is referred to in the Plan, such references include the applicable Sections of the Act as consolidated or amended from time to time.

### **9.3.2 Interpretation of the Natural Environment Designation**

Interpretation of the Natural Environment designations will be as follows:

- In areas abutting watercourses (rivers, streams and creeks) the Natural Environment designation includes the water body, its flood plain, the river valley and a protective zone around the water body required to maintain the environmental quality of the water body. **The size of the required adjacent lands will be determined by the Council with consideration of recommendations of the Province.** ~~The size of the required adjacent lands will be determined by the Council after considering any recommendations from the **Province.** Ministry of Natural Resources and Forestry, the Ausable Bayfield Conservation Authority and the County of Huron;~~
- ~~In marsh, upland and all other areas designated Natural Environment, the exact boundaries will~~ **In marsh, upland and all other areas designated Natural Environment, the exact boundaries will** be determined by Council after considering any recommendations of the **Province.** **Environmental impact studies may be required.** ~~Ministry of Natural Resources and Forestry and the Ausable Bayfield Conservation Authority; and~~
- In areas abutting **the lake bank and** ravines and gulleys **intersecting the lake bank,** the Natural Environment designation includes **the beach,** any vegetative area below the bank, the bank itself and a protective zone east of the top-of-bank as required to protect the bank. With respect to gulleys and ravines the Natural Environment designation refers to the gully or ravine, its sides or banks and adjacent lands abutting the top-of-bank.

The area of the required adjacent lands will be determined by the **County Biologist,** ~~Council after considering any recommendations by the Ministry of Natural Resources and Forestry and~~ **provincial guidance,** Ausable Bayfield Conservation Authority and environmental impact **studies** ~~assessments~~ may be required.

#### **9.4. Non-Conforming Uses**

1. A non-conforming use is a use of land that:
  - lawfully existed on the date of adoption of this Plan and/or the zoning by-law;
  - has not ceased; and
  - does not conform with the land use designation/zone applying to the land.
2. Non-conforming uses may be zoned to permit the use, subject to regard for its compatibility with surrounding uses, and limits to expansion, and if within a Natural Environment Designation subject to Section 5, Natural Environment.
3. Non-conforming uses may be extended or enlarged, or changed to a similar or more compatible use under the respective sections of the Planning Act 34(10 and 45(2)) provided that:
  - it is not reasonable or feasible to cease or relocate the use to conform with the plan;
  - any incompatibilities with surrounding uses are not aggravated;
  - surrounding uses are protected by appropriate buffers, setbacks and other measures to improve the compatibility of the use;
  - adequate services, access and parking are provided;
  - natural hazards are addressed; and
  - development details may be regulated by site plan control and a development agreement.

#### **9.5. Status Zoning**

Uses of land that existed legally at the date of adoption of this Official Plan or a corresponding amendment to the Official Plan may be deemed to conform. Such uses may be zoned to reflect their present use and performance standards provided:

- The zoning will not permit any significant change of use or zone provisions that will aggravate any situation detrimental to adjacent conforming uses;
- The uses to be recognized shall be zoned in such a way that any significant enlargement, expansion or change of use must be by amendment to the Zoning By-law;
- They do not constitute a danger to surrounding uses and persons by virtue of their hazardous nature or the traffic they generate;
- They do not pollute air and/or water to the extent of interfering with the ordinary enjoyment of property; and

~~• They do not interfere with the desirable development or enjoyment of the adjacent area.~~

## **9.6. Non-Complying Buildings or Structures**

Where an existing use of land is permitted within the applicable zone in the Zoning By-law, but the lot, buildings or structures located on the property do not meet one or more of the provisions or regulations of the applicable zone, the use shall be considered to be legal non-complying.

A non-complying building or structure may be enlarged, repaired, renovated or reconstructed provided that the enlargement, repair, or renovation or reconstruction:

- a) does not further reduce compliance with the zoning by-law;
- b) complies with all other applicable provisions of this Plan and the implementing Zoning By-law; and,
- c) will not pose a threat to public health or safety.

Where an enlargement, repair, or renovation or reconstruction does not conform with this policy, an application may be considered for a zoning by-law amendment or minor variance, depending on the nature of the proposal.

## **9.7. Accessory Uses**

Where a use of land is permitted by this Plan, such use shall also include uses that are normally and naturally incidental to, associated with, and subordinate to such use.

## **9.8. Site Plan Control**

The Site Plan Control provisions of Section 41 of the Planning Act will be used to, where applicable:

- Maximize compatibility between new and existing development and between different land uses;
- Improve the efficiency and safety of vehicular and pedestrian access on-site and entering/exiting the site;
- Control development within Wellhead Protection Areas;
- Ensure facilities are designed to have regard for accessibility and persons with disabilities;
- Provide functional and attractive on-site amenities such as landscaping and lighting;
- Ensure the provision of services including water, sanitary, drainage and storm water management;

- Secure required easements for services;
- Ensure the provision of parking, loading facilities, garbage and recycling collection;
- ~~– Ensure a high standard of exterior design, including the character, scale, appearance and design features of buildings;~~
- Implement urban design guidelines;
- Establishment of sustainable design elements on any adjoining street including: trees, plantings, street furniture, curb ramps, waste **and recycling** receptacles, **electrical vehicle charging stations**, and bicycle parking facilities; and
- Ensure the development is built and maintained as approved by Council **or where delegated by staff** over the long term.

Site Plan Control may be used on all lands within Wellhead Protection Areas to control uses, buildings and structures including septic systems for the purpose of drinking water source protection, **where enabled by provincial legislation**. Wellhead Protection Areas are shown on Appendices **6**, **6A** and **6B**.

Site Plan Control applications shall be processed in accordance with section 41 of the Planning Act, ~~and any site plan control by-law that is approved by Council, and related by laws.~~ **Authority for site plan approval is delegated to staff as per the Planning Act.**

All land use designations are proposed site plan control areas, ~~except for lands used primarily for low density residential purposes or 10 residential units or less.~~ Within proposed site plan control areas, Council may pass by-laws designating all or part of the areas as site plan control areas.

~~Guidelines for site plans, development requirements and standards may be established by the municipality.~~

~~For the purpose of Site Plan, matters of exterior design, where applicable, shall include the design, shape and coordination of architectural features such as balconies, cornices, banding, building materials, colour, dormers, frieze, parapet, fenestration, windows, and any other design feature that affects the appearance of the building or exterior facades.~~

The Municipality may require the provision of sustainable design elements. The Municipality may ask for the provision of sustainable design elements on any adjoining highway under a Municipality's jurisdiction, including without limitation trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities to further its efforts to improve streetscapes throughout Bluewater. The provision of such elements will be directed through a site plan agreement.

Any Council-approved guidelines and development standards will form the basis for site plan approval.

**Approval of a site plan will be required prior to the issuance of building permits for all development or redevelopment in a site plan control area. Building permit drawings shall reflect approved site plan building elevations.**

Guidelines and development standards for site plan shall include the following minimum standards:

- Buffering, landscaping, berming, screening and setbacks will be provided to enhance the aesthetic appeal of development, shield any permitted outdoor storage and refuse containment areas from general view and to ensure compatibility between adjoining uses;
- Signs will be limited to those necessary to identify the use, property and type of service or product provided and designed to avoid visual clutter, glare and distraction for free-standing signs; consolidated signage will be used where more than one use exists on a property;
- On-site parking and loading areas shall be sufficient in quality and satisfactorily located for the needs of the development and the convenience of the user. The placement of the buildings and parking should complement the streetscape; parking area locations should be encouraged to locate behind and beside the buildings. Points of vehicular access and egress will be limited and designed for safe and convenient vehicular and patron circulation. Where feasible, the provision of common access points, parking facilities and service roads shall be encouraged. Berming and landscaping should be used to enhance parking areas;
- Outdoor lighting fixtures shall be installed so that illumination is directed downwards and deflected away from adjoining residential areas;
- Outside storage and refuse collection areas should be located to the rear of the main building and completely screened from general view. Outdoor display and sales areas will be permitted provided they are not located in the landscaped buffer area and are kept in a neat and attractive manner;
- Temporary or permanent outdoor display areas shall be identified as part of the site design to the satisfaction of the Municipality;
- Where highway commercial uses abut with existing or planned residential uses, the highway commercial uses will be responsible for providing appropriate buffering measures to attain compatibility;
- Where separation distances are inadequate with respect to abutting planned or established residential uses, the range of highway commercial uses may be restricted to ensure compatibility;

- Landscaping shall be used to enhance the appearance of the site, contribute to the blending of new and existing development and screen parking, loading garbage and service facilities from adjacent properties and streets;
- Buildings should be positioned in such a way to define functional and secure pedestrian access from the street and parking areas to the main accessible entrance of the building;
- Height, massing, orientation and layout of buildings should promote the creation of a pedestrian-scale environment; and
- Design of new or redeveloped buildings shall facilitate access and use by persons with disabilities.

### **9.9. Holding Symbol Zones (H)**

A holding symbol (H) may be used in the zoning by-law in connection with any land use zone, in accordance with section 36 of the Planning Act. The zoning by-law will allow existing uses to continue in areas covered by a holding symbol and will specify the uses to be permitted at such time as the holding symbol is removed by amendment to the by-law. **Holding zones can be utilized by the Municipality in the following situations:**

- i) **In undeveloped areas in the municipality, where the specific use has been established but where other development details are not yet determined;**
- ii) **Where further studies are required in order to address development impacts. Where it is likely that the proposed land use will cause an adverse effect on the environment, the council shall require expert evidence from the proponent to demonstrate that the adverse effect can be overcome through the application of acceptable engineering and resource management practices.**
- iii) **The application of Section 36 by-laws will be limited to situations where Council is satisfied that the details of development are not so uncertain or complex that they pose an insurmountable obstacle for the proponent or the Municipality to overcome.**

Where development is not imminent and the specific pattern of land use, density, road design and servicing requirements have not been determined, the land will **may** be retained in an appropriate "Future Development" zoning category rather than a holding symbol (H).

#### **9.9.1 Removal of Holding Zone**

**Removal of the "H" zoning category from the land would be conditional upon satisfying certain requirements of the Municipality regarding the development of the land. Such conditions may be, but not limited to, the**

**satisfying of certain financial and servicing requirements specified in a subdivision or development agreement entered into between the land developer and the Municipality. The agreement may specify a time limit that the "Holding Zone" can remain in effect and may contain provisions for repeal of the zoning and the adoption of a "future development" zone classification should the owner not proceed expeditiously with the development of the land.**

**Prior to removal of a holding zone** Removal of the "H" zoning category from the land will be conditional upon satisfying the certain requirements of the Municipality **and Council shall be satisfied that all conditions of development have been met and that the policies and directions of this plan have been satisfied. Council may choose to delegate the authority for removing holding zones to staff as per the Planning Act.**

### **9.10. Temporary Use By-Laws**

An amendment to the zoning by-law may be passed permitting a temporary use of land or buildings that is otherwise prohibited by the zoning by-law, in accordance with Section 39 of the Planning Act. A temporary use by-law shall be deemed to conform with this Plan, and an amendment to this Plan is not required for a temporary use. **Timing and extensions for such uses will be subject to the provision of the Planning Act.**

**When considering applications for temporary use by-laws, Council shall satisfy itself that the use will be of a temporary nature only, and will not have an adverse effect on the surrounding area, with regard to such matters as type of use, parking, traffic, access and egress. Regard shall also be had to the general development standards contained in policies of this Plan.**

**Upon expiry of a Temporary Use By-law, uses permitted by that By-law must cease and cannot be considered as Non-Conforming Uses.**

**Council may choose to delegate the authority for temporary use by-law to staff as per the Planning Act.**

### **9.11. Interim Control By-Laws**

Where Council determines that further development should cease for a period of time while a review or study is undertaken in respect of land use planning policies in the municipality, an interim control by-law may be passed in accordance with Section 38 of the Planning Act.

### **9.12. Conflict Resolution Management**

Land use issues can be contentious, with the potential for conflict arising over existing land uses or proposals to change policy or land uses. If properly managed, conflict can be a catalyst for positive change. This Plan encourages basic principles related to conflict management including:



- planning issues should be fully discussed to ensure a complete exchange of information;
- **consensus concerning planning applications is a desirable goal though not possible in every situation;**
- public participation beyond the requirements of the Planning Act may be beneficial with particularly contentious applications;
- informal processes of conflict resolution will be encouraged under the ~~direction of Council~~; and
- The municipality encourages discussion prior to formal dispute resolution including an ~~Local Planning Appeal~~ **Ontario Land** Tribunal hearing.

### **9.13. Public Participation**

The community-based process used in the preparation of this Plan engaged numerous individuals and community groups. The workshops and public meetings allowed a full exchange of ideas, information, and perspectives.

Dialogue on planning and municipal issues will continue to be encouraged among residents, community groups and the municipality.

The participation of the general public in the implementation and evaluation of this Official Plan is deemed crucial. Therefore, open houses and public meetings will be held in accordance with the Planning Act, (RSO 1990). All proposals requiring an amendment to this Plan or the Zoning By-law will be accompanied by a public meeting as required under the *Planning Act*, (RSO 1990).

The County of Huron is the approval authority for plans of subdivision/condominium and consents under the Planning Act. Where a public meeting is required under the Planning Act, the County will request public meetings be held at the local Municipality to obtain local input on proposed developments.

~~Where a consolidation of the Plan requires the renumbering or rearranging of its contents without changing or affecting the intent of these documents in any way, public notice and a public meeting are not required.~~

**Applicants are encouraged to consult with neighbouring property owners in advance of submitting their application. Proponents of amendments to this Official Plan and the Municipality Zoning By-law are encouraged to engage interested parties beyond the requirements of the Planning Act through private consultation such as direct contact or open houses.**

#### **9.13.1 Review and Amendments**

**It is intended that this Plan shall be under constant review by both Council and the public. All amendments will be processed in accordance with the Planning Act.**

**Where obsolete provisions are deleted or the consolidation of the Plan requires the renumbering or rearranging of its contents without changing or affecting the intent of these documents in any way, public notice and a public meeting are not required.**

### **9.13.2 Engagement with Indigenous Nations**

**The British Crown and the Chippewa Nation signed the Huron Tract Purchase (Treaty 29) in 1827, which comprises Bluewater lands as defined today. There are two reserves located within the Huron Tract Purchase: Chippewas of Kettle and Stony Point and Aamjiwnaang First Nation. While their surveyed reserve lands are located outside Bluewater, these Anishinaabe Nations, in addition to Chippewas of the Thames First Nation and Walpole Island First Nation, all continue to assert their rights and uphold their responsibilities as original stewards of lands and waters throughout their Traditional Territories, which include the Huron Tract Purchase area.**

**It is the policy of Bluewater that:**

- a) The Municipality of Bluewater acknowledges the existing Aboriginal and treaty rights in Section 35 of the Constitution Act.
- b) **The Municipality and applicants/proponents shall engage early with Indigenous communities and coordinate on land use planning matters as applicable.**
- c) **The Municipality recognizes there are many shared areas of concern with Indigenous communities related to new development proposals that include, but are not limited to, the identification and preservation of archaeological sites and resources, the protection of burial sites, the natural environment, fish habitat and wildlife habitat, and the health of the air and waters.**
- d) **The Municipality also recognizes that each Indigenous community may have their own engagement and consultation protocols. It is the Municipality's intent to respect the unique circumstances within each Indigenous community when coordinating on land use planning matters.**
- e) **Meaningful engagement relies on the foundation of a strong relationship. The Municipality is committed to continue building relationship with Indigenous communities and understanding their worldview, culture, history, and relationship to these lands to support meaningful consultation and decision-making.**

## **9.14. Property Standards**

The Municipality may have a property standards by-law to ensure a high standard of development, maintenance, improvement and occupancy of property.

## **9.15. Roads Policy**

Schedule **N** (Roads Plan) identifies the jurisdiction of roads in the Municipality. Roads will be developed in accordance with this Plan and Municipal Roads policy.

## **9.16. Flood Plain**

The flood plains of the Bayfield River and other tributaries are delineated on Schedules “B”, “C”, and “E”. All development or the placing or removal of fill within the flood plain **and fill lines of the Bayfield River** must be approved by the Ausable Bayfield Conservation Authority.

## **9.17. Noise and Vibration**

**Prior to the granting of any approvals for the creation of any new residential, community facility or commercial lots or any rezoning application which has the effect of changing the permitted uses to allow more intensive residential uses than that which is currently permitted adjacent to a railway right-of-way in South Huron’s comprehensive Zoning Bylaw, the following provisions shall apply:**

- a) For proposed development within 100 metres of a railway right-of-way, the proponent may be required to undertake noise studies to the satisfaction of the Municipality and the Ministry of the Environment in consultation with the appropriate railway and may be required to undertake appropriate measures to mitigate any adverse effects from noise.**
- b) For proposed developments within 50 metres of a railway right-of-way, the proponent may be required to undertake vibration studies, to the satisfaction of the Municipality in consultation with the appropriate railway, and shall undertake appropriate measures to mitigate any adverse effects from vibration that were identified.**
- c) For proposed development adjacent to railways, the proponent shall ensure that appropriate safety measures such as setbacks, berms and security fencing are provided to the satisfaction of the Municipality in consultation with the appropriate railway.**

### **9.18. Municipal Maintenance and Occupancy Standards**

**Bluewater Council may pass by-laws to establish minimum standards of maintenance and occupancy to conserve, sustain and protect the existing and future development in the Municipality.**

**Any maintenance and occupancy by-law will be in accordance with Section 15 of the *Building Code Act* as amended, and will contain requirements with respect to:**

- 1. Prescribing standards for the maintenance and occupancy of property within the Municipality or within any defined area or areas and for prohibiting the occupancy or use of such property that does not conform with the standards.**
- 2. Requiring property that does not conform with the standards to be repaired and maintained to conform with the standards or the site to be cleared of all buildings, structures, debris or refuse and left in a graded and levelled condition.**
- 3. The measures to be used to help bring a minimum level of maintenance may include education and public relations program to show people the benefits of continued property maintenance, together with information showing what improvements can be made without increasing assessment.**

**Complementary to the enforcement of minimum standards on private properties, the Municipality in partnership with local management boards and volunteers will undertake to keep a well-maintained condition, all municipally owned properties and structures, and to provide or maintain in good repair such municipal services as roads, sidewalks, water and sewage facilities, etc.**

**Prior to the adoption of any maintenance and occupancy by-law, a public meeting to consider the provisions of such by-law shall be held.**

### **9.19. Municipal Drains**

**Bluewater Council may pass by-laws to establish minimum setback requirements for buildings located in proximity to watercourses and municipal drains.**

### **9.20. Storm Water Management**

**Storm Water Management Reports may be considered as a condition of development. Both water quantity and quality may be considered. Minimum standards may be identified in a separate policy agreed upon by the Municipality.**

### **9.21. Zoning with Conditions**

Where enabled by Provincial regulation, the Municipality may impose conditions of rezoning relating to the use of land or the erection, location or use of buildings through the Zoning By-law. A property owner may be required to enter into an agreement with the Municipality relating to the zoning conditions, which can be registered on title of the land.

### **9.22. Application Review – Contaminated Sites**

It is recognized that industrial and commercial practices predating present waste disposal handling and record keeping legislation may have contributed to the contamination of properties by substances that pose a public health hazard or impede the use or enjoyment of land. Information on these practices is often contained in obscure reference material or may exist only as oral history.

Before adopting any Official Plan Amendments or Zoning By-law Amendments, background research will be conducted. Should information come to the attention of Council that indicates that soil or soil atmosphere contamination may be present, the owner shall comply with Provincial legislation, policies and guidelines respecting the assessment, decommissioning and remediation of contaminated sites.

Council will refrain from adopting amendments in situations where the degree of the contamination and the feasibility of corrective engineering measures have not been established.

### **9.23. Complete Application Requirements**

As per the Planning Act, if a Municipality requires other material from an applicant in determining a complete planning application, the Official Plan must contain provisions clearly identifying these requirements. The following additional information may be required to be submitted as part of any planning application (including Official Plan amendments, Zoning Bylaw amendments, plans of condominium or subdivision, minor variances, site plan control, or consents) to the satisfaction of the Municipality prior to that application being considered complete.

~~At its sole discretion, the Municipality may require the following studies, plans and/or assessments to be submitted as part of planning applications, prior to that application being considered complete. Required studies/supporting material shall be determined through the pre-consultation process.~~

Applicants are encouraged to consult with the Municipality prior to submitting planning applications to be advised of information requirements. The list of required studies will be scoped by staff at the pre-consultation meeting depending on the nature of the application and the requirements of this Official Plan and other relevant policies and

**regulations. Pre-consultation is critical step in facilitating the effective and efficient processing of applications.**

**All applications made under the Planning Act must include the owner of the subject property's name. Further, the owner's authorization for the application may be required and the name of the property owner may be included on the Notice of Public Meeting.**

**All required studies shall be carried out by qualified professionals as approved by the Municipality. It is recommended that development applications be represented by qualified professionals.**

**The cost of any study shall be borne by the applicant. Any study, plan or assessment may be subject to a peer review, at the expense of the applicant.**

For the determination of a complete application, the following information may be required to be submitted as part of a planning application.

### **9.23.1. Agriculture/Mineral Aggregates**

The following studies may be required in areas designated Agriculture ~~or Aggregate~~:

- Minimum Distance Separation requirements from existing residential (farm or non-farm), recreational or other non-farm uses for proposed livestock barns;
- Minimum Distance Separation requirements from livestock barns for proposed residential, recreational or other non-farm development;
- A contaminant migration study and impact mitigation study for development within 500 metres of an open or closed landfill;
- **An Aggregate impact statement where lot creation or development is proposed within 300m of a mineral aggregate operation or known aggregate deposit;**
- **An impact study for an aggregate operation proposed within 300m of a settlement area or existing non-farm development; and**
- **An Agricultural impact assessment;**
- Other locally or provincially required studies.

### **9.23.2. Extractive Resources**

~~The following studies may be required in areas designated Extractive Resources or where a new extractive use is proposed:~~

- ~~—An aggregate impact study for an aggregate operation proposed within 300m of a settlement area or existing non-farm development.~~
- ~~—A summary report for all new aggregate operations addressing the following:~~
- ~~—Any planning and land use considerations;~~
- ~~—The agricultural classification of the proposed site, using the Canada Land Inventory classes. For the lands being returned to agriculture, the proposed rehabilitation techniques must be identified;~~
- ~~—The quality and quantity of aggregate on-site;~~
- ~~—The main haulage routes and proposed truck traffic to and from the site, and necessary entrance permits;~~
- ~~—The progressive and final rehabilitation and the suitability of the proposed rehabilitation having regard to the adjacent lands. Where there is a concentration of licensed pits in the area, consideration shall be given to comprehensive rehabilitation;~~
- ~~—Any existing surface water on and surrounding the site and proposed water diversion, storage and drainage facilities on the site and points of discharge to surface waters;~~
- ~~—Determine the elevation of the established groundwater table within the site;~~
- ~~—A traffic impact study;~~
- ~~—An air, noise or vibration study where required by Provincial guidelines;~~
- ~~—An archaeological assessment;~~
- ~~—A hydrogeological study; and~~
- ~~—Other locally or provincially required studies.~~

### **9.23.2. Natural Environment/Natural Hazard**

~~The following studies may be required in areas designated Natural Environment or where natural features are present:~~

- ~~– An Environmental Impact Study where there are **if within or adjacent to a** natural environment **area** features on or within 120 metres of the site;~~
- ~~– A flood plain and erosion hazard study if a natural hazard area or erosion control area has been identified **by the Conservation Authority**;~~

- A study demonstrating **the identification and assessment of** impacts on threatened or endangered species, **where there is potential suitable habitat** if development is proposed in an area identified as habitat for threatened or endangered species; and
- Other locally or provincially required studies.

#### **~~9.23.4. Settlement Areas (including Urban Lands) and Recreational Areas~~**

~~The following studies may be required for a complete application for development within Settlement areas and Recreational Areas including Urban designated lands:~~

- ~~– A Comprehensive Review if land is being newly designated for urban development or if converting employment lands to non-employment uses;~~
- ~~– A heritage impact study if within or in immediate vicinity of a *Heritage Conservation District* or a *Protected Heritage Property*;~~
- ~~– A retail market study (or other economic/downtown impact study) if in a commercial area, or proposing to be within a commercial area;~~
- ~~– An air, noise or vibration study when required by Provincial guidelines and when in proximity to rail lines;~~
- ~~– An Environmental Site Assessment;~~
- ~~– A traffic impact study;~~
- ~~– A commercial market study or other economic and or downtown impact study if in a commercial area, or proposing a new commercial area; and~~
- ~~– Other locally or provincially required studies.~~

#### **9.23.3. Servicing**

~~The following servicing related studies may be required for a complete application in all land use designations:~~

- ~~– A servicing proposal to demonstrate the proposed connection to existing municipal services;~~
- ~~– Demonstration of reserve sewage and water capacity in the municipal servicing system;~~
- ~~– A servicing options study for development proposed with private water or private sewage facilities;~~
- ~~– A hydrologic/groundwater impact study for development proposed on private sewage services **in accordance with the County Terms of Reference for Nitrate Studies and applicable guidelines**;~~
- ~~– **A traffic impact study or brief;**~~



- A storm water management plan and/or lot grading and drainage plan; and
- A Snow storage study/plan.

#### **9.23.4. Archaeology and Heritage**

- An Archaeological assessment in areas of archaeological potential; and
- A Heritage impact study if within or adjacent to a Heritage Conservation District of a Protected Heritage Property.

#### **9.23.5. ~~Archaeology and Heritage~~ Design and Environmental**

- An Environmental site assessment when required by provincial legislation;
- An Air, noise or vibration study when required by provincial legislation;
- A Tree preservation plan;
- A Master plan/urban design brief, design guidelines, and/or streetscape plan;
- A Conceptual building façade drawings and cross sections showing height and massing on proposed or adjacent properties for higher density infill proposals, including diagrams demonstrating safety related design; and
- A Shadow study in accordance with the Residential Intensification Guidelines terms or reference were a mid-rise or high-rise building is proposed adjacent to low-rise residential area.

### **9.23.6. Other Required Studies**

~~The following studies may be required for a complete application in all land use designations:~~

- ~~– A Land use **planning report or** planning justification report;~~
- ~~– **A planning justification report including a lands needs analysis if land is being designated for a settlement area or expansion or if converting employment lands to non-employment uses. The level of detail of the assessment should correspond with the complexity and scale of the settlement boundary expansion or development proposal;**~~
- ~~– A Master plan;~~
- ~~– A Streetscape plan;~~
- ~~– An Urban design **brief or** guidelines;~~
- ~~– **A retail market study in accordance with the commercial policies of this plan**~~
- ~~– A Tree preservation plan;~~
- ~~– A traffic impact **brief or** study;~~
- ~~– **A land use compatibility study which may address noise, dust, air, odour or other potential incompatibilities;**~~
- ~~– An air, noise or vibration study **when required by Provincial guidelines for development in proximity to a railway, industrial use, or other land use that could create noise or air quality issues;**~~
- ~~– **Draft special policy or zoning by-law provisions identifying desired relief for the proposal;**~~
- ~~– ~~Ministry of the Environment D Series Guideline~~ compatibility study;~~
- ~~– An Environmental Site Assessment when required by Provincial legislation;~~
- ~~– An archaeological assessment in the areas of archaeological potential;~~
- ~~– **An Engineering or architectural report if a rental building is proposed to be converted to a condominium;**~~
- ~~– Minimum Distance Separation requirements from existing livestock barns for proposed residential, recreational or other non-farm development;~~
- ~~– **Minimum Distance Separation requirements form existing residential (farm and non-farm), recreational or other non-farm uses for proposed livestock barns;**~~

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- A contaminant migration study and impact mitigation study for development within 500 m of an open or closed landfill;
- **A containment study, environmental site assessment or record of site condition for any site where there is a record of contamination;**
- **An aggregate impact study for non-farm operation proposed within 300m of an aggregate operation or known aggregate deposit;**
- **An impact study for aggregate option proposed within 300m of a settlement area or existing non-farm development;**
- **An environmental Impact study in areas in or adjacent to natural heritage features;**
- A hydro-geological study, compatibility study and rehabilitation plan for applications to permit commercial scale water taking facilities;
- **Restricted Land Use Notice under the Clean Water Act, 2006 & the Ausable Bayfield Conservation Authority Source Protection Plans for properties within the 5 year time of travel surrounding municipal wells; and**
- **A Section 59 Restricted Land use Permit under the Clean Water Act; Risk Management Study under the Source Protection Plan;**
- **An agricultural Impact assessment;**
- **A geotechnical study or investigation;**
- **A public consultation strategy;**
- **An indigenous community consultation strategy;**
- **Other locally or provincially required studies.**
- **Any other required materials identified during pre-consultation or the proposal; and**
- **Completed peer reviews and any required updates or additions identified through a staff or peer review of any required materials.**

All required studies shall be carried out by qualified professionals as approved by the Municipality. It is recommended that development applications be represented by qualified professionals.

The cost of any study shall be borne by the applicant. Any study, plan or assessment may be subject to a peer review, at the expense of the applicant. Applicants are encouraged to consult with the Municipality prior to submitting application to be advised of information requirements. The Municipality may pass a by-law under the Planning Act requiring pre-consultation on applications prior to being considered complete. The list of required studies will be scoped by staff at the pre-consultation meeting depending on the nature of the application.

### **9.24 Secondary Plans**

The Municipality may adopt a Secondary Plan or Plans to implement the policies of this plan in further detail. The Secondary Plan may address such issues as heritage or urban design in greater detail than is provided in this plan.

APPENDIX A

**Appendix A**

**Designated Properties Under the Ontario Heritage Act**

**This list should be cross referenced with the current list of designated properties maintained separately by the Municipality. This list should be utilized as a reference resource. The authoritative list of current designated properties and inventory will be firstly updated by the Municipality in a separate registry.**

**Note this table is subject to change and amendments do not require an Official Plan Amendment.**

<b>Address</b>	<b>Property Name</b>	<b>Construction Date</b>
26 Main Street North	The Little Inn	1847
1 Anne Street	Hunter House	1850
41 Main St South	Orlagh House	1868
108 King Street	Hensall Town Hall	1914