



WALKERTON COMMUNITY OFFICIAL PLAN

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SECTION 1 - INTRODUCTION

1.1 GENERAL

This Plan is entitled “The Walkerton Community Official Plan.”

The Walkerton Community Official Plan consists of the following text, together with the following schedules.

- *Schedule ‘A’ Land Use*
- *Schedule ‘B’ Roads*
- *Schedule ‘C’ Natural Heritage System*
- *Schedule ‘D’ Community Improvement Area*

1.2 MUNICIPAL SETTING

Walkerton is a thriving centre of 5,000 people situated in the southeast corner of Bruce County along the banks of the Saugeen River. In 1999 the Town of Walkerton amalgamated with the Townships of Brant and Greenock to form the new Municipality of Brockton.

The Walkerton community is centrally located in the heart of some of Bruce-Grey’s most fertile farmland, at the junction of County Road 4 and Highway No. 9. Functioning as a regional service centre and the county seat, Walkerton has a diverse economy with a strong manufacturing base, government administration and numerous institutional services.

Walkerton has a long-standing tradition of land use planning, extending back to 1962 when the first Walkerton Planning Area was defined. In 1965, the Town adopted its first Official Plan, followed by its first restricted area zoning by-law in 1966.

In 2001, the Municipality of Brockton adopted its first Official Plan for the Walkerton Community. In 2009 the Walkerton Community Official Plan was reviewed and updated. The 2016 update represents a Five Year Review of the Official Plan as required by the Planning Act.

Walkerton is bisected by the Saugeen River valley which provides scenic beauty, recreation, and tourist opportunities to the community.

Adjacent to the Saugeen River, the downtown provides a focus to the community. There is an opportunity to improve downtown retail and other facilities and increase attraction from the surrounding area.

As an urban centre, Walkerton has a full complement of municipal services including water supply and sewage treatment systems. The ongoing maintenance and improvement of these facilities is required for continued community growth.

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1.3 PURPOSE OF THE PLAN

The general purpose of the Official Plan is to provide for the orderly development of the community. The Plan contains policies regarding the distribution of land uses, the provision of community services, and the classification of the road pattern.

The Plan contains goals, actions and policies intended to assist Municipal Council, municipal staff, developers, government agencies and the public in their efforts to strengthen the economic, environmental and social fabric of the Community. The Plan will additionally guide private business and citizens when making decisions concerning future land use, development and investment.

The Plan proposes an active program of municipal improvement to enhance the function, form and amenities of the downtown area,

The Official Plan is intended to function as a major policy document to the year 2026.

1.4 VISION STATEMENT

Walkerton's Vision is based on ensuring the highest quality of life possible for all its residents.

Walkerton will continue to play a prominent regional role and create a positive economic climate for new investment and employment opportunities. These new opportunities will capitalize on the Community's tourism potential, the retention and attraction of industry, community support of its institutional employers, downtown revitalization and record of environmental leadership.

Future growth in Walkerton will complement its small town character and heritage identity.

The Saugeen River, the major natural feature in the community, is to be protected and enhanced and utilized for recreation, tourism, and appreciation of its scenic beauty.

1.5 COMMUNITY GOALS

This Plan contains goals, objectives and policies established primarily to manage and direct physical change and the effects on the social, economic, built and natural environment of the municipality".

- a) To strengthen the downtown area as the commercial, entertainment and administrative centre of Brockton and the surrounding area.
- b) To ensure sufficient lands are provided for highway commercial uses and provide a balanced commercial base that serves the need of area residents and visitors.
- c) To promote a mixed and affordable supply of housing to meet the present and future needs of all segments of the community.
- d) To provide a positive economic climate to attract industry, encourage private investment, create a wide range of employment opportunities, and enhance a balanced municipal assessment base.
- e) To promote the attraction and retention of light and environmentally clean industry

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- to diversify the economic base and provide employment opportunities.
- f) To support and maintain Walkerton’s position as a focal point in Bruce County by enhancing existing regional and community institutions for their economic, social and cultural importance.
- g) To protect and preserve lands exhibiting sensitive natural heritage features.
- h) To protect and preserve lands having inherent physical and environmental constraints to development, in order to avoid potential danger to life or property from the use of such lands.
- i) To ensure a broad range of recreation and open space opportunities are available for all residents and visitors.
- j) To protect and enhance Walkerton’s built, landscape and archaeological heritage, for its cultural, historic, aesthetic and economic value.
- k) To protect and enhance Walkerton’s healthy environment by minimizing air, water and land pollution, and through the wise use of the area’s natural resources.
- l) To improve community facilities and infrastructure to address social, environmental and economic needs of the community.
- m) To provide a full range of affordable municipal services to meet the economic, social and environmental needs of the community.
- n) To provide a transportation network which allows for the efficient movement of goods and people, and facilitates economic activities within the community.
- o) To encourage the enhancement and, where possible, protect and preserve those lands comprising the Walkerton Natural Heritage System.

1.6 PLANNING PERIOD AND POPULATION FORECASTS

The Official Plan is based on a planning period to the year 2026. The designation of lands in this Plan should allow an ample surplus to provide for effective market operation, competition and choice.

The population forecast for the Walkerton community is set out as follows:

2006	4,905 (actual)
2016	4,778 (estimated)
2026	5,778

Population growth will be monitored regularly. Periodic updates to the above population forecasts may occur without amendment to this Plan. If major variances emerge between observed growth rates and the population forecasts, a review of this Plan may be initiated by Council.

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SECTION 2 - INTERPRETATION OF THE PLAN

2.1 RELATIONSHIP TO THE COUNTY PLAN

The Walkerton Community Official Plan must conform to the Official Plan of Bruce County. The County Plan contains broad policies involving County responsibilities, and provincial interests, and deals with planning matters affecting two or more local municipalities.

The Walkerton Community Official Plan addresses the unique characteristics, special needs and social and economic aspirations and goals of the local Municipality.

The Walkerton Community Official Plan provides the needed additional policy detail to ensure effective and practical application of the broad County policies. In order to ascertain the full scope of Official Plan policies, both the Bruce County Official Plan and the Walkerton Community Official Plan should be consulted.

In the event of a conflict between the County of Bruce Official Plan and the Walkerton Community Official Plan, the County Official Plan prevails to the extent of the conflict, but in all other respects the Walkerton Community Official Plan remains in effect.

2.2 CONFORMITY TO THE OFFICIAL PLAN

No municipal or public work shall be undertaken and no by-law passed for any purpose that does not conform to this Plan.

All public works undertaken by all other levels of government and other public agencies shall conform with this Plan, except where exempted under provincial or federal legislation.

2.3 INTERPRETATION

The external boundaries of the Walkerton community are fixed. Expansions to the Walkerton urban area are not permitted without a comprehensive review of this Plan.

The boundaries between land use designations on Schedule "A" Land Use Plan are to be considered approximate, except where they coincide with property lines, roads, former railway corridors, rivers or streams, or other similar geographic barriers. Amendments to this Plan shall not be required to make minor adjustments to the approximate land use boundaries, provided the general intent of the Plan is maintained

It is recognized that the boundaries of the Environmental Protection designation may be imprecise and subject to change. The Municipality shall determine the extent of the environmental areas on a site-by-site basis when considering development proposals, in consultation with the appropriate agencies. Any minor refinement to the Environmental Protection designation shall not require an amendment to this Plan.

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Where a lot is within more than one designation on the Schedules to this Plan, each portion of the lot shall be used in accordance with the applicable policies of that designation.

The location of roads as indicated on Schedule B shall be considered as approximate. Amendments to this Plan will not be required in order to make minor adjustments or deviations of the locations of roads provided the general intent of the Plan is maintained.

Whenever a use is permitted in a land use designation, it is intended that uses, buildings or structures normally incidental, and accessory to that use are also permitted.

It is intended that all figures and quantities contained within this Plan be considered as approximate only. Amendments to this Plan shall not be required to permit any reasonable deviation from any of the figures and quantities, provided the general intent of the Plan is maintained.

Specific policies of this Plan should not be viewed in isolation but rather should be interpreted along with the intent of the Walkerton Vision Statement, Community Goals, and relevant actions and policies contained within the Plan. When determining whether a development proposal conforms to the Plan, [Section 1.5](#) Community Goals may be used to assist in the review process.

Additional ‘Notes’ and ‘Boxes’ may be included in the text and on the Schedules for reference, clarification and convenience purposes. Information of this nature is subject to addition, change and/or deletion without an Amendment to this Plan.

Changes and corrections to spelling, grammatical errors, references including references to other legislation or documents and/or internal referencing and the renumbering of sections and subsections shall not require an Amendment to this Plan.

2.4 MONITORING AND REVIEW

The Walkerton community will continue to change. As a result, this Plan should be seen as an evolving document, requiring review and revision every five years to ensure the policies reflect changing economic, social and financial circumstances.

- a) In order to assess the effectiveness of the Plan, the Municipality shall initiate an ongoing monitoring program which may include an assessment of:
 - i) The adequacy of lands available to support anticipated development;
 - ii) Demographic, social and physical changes to the community;
 - iii) Effectiveness of the community improvement, land use and servicing policies of the Plan;
 - iv) Changes in County or Provincial policies which impact upon the relevance of the Plan;
 - v) The quality of the community’s environment; and
 - vi) The capacity and operational efficiency of municipal water supply and sewage treatment facilities to accommodate anticipated growth.
- b) In addition to the ongoing monitoring program, the Municipality shall carry out a formal public review of the Official Plan at least every 5 years. As part of the Five

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Year Review, the Municipality shall hold at least one public meeting and open house to obtain the public's views, in accordance with the Planning Act.

The Municipality shall notify all agencies and ministries involved in the review of planning decisions as part of conducting the Five Year Review.

The Municipality shall prepare a report which summarizes the comments received from government agencies and ministries and the general public, along with the components of the Official Plan that the Municipality believes are in need of revision, as determined by the monitoring program. This report shall be available at the public meeting.

SECTION 3 - LAND USE POLICIES

3.1 RESIDENTIAL

This Plan forecasts a population of approximately **5,778** by the year 2026. To accommodate this growth, the Community requires approximately **417** new housing units between 2016 and 2026.

Given the current aging population and the desire to attract new families, it is the intent of the Municipality to satisfy a range of market needs ranging from accommodating the young to the elderly. The Community has a residential land supply sufficient to meet projected needs to 2026 within the settlement area boundaries as they existed in 2016.

3.1.1 Goal

To provide opportunities for a range of housing types and densities to accommodate a diversity of lifestyles, age groups, income levels and persons with special needs in order to create a complete community.

3.1.2 Actions

- a) Ensure a reasonable supply of building lots and blocks for future residential development.
- b) Encourage a wide range of housing types and designs to accommodate persons with diverse social and economic backgrounds, needs and desires while promoting the maintenance and improvement of existing housing.
- c) Promote a range of single detached residential lot sizes.
- d) Establish a process whereby a commitment to sewage treatment and water supply capacity only occurs upon registration of plans of subdivision.
- e) Promote the efficient use of existing and planned infrastructure by creating the opportunity for various forms of residential intensification, where appropriate, in character with the built form of the community.
- f) Encourage the conversion of single detached dwellings, in appropriate locations, into multiple residential units and the recreation of new residential units on vacant or underdeveloped lots.
- g) Co-ordinate the provision of parks and open space and pedestrian connections to promote liveable neighbourhoods.
- h) Provide housing opportunities for community members with special needs, including people having lower incomes, seniors and support housing for the physically and developmentally challenged.
- i) Ensure that new development, redevelopment, infilling and intensification projects are designed to complement the character of existing residential neighbourhoods.
- j) The Municipality may consider Alternative Development Standards (ADS) for new residential development and redevelopment.

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3.1.3 Permitted Uses

- a) Lands designated Residential shall be predominantly used for single-detached, semi-detached, duplex, three-plex, street, block and stacked townhouse, apartment dwellings, long term care facilities, seniors/retirement homes and special needs housing.
- b) Rooming, boarding and lodging houses, may be permitted.
- c) Secondary Suites and Garden Suites shall be permitted in accordance with the provisions of [Section 3.1.15](#).
- d) Other uses compatible with residential neighbourhoods may also be permitted including such uses as public parks, bed and breakfast operations, home occupations, group homes, day schools and local commercial uses.
- e) The following Institutional and Community Facilities may be permitted in the Residential designation without amendment to this Plan:
 - Fire, police, ambulance stations, municipal services, places of worship and public libraries. All of the foregoing Permitted uses shall be subject to the policies of [Section 3.4.4](#) Institutional and Community Facility Policies; and,
 - 'Child Care' subject to the policies of [Section 3.4.3.1](#) Permitted Uses – Child Care (Institutional and Community Facilities).
- f) The policies of [Section 3.7.7](#) ' Flood Fringe Constraint Areas' shall apply to the establishment of new uses, new secondary suites and garden suites, conversions of existing uses and/or enlargement of existing uses on lands within the Flood Constraint Ares as shown on Schedule 'A'.

3.1.4 Housing Supply

- a) The Municipality shall strive to maintain at all times a 3 year supply of serviceable draft approved and registered lots to accommodate residential demand.
- b) The Municipality shall seek to improve access to housing for people with special needs, including assisted housing, seniors housing and housing for physically and developmentally challenged individuals.
- c) The Municipality shall maintain a ten (10) year supply of lands designated for residential development.

3.1.5 Density and Tenure Targets

- a) The Municipality of Brockton hereby sets the following Targets for new Housing:

Housing Unit Type:	70% low density 30% medium and high density
Housing Tenure:	70% ownership housing 30% rental housing
Housing Affordability:	30% of all NEW housing to meet the requirements of Section 3.1.6 'Affordable Housing'.

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- b) The Municipality shall encourage housing forms and densities designed to be affordable to moderate and low income households.
- c) The Municipality shall target 20 percent of all new housing to be created through intensification. Intensification shall be encouraged in areas where full municipal services are available, roads and utilities currently exist and in areas within close proximity to the downtown. The Municipality shall support a wide range of housing types, zoning standards and subdivision design standards to provide a full range of housing types and opportunities.
- d) The Municipality shall encourage intensification in areas where existing and planned services can support new households, where such development is compatible with existing built form, where there is potential demand and where there is opportunity for residential above commercial establishments.
- e) The Municipality shall, in the implementing Comprehensive Zoning By-law, include single detached, semi-detached and duplex housing types in the same zone category and shall apply similar provisions in regard to minimum lot size, building setbacks, parking etc. for those developments to be serviced by municipal sewer and municipal water services.
- f) The residential portion of all subdivisions, condominiums or multi-unit/multi-lot developments that are serviced by municipal sewer or communal sewer shall have a minimum density of no less than 15 'dwelling units' per 'gross developable' hectare (6.1 dwelling units per 'gross developable' acre). The County of Bruce, as the approval authority, may grant a reduced density when justified and appropriate. Gross developable shall mean the total area of the proposed development minus the area of any lands designated or zoned Hazard, Natural Environment or similar in the Official Plan and/or Comprehensive Zoning By-law.
- g) The Municipality shall review their progress in meeting the Housing Targets at the time of a new Official Plan or during a future review of this Official Plan.

3.1.6 Affordable Housing

- a) Affordable Housing means:
 - i) In the case of ownership, the least expensive of:
 - 1) Housing for which the purchase price results in annual accommodation costs which do not exceed 30% of gross household income for 'low and moderate income households';
or
 - 2) Housing for which the purchase price is at least 10% below the average purchase price of a resale unit based on a housing market area comprised of the Municipalities of Brockton, Hanover, South Bruce, Arran-Elderslie and West Grey.
 - ii) In the case of rental housing, the least expensive of:
 - 1) A unit for which rent does not exceed 30% of gross annual household income for 'low and moderate income households';
or

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- 2) A unit for which the rent is at or below the average market rent of a unit in the regional rental housing market area comprised of the settlement areas of Mildmay, Hanover, Durham, and Chesley.
- iii) Low and moderate income households mean:
 - 1) In the case of ownership housing, households with incomes in the lowest 60% of the income distribution based on a housing market area comprised of the Municipalities of Brockton, Hanover, South Bruce, Arran-Elderslie and West Grey.
 - 2) In the case of rental housing, households with incomes in the lowest 60% of the income distribution for renter households in the Municipalities of Brockton, Hanover, South Bruce, Arran-Elderslie and West Grey.
- b) The Municipality shall:
 - i) Encourage, and assist where possible, the development of 'Affordable Housing' initiatives;
 - ii) Expedite the development approvals process and other administrative requirements for 'Affordable Housing' initiatives;
 - iii) Apply more innovative and flexible zoning to 'Affordable Housing' initiatives if required;
 - iv) Implement senior government housing programs for 'Affordable Housing';
 - v) Work with the County of Bruce to enact a Municipal Housing Facilities By-law under Section 110 of the Municipal Act to enable the provision of incentives to the public and private sectors to create new 'Affordable Housing' initiatives.
- c) The Municipality may:
 - i) Give initial consideration to the provision of 'Affordable Housing' where Municipal owned lands are deemed surplus to the needs of the Municipality and are being considered for sale and/or alternate use;
 - ii) Consider providing surplus lands at no charge, or a reduced charge to 'Affordable Housing' initiatives, or portions of housing initiatives, which can be certified as 'Affordable Housing';
 - iii) Waive fees, such as building permit fees, water and sewer service connection fees, and other development related fees in order to promote initiatives, which can be certified as 'Affordable Housing'.

3.1.7 Low Density Residential

Low density residential development includes single detached, semi-detached and duplex dwellings, and converted dwellings with no more than 2 units.

A range of housing densities but the density of development shall be no less than

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that required by Section 3.1.5(f).

3.1.8 Medium Density Residential

Medium density residential development includes tri-plexes, four-plexes, townhouses, low profile apartments of no more than two (2) storeys, and converted dwellings of three or more units.

- a) Medium density residential development shall have a maximum net density of 35 units per net hectare (14 units per net acre).
'Net Density' shall be defined as the density of the residential development on the site proposed for development, not including roads, parks and schools.
- b) Medium density residential proposals shall address the following criteria:
 - i) Respects the character of abutting residential properties-in terms of height, massing and setbacks;
 - ii) Is compatible with existing land uses in the immediate area;
 - iii) Provides adequate off-street parking and appropriate access and circulation for vehicular traffic, including emergency vehicles;
 - iv) Location on a site that has adequate land area to incorporate the building, an outdoor amenity area, and appropriate buffering such as setbacks, landscaping and fencing to ensure the compatibility of the use with adjacent land uses;
 - v) Shall not cause traffic hazards or an unacceptable level of congestion on surrounding roads;
 - vi) Location in close proximity to community facilities such as parks, schools and open spaces;
 - vii) Can be easily accessed by transit if available;
 - viii) Suitable setbacks from abutting uses; and
 - ix) Suitable, lot grading, and drainage.
- c) Medium density residential development may be subject to Site Plan Control under [Section 7.14](#) of this Plan.

3.1.9 High Density Residential

- a) High density residential development includes apartment buildings with a maximum net density of 50 units per net hectare (20 units per net acre) and a maximum height of five storeys above grade.
'Net density' shall be defined as the density of the residential development on the site proposed for development, not including roads, parks and schools.
- b) In considering rezoning applications for new high density residential development, Council shall consider the following criteria in addition to those criteria identified in [Section 3.1.8](#) (b) of this Plan:
 - i) The density and character of adjacent development and compatibility with land uses in the immediate area;
 - ii) The adequacy of municipal services to serve the proposed development;
 - iii) The adequacy of the local street network to accommodate traffic from

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- iv) the development;
- iv) The proximity of the proposed development to convenient access to collector or arterial roads as shown on Schedule 'B' of this Plan, locations adjacent to public open space, parks, and commercial facilities'
- v) The availability of adequate off-street parking and appropriate access and circulation for vehicular traffic, including emergency vehicles;
- vi) Suitable landscaping, lot grading, drainage and onsite amenities.
- c) High density residential development shall be subject to Site Plan Control under [Section 7.14](#) of this Plan.

3.1.10 Intensification

- a) It shall be the policy of the Municipality to encourage the Intensification of existing residential areas on vacant lots and underdeveloped lots. The scale of an Intensification proposal shall take into consideration the size of the vacant or underdeveloped lot.
- b) Intensification ~~Infill~~ proposals requiring a zoning by-law amendment or minor variance should take into consideration existing building heights on abutting properties, massing, density, lot coverage, parking and yard setbacks in order to mitigate impacts on immediate neighbouring property owners-
- c) A suitable transition in lot sizes, densities, building forms and heights should be provided from adjacent developments.
- d) Existing trees, vegetation and open space should be retained and enhanced where possible and additional landscaping provided to integrate the proposed development with the existing neighbourhood.
- e) Intensification proposals may require a lot grading and drainage plan which addresses potential impacts on abutting properties.
- f) Intensification projects in excess of four dwelling units shall be subject to site plan control under [Section 7.14](#) of this Plan.

3.1.11 Residential Conversions

The conversion of existing single detached residential dwellings to apartment dwellings, rooming, boarding or lodging houses provides affordable housing and may be permitted in the Residential designation subject to the following:

- a) In considering rezoning or minor variance applications for residential conversions Council shall, in addition to the requirements of the Comprehensive Zoning By-law consider the following criteria:

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- i) The density and character of adjacent development and compatibility with land uses in the immediate area;
 - ii) The adequacy of municipal services to serve the proposed conversion;
 - iii) The adequacy of the local street network to accommodate traffic from the conversion;
 - iv) The availability of adequate off-street parking and appropriate access and circulation for vehicular traffic, including emergency vehicles;
 - v) Suitable landscaping, lot grading, drainage and on-site amenities.
- b) Residential conversions may be subject to Site Plan Control under [Section 7.14](#) of this Plan.

3.1.12 Bed and Breakfast Uses

Bed and breakfast operations may be permitted within single detached homes in the Residential designation subject to the requirements of the Comprehensive Zoning By-law.

- a) The Comprehensive Zoning By-law may provide regulations for bed and breakfast operations which including:
 - i) the establishment of such uses shall not change the residential character of the area;
 - ii) all requirements of the zoning by-law are met, including adequate off-street parking, and no more than four guest rooms;
 - iii) such uses shall only be permitted in buildings which constitute the principal residence of the operator; and,
 - iv) any other regulation deemed necessary by the Municipality
- b) Bed and breakfast operations may be subject to Site Plan Control under [Section 7.14](#) of this Plan.

3.1.13 Home Occupations

Home occupations are an important means of realizing small business start-ups and self-employment. Home occupations may be permitted within the Residential designation subject to the requirements of the Comprehensive Zoning By-law.

- a) The Comprehensive Zoning By-law *shall* provide regulations for home occupations which:
 - i) Include a list of permitted home occupation uses and their location on a lot;
 - ii) Restrict the number of people which may be employed in the home occupation;
 - iii) Provide a maximum percentage of the floor area of the residence or accessory building which may be used for the home occupation;
 - iv) Ensure the maintenance of the external appearance of the residence, regulate outside storage and control exterior signs; and,
 - v) Provide appropriate parking standards for such uses.

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3.1.14 Special Needs Housing

- a) The Municipality shall seek to improve access to housing for people with special needs, including assisted housing for low income earners, seniors housing, supportive housing (housing for developmentally disabled) etc.
- b) The Municipality shall work with local groups to determine special housing needs and support local efforts for appropriate applications and proposals for special needs housing.
- c) The Municipality shall consider alternative approaches to providing housing specifically targeted to the future senior population.

3.1.15 Secondary Suites and Garden Suites

- a) Secondary Suite means a second or additional self-contained dwelling unit with bathroom and kitchen facilities built/incorporated within the structural envelope of a primary dwelling.
- b) Garden Suite means a second, or additional, one-unit self-contained dwelling unit with bathroom and kitchen facilities that is separate and distinct from the structural envelope of the existing primary dwelling on a lot.
- c) 'Secondary Suites' and 'Garden Suites' are permitted in the Residential designation without Amendment to this Official Plan subject to the policies of this Section.
- d) The Comprehensive Zoning By-law shall establish the following provisions for a 'Secondary Suite':
 - i) One (1) 'Secondary Suite' within any detached, semi-detached, or rowhouse dwelling shall be permitted;
 - ii) A 'Secondary Suite' shall not be permitted when a 'Garden Suite' or a similar detached ancillary/accessory dwelling unit exists on the lot;
 - iii) In addition to the parking requirements of the Comprehensive Zoning By-law for the existing dwelling, one (1) additional off-street parking space shall be provided. A second driveway may not be created;
 - iv) No business or commercial enterprise, including but not limited to a home occupation, Bed & Breakfast, Home Child Care, Unlicensed Child Care or a Child Care Centre, shall take place in a dwelling that includes a 'Secondary Suite';
 - v) Sufficient water service and sewer capacity exists or shall be made available;
 - vi) The lot shall have access to, and frontage onto, an open and year-round maintained municipal road of adequate construction;
 - vii) A 'Secondary Suite' is not permitted within any detached, semi-detached, or rowhouse dwelling where the lot is legally non-conforming with respect to lot width or lot area;
 - viii) The Secondary Suite shall occupy no more than 40% of the detached, semi-detached, or rowhouse dwelling Total Habitable Floor Area. Total Habitable Floor Area includes all floor levels but does not include a cellar, crawl space, attic, enclosed porches/balconies or similar.
- e) The Comprehensive Zoning By-law shall establish the following provisions

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for a 'Garden Suite':

- i) One (1) 'Garden Suite' shall be permitted per lot provided all of the provisions of this Section are met;
 - ii) A 'Garden Suite' shall be a non-permanent structure. A mobile home, manufactured home, or similar non-permanent moveable housing shall be used. The mobile home, manufactured home, or similar non-permanent housing shall meet the certification provisions of Canadian Standards Association (CSA) documents CAN/CSA-Z240 or CAN/CSA-Z241 standards as amended;
 - iii) A By-law authorizing the temporary use of a 'Garden Suite' shall be required. As a condition to passing the By-law authorizing the temporary use, the Municipality under the powers of the Planning Act, shall enter into an Agreement with the owner or occupant of the Garden Suite to cover at a minimum such issues as:
 - 1) Conditions for removal of the 'Garden Suite' from the lot; and
 - 2) The need for bonding or other financial security to ensure that conditions of the Agreement are met.
 - iv) A 'Garden Suite' shall not be permitted when a 'Secondary Suite' or similar unit exists within the existing primary dwelling unit;
 - v) In addition to the parking requirements of the Comprehensive Zoning By-law for the existing dwelling, one (1) additional off-street parking space shall be provided;
 - vi) No business or commercial enterprise, including but not limited to a home occupation, Bed & Breakfast, Home Child Care, Unlicensed Child Care or a Child Care Centre, shall take place in the principle dwelling that includes a 'Garden Suite' on the lot;
 - vii) No business or commercial enterprise, including but not limited to a home occupation, Bed & Breakfast or Licensed/Unlicensed Day Nursery, shall take place in a 'Garden Suite';
 - viii) A 'Garden Suite' shall conform to the yard setbacks and lot coverage provisions of the zone in which it is located excepting however that a 'Garden Suite' shall be set back a minimum of 1.5 metres from any interior side yard. The site specific Zoning By-law amendment may vary the provisions of the zone in which the Garden Suite is to be located;
 - ix) Sufficient water service and sewer capacity exists or shall be made available;
 - x) The lot shall have access to, and frontage onto, an open and year-round maintained municipal road of adequate construction;
 - xi) A 'Garden Suite' may be subject to Site Plan Control.
- f) A consent shall not be granted for a Garden Suite unless said consent meets the applicable policies of the Official Plan and conforms to the Comprehensive Zoning By-law requirements.
- g) The Comprehensive Zoning By-law may not require, dictate or direct any additional regulations/policies more stringent than those above for the creation of a Secondary Suite or a Garden Suite.

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3.1.16 Garden Suites

The term Garden Suite is used to describe a temporary detached residential unit accessory to a primary residence and designed to meet the housing needs of elderly parents, family members with special needs, or other similar individuals.

Garden Suites may be permitted within the Residential designation subject to the adoption of a site-specific temporary use by-law pursuant to the Planning Act and the requirements of the Comprehensive Zoning By-law.

- a) The Comprehensive Zoning By-law may provide regulations for Garden Suites which:
 - i) Require the Garden Suite to be located in the rear yard, to be detached and accessory to a primary dwelling unit and to be appropriately buffered and sited relative to adjacent properties;
 - ii) Require adequate parking on the lot for both the single detached dwelling and Garden Suite;
 - iii) Restrict any business or commercial enterprise from taking place within the Garden Suite;
 - iv) Set out the lot line setbacks and/or other restrictions i.e. minimum lot size, regulating the location of the Garden Suite on any lot; and,
 - v) Prohibit the use of a mobile home.
- b) Under the powers of the Municipal Act, the Municipality may enter into an agreement with the property owner, occupant and/or Canada Mortgage and Housing, or similar government agencies or private sector providers to cover issues such as:
 - i) Conditions for removal of the Garden Suite from the property;
 - ii) The Garden Suite shall not be used as a rental dwelling unit for profit or gain;
 - iii) The Garden Suite meets all health, safety, servicing, fire and building code standards;
 - iv) The need for bonding of security to ensure that certain conditions of the agreement are met; and,
 - v) Other issues deemed important by the Municipality.
- c) Garden Suites may be subject to Site Plan Control under [Section 7.14](#) of this Plan.

3.1.17 Day Schools

The term day school is used to describe a facility that receives no more than ten (10) students for the purpose of providing educational instruction for children over the age of 5 years and under the age of 18 years. Day Schools may be permitted within the Residential designation subject to the requirements of the Comprehensive Zoning By-law.

- a) The Comprehensive Zoning By-law may provide regulations for day school which require:
 - i) A demonstrated community need for the facility;
 - ii) The establishment of the facility does not negatively impact upon the

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- residential character of the neighbourhood;
- iii) A safe area for the drop-off and pick-up of children; and,
- iv) Appropriate yard setbacks, outdoor recreational space, signage and parking.
- b) The facility shall be licensed by the Ministry of Education.
- c) The facility shall meet all health, safety and building and fire code standards.
- d) Day schools may be subject to Site Plan Control under [Section 7.14](#) of this Plan.

3.1.18 Conversion of Institutional Uses

- a) In the event that all or part of an existing school site should no longer be required by a School Board, Council will initiate a public community meeting prior to determining the future uses(s) of this property and prior to considering any potential rezoning of the lands.
- b) The following alternate uses may be permitted without the need for an amendment to this Plan. Alternate uses may include:
 - i) Open space uses.
 - ii) Compatible institutional uses based on specific evaluation of each site, and which may include religious institutions, community recreational facilities.
- c) In the event of such a conversion Council will ensure that the open space and parkland function provided by the former institutional uses is maintained in future development plans through parkland dedication or other means available to Council.

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3.2 HISTORIC WALKERTON

Historic Walkerton is the vintage commercial area of Walkerton. The buildings and street block fabric exhibit an older established style with buildings built up to the street line. Historic Walkerton contains a large part of the community's retail and service businesses that serve residents within and beyond Walkerton itself. The Historic Walkerton policies are intended to promote and enhance the viability of this vibrant commercial area.

3.2.1 Goal

To encourage the strengthening of Historic Walkerton as the commercial, retail and service centre of the community.

3.2.2 Actions

Actively promote Historic Walkerton as the focus for retail and service activity within the Community and Municipality.

Encourage the development of a compact and pedestrian friendly area.

Provide for suitable opportunities for pedestrian access, visual connectivity and functional interaction with the Saugeen River valley.

Prepare design guidelines accordingly for use in improvement programs such as the following:

- i) Develop programs as empowered through the Planning Act, Municipal Heritage Preservation Act, Municipal Act, other legislation and municipal expenditures, that ensures that new development complements the existing Victorian character of Durham Street and associated side streets within Historic Walkerton;
- ii) Promote the development of programs that encourage the co-operation of the property owners and business operators to embrace the themed image of Historic Walkerton in their promotional programs.

Improve the streetscape of Historic Walkerton by undertaking improvements such as lighting, regulation of signage, the provision of street furniture and rest areas, and the co-ordination/provision of tree planting.

Encourage the provision of a sufficient supply of safe and convenient parking for the uses within Historic Walkerton.

Encourage infill on vacant or under-utilized sites in a manner which is compatible with the existing built form.

The Municipality, in conjunction with other community groups, agencies and service clubs, will promote festivals and community events to be programmed on suitable lands within Historic Walkerton and shall specifically work towards

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improvements to the physical infrastructure to facilitate such events and festivals. It is recognized that such events and festivals are effective in maintaining a healthy and viable community core. It is further recognized that certain existing land uses would be impacted by such activities so they shall be managed in a manner that minimizes any negative impact.

3.2.3 Permitted Uses

The predominant use of lands shall be for a wide variety of commercial, retail (large and small formats), office, personal service, administrative, cultural, institutional, health/medical and entertainment uses. Other uses which are supportive such as seasonal/temporary outdoor uses such as farmer's market, street festivals/events, etc. shall also be permitted.

Residential uses shall also be permitted provided they are in the form of apartments above or behind the predominant use of the building.

The implementing Comprehensive Zoning By-law may prohibit those land uses which, by virtue of their potential emission(s) of noise, odour, dust, vibration, or light, create a nuisance.

The policies of [Section 3.7.7](#) 'Flood Fringe Constraint Areas' shall apply to the establishment of new uses, conversion of existing uses and/or enlargement of existing uses on lands.

3.2.4 Historic Walkerton Policies

- a) The continuation of the existing building style found in Historic Walkerton designation shall be required for any new development or redevelopment with the exception of measures required to meet any flood or other regulatory provision.
- b) Development and redevelopment within the Historic Walkerton designation shall be compatible with cultural heritage resources, which include significant buildings, structures, landscapes, vistas and/or archaeological sites of historic value and shall be assessed based on [Section 4.2](#) of this Plan.
- c) The Municipality shall coordinate, with the Business Improvement Area, property owners and/or operators of businesses, the improvement of the streetscape including public lanes, provision of street furniture and rest areas, the identification of pedestrian crossings, the planting of trees, the improvement of facades, and the regulation of signage.
- d) The Victorian image of Durham Street shall be enhanced through the use of planning powers and public works programs. Private developments shall be encouraged to comply with this themed image for the area and to co-ordinate their own promotional programs around this theme.

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- e) The Municipality shall encourage the strengthening of linkages between the downtown and the Saugeen River to enhance the attractiveness of these two community resources.
- f) The Municipality shall encourage the location of off-street parking facilities to the rear and side of buildings.
- g) Off-street parking, driveways and/or loading areas adjacent to residential uses shall be suitably screened or buffered through the use of fences, berms or other appropriate landscape treatment as detailed in the Comprehensive Zoning By-law.
- h) The Municipality, in conjunction with the Business Improvement Area shall work together to improve the management and supply of public parking within the Historic Walkerton designation.
- i) The Municipality may enter into an agreement with an owner of a building which is being developed or redeveloped within the Historic Walkerton designation, to provide for payment-in-lieu of in accordance with [Section 7.12](#).
- j) The Municipality may waive the off-street parking requirements for new or expanding uses, including waiving payment-in-lieu of parking within the Historic Walkerton designation on a site-by-site basis if satisfied that sufficient alternative parking areas are available.
- k) [Section 4.3.4](#) (a) establishes Historic Walkerton as a Community Improvement Area.

3.2.5 Urban Design

- a) New buildings in the Historic Walkerton designation shall be designed to maintain the historic character of the downtown.
- b) Commercial buildings shall be designed according to the following guidelines:
 - i) Buildings should be a minimum of two storeys in height and a maximum of four storeys;
 - ii) Building materials shall be primarily brick or stone that matches the colour and texture of existing buildings;
 - iii) Building front facades shall include the following elements:
 - base panel;
 - display window on the first floor;
 - transom windows
 - sign band;
 - horizontal courses between floors;
 - sills and lintel window details;

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- cornice at the roof line;
- iv) Buildings shall be built to the front, exterior and interior lot lines where appropriate
- v) Required parking shall be located to the rear of buildings; and,
- vi) Signs shall be externally lit, not internally illuminated.

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3.3 COMMERCIAL

Walkerton's 'Commercial' designation is not a single contiguous area but is comprised of multiple areas that surround 'Historic Walkerton' and extend along the Yonge Street South corridor. Unlike 'Historic Walkerton', the building structures in the 'Commercial' designation are typically set back from both the street line and the property lines.

The 'Commercial' designation includes a wide variety of commercial uses. The area is essentially built out in that there are few vacant lots available. Any change to an existing use may be constrained due to abutting residential uses in some cases.

3.3.1 Goal

To ensure future development and redevelopment in the 'Commercial' designation compliments the 'Historic Walkerton' designation while providing for additional commercial opportunities.

To ensure that the Commercial designation, together with the Historic Walkerton designation, remains the prime commercial area within Walkerton.

3.3.2 Actions

- a) Encourage the development of commercial uses which foster a more pedestrian-oriented environment oriented to both the Saugeen River and the historic downtown.
- b) Ensure site development standards shall achieve high quality development that is in keeping with the existing scale, density, nature and character of existing development.
- c) Recognize that the Commercial areas are part of the major entranceways into Walkerton and should be enhanced through appropriate signage and landscape features.

3.3.3 Permitted Uses

Commercial Permitted Uses will compete directly with those in Historic Walkerton and other designations but the Permitted Uses may in many cases be able to provide for on-site parking and a building style that is distinct from Historic Walkerton.

The predominant use of lands shall be for a wide variety of commercial, retail (large and small formats), office, personal service, administrative, cultural, institutional, health/medical and entertainment uses. Other uses which are supportive such as seasonal/temporary outdoor uses such as farmer's market, street festivals/events, etc. shall also be permitted.

'Child Care Centre', in accordance with [Section 3.4.3.1](#). 'Home Child Care', shall be permitted.

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Residential uses, in the form of an apartment(s) above or behind the predominant use of the building, shall be permitted.

Motor vehicle related uses such as repair, servicing, fueling stations etc. that are more ideally located within the Business Park 1 or Business Park 2 designation shall not be permitted in the Commercial designation.

The implementing Comprehensive Zoning By-law may prohibit those land uses which, by virtue of their potential emission(s) of noise, odour, dust, vibration, or light, create a nuisance.

The implementing Comprehensive Zoning By-law may prohibit those land uses which use flammable, corrosive or noxious materials in any process due to their potential impact on public health and/or safety.

The policies of [Section 3.7.7](#) 'Flood Fringe Constraint Areas' shall apply to the establishment of new uses, conversion of existing uses and/or enlargement of existing uses on lands.

3.3.4 Commercial Policies

- a) A variety of urban forms may be built including plazas, free standing stores and mixed use buildings. On properties abutting Historic Walkerton the continuation of the Historic Walkerton façade and building style shall be encouraged where appropriate.
- b) In a mixed use building, residential uses shall be located at the rear of the first storey or on the second storey and above, and the façade of the building shall predominantly be the location of commercial uses.
- c) To ensure Commercial lands develop as attractive entrances to the Walkerton the following site development standards shall apply:
 - i) Landscaping shall be provided along the road frontage of the proposal;
 - ii) Off-street parking, driveways and/or loading areas adjacent to residential uses shall be suitably screened or buffered through the use of fences, berms or other appropriate landscape treatment as detailed in the Comprehensive Zoning By-law;
 - iii) Buffer planting shall be provided between the Commercial use and any adjacent residential and/or institutional use as detailed in the Comprehensive Zoning By-law;
 - iv) Safe traffic circulation utilizing turning lanes, consolidation of vehicular access points, a provision of a common internal traffic circulation between parcels and safe, well-defined pedestrian walkways should be provided from the street to the store entrances;
 - v) The implementing By-law shall require a consistency of building setbacks from the road;

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- vi) Developers shall be encouraged to construct new/renovate buildings with regard to the design policies of [Section 3.2.5](#) Urban Design;
- vii) Building heights shall be limited to four storeys.
- d) The Municipality shall encourage the strengthening of linkages, physical and visual, between the Commercial area abutting the Saugeen River in the McNab Street vicinity to enhance the attractiveness of this location; and
- e) The Municipality, in conjunction with the Business Improvement Area (BIA), shall work together to improve the management and supply of public parking within the area(s) which fall under the BIA.
- f) The Municipality may enter into an agreement with an owner of a building which is being developed or redeveloped within the Commercial designation, to provide for payment-in-lieu of parking in accordance with [Section 7.12](#).
- g) The Municipality shall coordinate, with the Business Improvement Area, property owners and/or operators of businesses, the improvement of the streetscape including public lanes, provision of street furniture and rest areas, the identification of pedestrian crossings, the planting of trees, the improvement of facades, and the regulation of signage.
- h) [Section 4.3.4](#) (a) may establish all, or portion of, the Commercial designation as a Community Improvement Area.
- i) The policies of [Section 3.7.7](#) 'Flood Fringe Constraint Areas' shall apply to the establishment of new uses, conversions of existing uses and/or enlargement of existing uses on lands within the Flood Constraint Area as shown on Schedule 'A'.
- j) Commercial uses may be subject to Site Plan Control under [Section 7.14](#) of this Plan.

3.3.5 Exceptions - CommercialReuber Car Care/McArthur Windows & Doors (BRKOPA #12-15.36)

- 3.3.5.1 Notwithstanding the policies of [Section 3.3](#) Commercial and [3.7.7](#) Flood Fringe Constraint Areas, the following provisions apply to the lands identified as Site Specific Policy Area 3.3.5.1 on Schedule 'A' – General Land Use Plan:
- i) A By-law may be passed and approved that recognizes limited automobile related uses and large format retail or wholesale uses on the property;
 - ii) All required permits and/or approvals required for the expansion of any principal structure shall be obtained from the Saugeen Valley Conservation Authority (SVCA); and,
 - iii) All other applicable policies of [Section 3.3](#) Commercial and, [3.7.7.1](#) Flood Fringe Constraint Area – Saugeen River shall apply.

Motel/Apartments

- 3.3.5.2 Notwithstanding the policies of [Section 3.3](#) Commercial and [3.7.7](#) Flood

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Fringe Constraint Areas, the following provisions apply to the lands identified as Site Specific Policy Area 3.3.5.2 on Schedule 'A' – General Land Use Plan:

- i) May be used for a combination of motel and apartment units with up to 12 one bedroom apartments provided that the total number of apartment and motel units does not exceed 17; and
- ii) Such uses shall be subject to site plan control.

Heritage Senior's Communities

3.3.5.3 Notwithstanding the policies of [Section 3.3](#) Commercial and [3.7.7](#) Flood Fringe Constraint Areas, the following provisions apply to the lands identified as Site Specific Policy Area 3.3.5.3 on Schedule 'A' - General Land Use Plan:

- i) In addition to those uses permitted in the Commercial designation medium and/or high density residential uses, developed as a stand-alone use(s) or as part of a mixed-use development shall also be permitted.
- ii) Medium and/or high density residential uses shall satisfy the urban design guidelines and parking requirements of this Plan.
- iii) All other applicable policies of [Section 3.3](#) Commercial and [3.7.7](#) Flood Fringe Constraint Area shall apply.

Walkerton Jail

3.3.5.4 Notwithstanding the policies of [Section 3.3](#) Commercial the following provisions apply to the lands identified as Site Specific Policy Area 3.3.5.4 on Schedule 'A' - General Land Use Plan:

- i) Residential uses shall be prohibited.
- ii) All other applicable policies of [Section 3.3](#) Commercial shall apply.

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3.4 INSTITUTIONAL AND COMMUNITY FACILITIES

The wide range of institutional and community facilities located in Walkerton help define the community's role as a regional service centre. Not only do these facilities draw people into the community because of their various functions, they also provide a large number and wide range of employment opportunities.

Within Walkerton, institutional and community facilities are located throughout the Community because they have traditionally been permitted within residential neighborhoods and commercial areas.

3.4.1 Goal

Maintain and enhance the existing regional and community Institutional and Community facilities for their economic, social and cultural importance.

3.4.2 Actions

- a) Promote the use of schools and community institutions as community centres.
- b) Encourage the establishment of regional and community institutions and programs which address the changing needs of the community.
- c) Promote the location of special need housing complexes close to community facilities and support services.

3.4.3 Permitted Uses

The Institutional and Community Facility designation shall permit uses associated with public health, welfare and education such as hospitals, nursing homes, public libraries and schools.

Other permitted uses shall include community centres, arenas, farmer's market, tourist information centres, museums, places of worship, daycare facilities, fraternal association halls and other similar places of assembly, government offices, detention centres, police or fire stations and related uses and activities.

3.4.3.1 Child Care

'Child Care' means the temporary care for or supervision of a child including providing for a child's safety, well-being or development, in the absence of the child's parent and for a continuous period that does not exceed 24 hours, in accordance with the Child Care and Early Years Act, 2014 including any amendments, or its successor.

The Comprehensive Zoning By-Law shall establish the following 'Child Care' facilities:

- i) 'HOME CHILD CARE' means 'Child Care' provided in a single detached dwelling, semi-detached dwelling or duplex dwelling by one or more child care provider(s) that is regulated by a home child care agency.
- ii) 'UNLICENSED CHILD CARE' means 'Child Care' provided in a single

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detached dwelling, semi-detached dwelling or duplex dwelling that is not 'Home Child Care' or a 'Child Care Centre', or a private school within the meaning of the Education Act.

- iii) 'CHILD CARE CENTRE' means a business that has obtained the proper licensing from the province to operate a licensed child care centre for the provision of temporary care for or supervision of a child including providing for a child's safety, well-being or development, in the absence of the child's parent and for a continuous period that does not exceed 24 hours, in accordance with the Child Care and Early Years Act, 2014 including any amendments, or its successor.

'Child Care' may be permitted subject to the requirements of the Comprehensive Zoning By-Law and the following:

- i) The lands and buildings/structures may be subject to Site Plan Control under [Section 7.14](#) of this Plan;
- ii) The establishment of the facility does not negatively impact upon the character of the neighbourhood;
- iii) A safe area is provided for the drop-off and pick-up of children;
- iv) Appropriate yard setbacks and signage are provided; and,
- v) The facility shall meet all health, safety and building and fire code standards.

3.4.4 Institutional and Community Facility Policies

Council may permit the redevelopment of surplus institutional sites for housing that meets identified needs in the community without an amendment to this Plan, provided that the use is compatible with surrounding uses. The following policies shall apply to all lands designated Institutional and Community Facility within Walkerton.

- a) It shall be the policy of the Municipality to ensure that new Institutional and Community Facilities are designed and located so as to allow for a broad, shared use of the facility.
- b) It shall be the policy of the Municipality that the following location criteria be satisfactorily addressed by all new Institutional and Community Facility proposals:
 - i) That the proposal is of a scale which is compatible with surrounding uses and should be able to function as a focal point for the neighborhood or community;
 - ii) That the proposed site is within close proximity to an arterial or collector road and that an adequate level of both vehicular and pedestrian access is available;
 - iii) The site area is adequate to accommodate buildings, future expansions, accessory off-street parking and landscaping;
 - iv) The proposed site should be adjacent or near Open Space or other institutional or community facilities;
 - v) The proposed site is strategically located in order to minimize travel time for the existing and anticipated service area population.
- c) Adequate buffer planting or fencing shall be established between the

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- Institutional and Community Facility land use and adjacent land uses.
- d) Adequate off-street parking facilities shall be provided and shall be encouraged to be located to the rear and side yards. Development wishing parking in the front yard must demonstrate that no other feasible option exists for accommodating the needed parking.
 - e) All Institutional and Community Facility development may be subject to Site Plan Control under [Section 7.14](#) of this Plan.
 - f) Legal non-conforming uses within the Institutional and Community Facility designation shall be subject to [Section 7.7](#) of this Plan.
 - g) Legal non-complying uses within the Institutional and Community Facility designation shall be subject to [Section 7.8](#) of this Plan.
 - h) The creation of Institutional and Community Facility lots shall be subject to [Section 7.15](#) Plans of Subdivision or [Section 7.16](#) Consent to Sever Land of this Plan.
 - i) The policies of [Section 3.7.7](#) ' Flood Fringe Constraint Areas' shall apply to the establishment of new uses, conversions of existing uses and/or enlargement of existing uses on lands within the Flood Constraint Areas as shown on Schedule 'A'.

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3.5 BUSINESS PARK

The retention and attraction of commercial and industrial businesses is important to the long term economic health of the community. The Business Park designation has been created to accommodate the needs of commercial/retail, highway commercial, or industrial uses:

1. Commercial/retail uses which are space extensive such that they require large single purpose buildings or large parking and/or storage requirements;
2. Highway commercial uses which are dependent upon a high degree of visibility to vehicular traffic and rely on highway access for economic existence; and,
3. Industrial uses.

These uses are generally to be located near the highway entrances to the community.

It is not the intent of this Plan to promote the establishment of small scale commercial/retail uses in, or relocation from the Historic Walkerton or Commercial designation to, the Business Park designation.

3.5.1 Goals

To promote the attraction and retention of commercial and environmentally clean industry to diversify the economic base and provide employment opportunities.

To promote new business uses that complement the existing established Historic Walkerton and Commercial areas.

To encourage new and existing business to adopt attractive, efficient and innovative design through the use of Site Plan Control.

3.5.2 Actions

- a) Pursue innovative and creative approaches to encouraging commercial and environmentally clean business to locate within Walkerton.
- b) Encourage the re-use and/or redevelopment of vacant and underutilized buildings and properties to uses appropriate for the area in which they are located.
- c) Encourage the relocation of highway commercial uses and industry located in commercial and residential areas to more appropriate lands within Walkerton.
- d) Restrict the movement of small-scale commercial/ retail uses from either the Historic Walkerton or Commercial designations to the Business Park.

3.5.3 Permitted Uses - Business Park

The permitted uses within the Business Park designation are sub-divided as per the following:

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3.5.3.1 Permitted Uses - Business Park 1

The predominant use of land within the Business Park 1 designation shall be for: single purpose buildings devoted to Retail Commercial uses; Business Park Commercial uses; Light Industrial uses, and Complementary Uses.

1. Retail Commercial Uses which are space extensive such that they require large buildings, parking and/or storage requirements. The Retail Commercial use must:
 - a) Be located in a single use, self-contained building, in excess of 278.7 square metres (3,000 square feet). Retail Commercial building shall not be divided into retail spaces smaller than 278.7 square metres (3,000 square feet); and,
 - b) Require large parking and/or outdoor storage or display requirements; and,
 - c) Represent a use not consistent with the nature of the Historic Walkerton or Commercial designation.

Examples of space extensive Retail Commercial uses include:

- building supply outlets;
 - fitness centres; and,
 - offices accessory to an above permitted use.
2. Business Park Commercial: Uses which are dependent upon a high degree of visibility to vehicular traffic and rely on highway access for economic existence. Examples of Business Park Commercial uses include:
 - Automotive service stations and gas bars;
 - Automotive and recreational vehicle sales;
 - Rental establishments;
 - Agricultural & industrial equipment sales & service establishments;
 - Fuel storage depots;
 - Restaurants; and,
 - Offices accessory to an above permitted use.
 3. Light Industrial: Uses which are conducted and wholly contained within an enclosed building and which is not, nor will become, obnoxious, offensive or dangerous by reason of the presence, emission or production of odour, dust, noise, smoke, fumes, glare, radiation or corrosive gases and which is not detrimental in appearance or effect to surrounding uses.

Examples of Light Industrial uses include:

- Light processing, manufacturing, or dismantling;
- Warehousing/storage facilities;
- Contractors/builders yards;
- Tradespersons shop;
- Printing plants;
- Commercial motor vehicle repair and wash facilities;

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- Transportation and communication facilities;
 - Research and development facilities;
 - Education and training centres;
 - Computer, electronic or data processing establishments;
 - Scientific, technological or communication establishments; and,
 - Offices accessory to an above permitted use.
4. Complementary: Other uses which are complementary to the main permitted uses may also be permitted within the Business Park 1 designation such as:
- Municipal services;
 - Business and professional offices located in a single use, self-contained building, in excess of 278.7 square metres (3,000 square feet) in gross floor area;
 - Large and small animal veterinary clinics;
 - Fire, police and ambulance services;
 - Fraternal associations; and,
 - Banquet halls.
5. Prohibited Uses in the Business Park 1 designation: Shopping centres/plazas, strip malls/plazas, professional medical services and other associated health care facilities, are prohibited.

3.5.3.2 Permitted Uses - Business Park 2

The permitted uses within the Business Park 2 designation shall be limited to heavy manufacturing/industrial uses as defined in the Comprehensive Zoning By-law.

- 1) Prohibited Uses in the Business Park 2 designation: All uses as described in [Section 3.5.3.1](#) Business Park.

3.5.4 Business Park Policies

- a) Servicing shall be by municipal water and municipal sewage system.
- b) No use shall be permitted which, from its nature of operation or materials used therein, is considered to be obnoxious and/or a nuisance. All uses shall comply with the relevant requirements of the Ministry of the Environment.
- c) Development on lands not currently used for Business Park uses shall proceed by Registered Plan of Subdivision ([Section 7.15](#) of this Plan) or by Consent, to Sever Land ([Section 7.16](#) of this Plan) based on a site plan approved by the Municipality.
- d) Municipally owned lands within the Business Park designation may be subdivided in accordance with the Planning Act.
- e) The establishment of the East Ridge Business Park for development shall ensure an efficient and coherent pattern of development and appropriate municipal servicing. The lot arrangement and road pattern shall be designed to ensure access to an internal road system to minimize individual

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- road access onto arterial or collector roads.
- f) Business Park development proposals shall be subject to Site Plan Control under [Section 7.14](#) of this Plan. The following site development standards shall be satisfactorily addressed by all proposed uses in the submitted Site Plan:
- i) Landscaping shall be provided along both the interior and exterior road frontages of the proposed use;
 - ii) Outdoor storage should be located to the rear or side of the main building on the lot and shall be fenced or suitably screened from adjacent uses;
 - iii) Signs shall be limited in number and designed to be functional and avoid visual clutter and distraction, and where possible, should be consolidated on shared sign structures;
 - iv) Lighting facilities and signs shall be arranged to minimize impact on adjacent sensitive uses;
 - v) Adequate off-street motor vehicle parking, loading facilities, drive-ways etc. shall be provided and shall be suitably screened or buffered from adjacent uses through the use of buffer planting, or other appropriate landscape treatment;
 - vi) Sensitive land uses adjacent to proposed uses or expanding uses shall be protected by providing adequate physical separation between the uses. A planting area, or other means of buffering as defined in the Comprehensive Zoning By-law, may be required between all residential uses/dwellings or other sensitive land uses and new or expanding Business Park uses; and,
 - vii) All storm, surface and waste-water from the proposed use shall be disposed of according to accepted engineering principles.
- g) Ministry of Environment & Climate Change Guideline D-6 'Compatibility between Industrial Facilities and Sensitive Land Uses' shall be applied to the lands designated as Business Park 2.

3.5.5 Exceptions - Business ParkBrockton Sports Complex (BRKOPA #7-12.36)

- 3.5.5.1 Notwithstanding the policies of [Section 3.5](#) Business Park, those lands identified as Site Specific Policy Area 3.5.5.1 on Schedule 'A' – General Land Use Plan may be used for a Municipal Complex comprising municipal offices, multi-purpose community centre, sports fields, arena, and ancillary uses. All other applicable policies of [Section 3.5](#) Business Park shall apply.

Walkerton Water Tower

- 3.5.5.2 Notwithstanding the policies of [Section 3.5](#) Business Park, those lands identified as Site Specific Policy Area 3.5.5.2 on Schedule 'A' – General Land Use Plan may be used solely for a Water Tower and ancillary uses. All other applicable policies of [Section 3.5](#) Business Park shall apply.

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Walkerton Sewage Treatment Plant

3.5.5.3 Notwithstanding the policies of [Section 3.5](#) Business Park, those lands identified as Site Specific Policy Area 3.5.5.3 on Schedule 'A' – General Land Use Plan may be used for a Sewage Treatment Plant and ancillary uses. All other applicable policies of [Section 3.5](#) Business Park shall apply.

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3.6 RECREATION AND OPEN SPACE

Walkerton is fortunate to have a range of neighbourhood, community and regional scale parks. As the community grows, the quantity and quality of parks and open spaces should continue to improve.

Recreation facilities are often co-located at school sites. The Saugeen River Valley provides a major open space/recreation feature through the community.

3.6.1 Goal

To ensure a broad range of recreation and open space opportunities are available for all residents and visitors.

3.6.2 Actions

- a) Encourage the use of the Saugeen River for the recreational and passive enjoyment of area residents and visitors. This should include trail linkages, functional links between the river and the downtown, and accessibility for canoeing, fishing and passive recreation.
- b) Establish a diverse range of recreation opportunities for individuals and groups of all ages, lifestyles and abilities.
- c) Locate new parkland within new residential areas and create pedestrian linkages to the open space system.
- d) Promote the protection of lands which are important scenic vistas, possess important natural qualities, or are needed for public works.
- e) Encourage the co-ordination and provision of recreation facilities between the Community and other agencies such as school boards.
- f) Continue to improve the local park system and recreation facilities as identified in the Recreation Master Plan.

3.6.3 Permitted Uses

In areas designated Recreation and Open Space, the predominant use of land shall be oriented towards active and passive recreation and conservation activities. Permitted uses shall include public parks, pedestrian walkways and bicycle paths, playgrounds, picnic areas, swimming pools, sport fields, and other similar public or private recreation uses. Municipal services, cemeteries, golf courses and municipally owned and operated campgrounds may also be permitted within the Recreation and Open Space designation.

3.6.4 Recreation and Open Space Policies

- a) It is a policy of the Municipality to develop and maintain a system of parkland and recreation facilities to meet the needs of the community.
- b) The establishment of future parkland areas shall be coordinated with the school boards to achieve the integration of facilities and to maximize recreation opportunities and the use of the facility.
- c) Proposals for new parkland shall be evaluated relative to the following criteria:

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- i) The site shall be of sufficient size and planned for appropriate facilities to meet the needs of the service area.
 - ii) Neighbourhood and community parks should be located adjacent or near school sites where possible.
 - iii) Parks shall be centrally located to the neighbourhood being served to minimize walking distance to the parks and maximize potential use of the park.
 - iv) The design of new development areas should promote pedestrian linkages by means of walking trails and drainage systems.
- d) *Recreation and Leisure Services Master Plan (2011)* provides a co-ordinated plan for the delivery of park and recreation programs and facilities. The *Master Plan* may be updated from time to time to address changing circumstances and to implement the policies of this Official Plan.

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3.7 ENVIRONMENTAL PROTECTION

Lands designated Environmental Protection have inherent environmental hazards such as flood susceptibility, erosion susceptibility, instability and other physical conditions which pose a risk to occupants of loss of life, property damage and social disruption.

In addition, the Saugeen River, its tributaries, the floodway and treed valley slopes contain locally significant natural features, including fish and wildlife habitat and vegetation communities.

It is the intent of the Municipality to protect life and property by respecting natural and man-made hazards and constraints in land use development. These lands should be left in a natural state.

The Saugeen River floodplain includes all lands susceptible to flooding during a Hurricane Hazel Flood Event (formerly called the Regional Storm Flood) as shown on the 2009 floodplain mapping. Generally the floodplain consists of a floodway and a flood fringe.

However, there are existing developed areas particularly in the downtown area and along Silver Creek, which have occurred within the floodplain. This Plan applies an Environmental Protection designation along the floodway portion of the Saugeen River and Silver Creek and recognizes constraints to development within the flood fringe of the Saugeen River and Silver Creek.

3.7.1 Goals

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

To protect and preserve lands which contain locally significant natural features, including fish and wildlife habitat and vegetation communities.

3.7.2 Actions

- a) Limit the development of lands with poor drainage, potential for flooding and erosion, steep slopes or other physical limitations which could endanger human life, cause property damage and/or social disruption.
- b) Recognize areas of existing development for potential redevelopment within the Flood Fringe Constraint Area subject to the flood proofing requirements of the Saugeen Valley Conservation Authority.

3.7.3 Permitted Uses

On lands designated Environmental Protection, permitted uses shall be limited to essential flood, erosion and sediment control structures undertaken by a public authority, and open space uses not requiring closed buildings or major alterations to the landscape such as non-intensive conservation, outdoor recreation, public parks, and essential municipal services.

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Certain buildings and structures that must be located within the Environmental Protection designation by the nature of their use, such as for flood or erosion control, are permitted. Nonetheless, any building or structure which could be located outside the Environmental Protection designation is not permitted. Non-habitable buildings connected with public parks, such as picnic shelters, may be permitted.

Those uses which could be adversely affected by, or which could increase the potential risk associated with the inherent physical hazards, shall be prohibited. Approval of the Saugeen Valley Conservation Authority shall be obtained for any permitted use, where required by SVCA Regulations.

3.7.4 Environmental Protection Policies

- a) Development and site alteration shall not be permitted within the floodway portion of the floodplain. The location of the boundaries of the floodway portion of the floodplain shall be delineated in the Comprehensive Zoning By-law.
- b) No new development, structures, including enlargements or additions shall be permitted within 6.0 metres (20 feet) of the top of bank, on both sides of Silver Creek downstream of Ridout Street.
- c) The erection of buildings and structures or the placing or removal of fill of any kind, whether originating on the site or elsewhere, within an Environmental Protection designation is generally prohibited.
- d) Uses that require site modifications, such as parking lots, are not permitted in areas of environmental sensitivity or significance.
- e) Extensions or enlargements of existing buildings and structures shall be discouraged. Replacement of existing buildings or structures damaged by natural causes may be permitted if the hazard risk does not increase from the original condition and provided such replacement does not increase the height, size, volume or change the use. Extensions or enlargements may be subject to the requirements of [Section 3.7.6](#).
- f) Where any land designated as Environmental Protection is held under private ownership, this Plan shall not be construed as implying that such areas are free and open to the general public nor that the lands will be purchased by the Municipality or other public agency. There is no public obligation to either redesignate or to purchase any such lands if there is an existing or potential hazard that would be difficult or costly to overcome.
- g) The boundaries of the Environmental Protection designation are delineated in a conceptual manner on Schedule A. The exact location of the boundaries of the Environmental Protection designation shall be delineated in the Comprehensive Zoning By-law.
- h) The boundaries of the Environmental Protection designation are flexible to a certain degree and may be subject to revision through consultation with the Municipality and the Saugeen Valley Conservation Authority. Minor adjustments to the boundaries shall not require an amendment to this Plan.

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If more detailed mapping becomes available and is recognized by the Municipality, or should flood control or similar works be undertaken, to the satisfaction of the Municipality and the Saugeen Valley Conservation Authority, which result in changes in areas designated Environmental Protection, then this Plan may be amended as required.

- i) Where development or site alteration within the Environmental Protection designation is proposed and detailed mapping is not available, the proponent shall be required to produce the necessary mapping.
- j) It shall be the policy of this Plan that in considering an application for the redesignation of lands designated Environmental Protection for other purposes, Council will consider redesignation, if an Environmental Impact Study prepared according to [Section 3.7.6](#) indicates that impacts from the proposed use or re-use are minor and can be successfully mitigated: and,
 - i) The hazards can be safely addressed and new hazards are not created or existing ones aggravated. This may include preparation of an engineering study to the satisfaction of Council and the Saugeen Valley Conservation Authority; and
 - ii) Vehicles and people have a way of safely entering and exiting at all times; and
 - iii) The development does not include institutional uses or essential emergency services or involve hazardous substances; and,
 - iv) The advice, or approval where required, of the Saugeen Valley Conservation Authority has been obtained.
- k) It shall be the policy of this Plan that the areas designated Environmental Protection shall be zoned in a separate and restrictive classification in the Comprehensive Zoning By-Law and/or appropriately protected through the use of Saugeen Valley Conservation Authority Regulations.

3.7.5 Valleylands

Development which may have a significant impact on valleylands may require the preparation of an Environmental Impact Study, by the proponent, to ensure that lands are not negatively impacted by the proposed development. An Environmental Impact Study shall be prepared in accordance with [Section 3.7.6](#).

For the purpose of this subsection, the valleylands shall be defined as the slopes that are predominantly in a natural state and the relatively level land measured 30 metres (98.4 feet) back from the top of these valley slopes.

3.7.6 Environmental Impact Study (EIS)

An Environmental Impact Study (EIS):

- a) Is required for new development proposed within the Environmental Protection designation;
- b) Is required for development adjacent to, and within, valleylands;
- c) Is required prior to an application to redesignate land within the Environmental Protection designation; and,
- d) May be waived by the Municipality upon recommendation of the Saugeen

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Valley Conservation Authority if the proposal is of a minor nature or site conditions are such that the preparation of an EIS would serve no useful purpose for the protection of the significant environmental features.

3.7.6.1 Scoped Site EIS versus Full Site EIS

- a) The type of EIS will vary with the scale and type of development proposed.
- b) A Scoped Site EIS is generally required in situations where the nature of the natural feature or hazard is well documented, similar development has been previously proposed, modeled and analyzed, impacts are not expected due to the location or nature of a proposed development and mitigation options have been developed.
- c) A Full Site EIS is generally required in situations which are more complex, where information is lacking, or where the risk or significance of the impact is high.
- d) The type of EIS and parameters of the Study shall be determined in pre-consultation with the Municipality and the Saugeen Valley Conservation Authority prior to the EIS proceeding.

3.7.6.2 EIS Review and Approval Process

- a) An EIS shall be completed by a qualified professional with expertise in the appropriate environmental sciences.
- b) An EIS shall be subject to peer review by the Saugeen Valley Conservation Authority and/or other outside parties, at the applicant's expense.
- c) The EIS must be completed and approved before the principle of development is established, either through an official plan amendment, a rezoning, or by draft approval of development.

3.7.6.3 Minimum EIS Requirements

An EIS shall include, as a minimum, the requirements as set out in Appendix 'B' or as Scoped in pre-consultation with the Municipality and the Saugeen Valley Conservation Authority prior to the EIS proceeding.

3.7.7 Flood Fringe Constraint Areas

The Flood Fringe Constraint Areas shown on Schedule "A" Land Use Plan, apply to all lands within the Hurricane Hazel Flood Event Standard between the limit of the Environmental Protection designation and the Hurricane Hazel Flood Event Standard for the Saugeen River and Silver Creek.

Development in the flood fringe may be permitted by this Plan but does not imply that the flood risk is completely absent. Development could still experience flood damage and disruption from major flood events despite flood control dykes and flood proofing measures, with resulting consequences for landowners.

The boundaries of the Flood Fringe Constraint Areas as shown on Schedule 'A' Land Use Plan have been established based on an engineering survey completed

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on behalf of the Municipality. The boundaries of the Flood Fringe Constraint Areas may not be changed or modified except by Amendment to this Plan.

Public works, which must locate in the floodplain by nature of their use, and roads that appropriate planning studies have determined must be located in the floodplain, shall be permitted.

3.7.7.1 Flood Fringe Constraint Area - Saugeen River

In the Flood Fringe Constraint Area - Saugeen River (FFCA-SR) the following policies apply:

- a) Regardless of the underlying Official Plan designation the following uses are not permitted within the FFCA-SR:
 - i) Sewage treatment plant;
 - ii) Seniors care facility/seniors home/long term care home, pre-schools, school nurseries, child care centres, hospital, schools;
 - iii) Emergency services such police, fire, ambulance, emergency operations centre, major electrical substation;
 - iv) Any use which manufactures or treats “hazardous substances”;
 - v) Any use which stores for retail sale and/or wholesale “bulk quantities” of “hazardous substances”; and
 - vi) Any use which utilizes “bulk quantities” of “hazardous substances” in any process.

“Hazardous substances” means substances which individually or in combination with other substances are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive reactive, radioactive or pathological.

“Bulk quantity/quantities” shall be defined as 201 litres [44.2 Imp gallons, 53.1 US gallons]; or more of a “hazardous substance” measured by volume or dry equivalent in a single tank or container.

Explanatory Note - Examples:

“Hazardous substance” stored in 140 containers with each container being 5 litres in total volume would not be considered “bulk quantity”.

A facility stores “hazardous substances” in multiple 201 litre tanks. The tanks would not be considered “bulk quantity” even though they contain more than 201 litres in total volume.

A facility stores “hazardous substances” in one 300 litre tank and two other tanks each capable of holding 150 litres. The 300 litre tank would be considered “bulk quantity” and therefore not permitted. The two 150 litre tanks would not be considered “bulk quantity” even though they contain more than 201 litres in total volume. “Hazardous substance”

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stored in one container being 202 litres in total volume would be considered “bulk quantity”.

“Hazardous substance” stored in one container being 200 litres in total volume would not be considered “bulk quantity”.

A single 10,000 litre tank of “hazardous substance” would be considered to be “bulk quantity”.

- b) An amendment to this Official Plan shall be required to permit any of these uses outlined in clause (a) above. If after careful consideration a use is to be permitted, a higher level of flood protection and/or additional flood proofing precautions may be required by the Saugeen Valley Conservation Authority.
- c) Within the FFCA-SR lands may be used according to their underlying land use designation, with the exception of those uses outlined in clause (a) above.
- d) All development or redevelopment including new building/structure construction, expansion/enlargement of a building/structure, conversion of a building/structure to a new permitted use, or reconstruction/renovation of existing buildings/structures shall be permitted provided that sufficient flood proofing measures and/or flood damage reduction measures, are incorporated into the building/structure to the satisfaction and approval of the Saugeen Valley Conservation Authority.
- e) Notwithstanding the policies of subsection (d) above, some types of new development or expansions of existing uses may not be permitted within the Constraint Area due to the increased risk to life and/or property damage or risk of pollution.
- f) The restoration/reconstruction of any building/structure damaged or destroyed by fire, or any act of nature including flooding, shall be permitted subject to approval of Saugeen Valley Conservation Authority and may require flood damage reduction measures to their satisfaction.
- g) The Municipal Comprehensive Zoning By-law shall include policies implementing the FFCA-SR policies of this Plan.
- h) Lands designated within the FFCA-SR shall be zoned according to their underlying land use designation, except that every zone shall include a reference to the Flood Fringe Constraint Area – Saugeen River policies of this Plan by using an appropriate zone symbol.
- i) All development, or redevelopment, including new building/structure construction, expansion/enlargement of a building/structure, conversion of a building/structure to a new permitted use, or reconstruction/renovation of existing buildings/structures, MAY be subject to the Site Plan Control requirements of [Section 7.14](#) at the sole discretion of the Chief Building Official for the Municipality.

3.7.7.2 Flood Fringe Constraint Area - Silver Creek

The Silver Creek Constraint Area designation applies to those lands located

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between the Silver Creek Environmental Protection designation and the Hurricane Hazel Flood Event Standard.

This Plan recognizes the need to permit the minor expansion of existing buildings and the creation of a limited number of new lots for low density residential purposes by consent. It is the intent of this Plan therefore that the Silver Creek area shall retain its present character and that any new development which could adversely impact on the storage capacity of the Silver Creek floodplain shall not be permitted.

In addition to all of the policies of [Section 3.7.7.1](#), the following additional policies also apply to the Silver Creek Flood Fringe Constraint Area:

- 1) Residential uses permitted in the Silver Creek Constraint Area shall be limited to low density uses. If medium or high density development is proposed within the Silver Creek Policy Area an amendment to the Official Plan shall be necessary.
- 2) The maximum lot coverage for all lots shall be 40 per cent.
- 3) Where site conditions make the attainment of flood proofing to the Hurricane Hazel Flood Event Standard elevation unfeasible, a variance to this elevation may be considered in the following circumstances:
 - a) Where the existing building is being changed from a residential to a non-residential use;
 - b) Where an addition to an existing building is intended for non-habitable use; and,
 - c) Where in the opinion of the Saugeen Valley Conservation Authority the difference in the above-ground floor elevation between the existing floor and a proposed floor, if above the Regional Flood level, would be excessive.

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3.8 RESIDENTIAL TRANSITION**3.8.1 Goal**

The 'Residential Transition' designation shall provide an opportunity for non-retail commercial uses as well as other community services. The designation is not intended to accommodate intensive commercial development as is intended for Commercial designations such as 'Business Park' or 'Commercial'.

3.8.2 Actions

- a) Provide opportunities for the conversion of select residential dwellings located along high traffic roadways to small scale commercial and personal service uses.
- b) Require site development standards that address landscaping, signage, location and screening of motor vehicle parking etc. that could mitigate negative offsite impacts on abutting existing residential uses.
- c) Require new commercial buildings/structures to adhere to the existing residential zone provisions where feasible.

3.8.3 Permitted Uses

The primary use in the Residential Transition designation shall be Residential uses in accordance with [Section 3.1](#) Residential.

Limited commercial uses shall be permitted. Being a transition area, the types of Commercial uses permitted shall be limited to those which are compatible with the existing residential character of the area. Examples of such uses are: business or professional offices, studios, medical clinics, personal service shops, and child care centres. Ancillary retail uses secondary to a permitted commercial use may also be permitted. A permitted commercial use may also include an apartment(s) provided it is above or behind the principle commercial use of the building.

'Child Care Centre' shall be permitted in accordance with [Section 3.4.3.1](#). 'Home Child Care' and 'Unlicensed Child Care' shall be permitted in accordance with [Section 3.4.3.1](#), but shall be permitted only in an existing 'Dwelling, Single Detached'.

Automobile related uses; uses proposing outdoor storage or outdoor display and sales; retail uses; commercial uses requiring extensive parking or unloading areas; or uses requiring large floor areas shall not be permitted in the Residential Transition designation.

3.8.4 Policies

- a) Parcels in the Residential Transition designation shall be zoned for a Residential use in accordance with [Section 3.1](#) Residential.

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- b) A Zoning Amendment shall be required in order to permit a Commercial use. The Zoning Amendment shall have regard to the following criteria:
- i) The proposed commercial use is suitable for the subject property with regard to the shape of the lands and the intensity of the use proposed. Consideration shall be given to the scale and layout of the buildings, parking areas, unloading areas, exterior lighting, garbage storage, etc.
 - ii) The proposed commercial use is compatible with adjacent land uses, with consideration given to the height, location and spacing of any buildings involved in the property development, lighting, signage, noise and odour emitted from the proposed use, potential loss of privacy for neighbours, and effect on heritage resources;
 - iii) The existing traffic patterns are not significantly impacted and potential conflicts with pedestrians are avoided;
 - iv) Adequate measures are taken to mitigate potential adverse impacts on surrounding land uses including the provision of buffer landscaping and/or fencing between the commercial use and abutting residential uses where required;
 - v) The applicant shall provide data on the commercial vacancy rate in other designations prior to the rezoning and reasons as to why the proposed commercial use cannot be accommodated in these designations;
 - vi) External advertisements and signs shall be designed and sized to maintain the appearance of the area;
 - vii) Existing residential zone provisions, including building setbacks, lot coverage, height etc. shall be retained, where appropriate, with the exception of parking and unloading provisions;
 - viii) Other relevant matters of concern identified by Council are addressed.
 - ix) The policies of [Section 3.7.7](#) 'Flood Fringe Constraint Areas' shall apply to the establishment of new uses, conversions of existing uses and/or enlargement of existing uses on lands within the Flood Constraint Ares as shown on Schedule 'A'.
- c) 'Residential Transition' uses may be subject to Site Plan Control.

SECTION 4 - GENERAL COMMUNITY POLICIES

4.1 ECONOMY

The economic policies of this Official Plan encourage industrial retention and attraction, home occupations, commercial and service employment opportunities, tourism, and support for the Municipality's institutional employment base.

As a regional service centre, Walkerton's economic health is very important to those living within the community, as well as those living in the surrounding municipalities. A healthy, growing economy allows for improvements in the services available, attracts new residents and provides jobs for the young people growing up in the community.

4.1.1 Goal

To provide a positive economic climate to attract industry, encourage private investment, create a wide range of employment opportunities, and enhance a balanced municipal assessment base.

4.1.2 Actions

- a) Promote Walkerton as a regional service centre and tourist destination within an agricultural setting.
- b) Provide opportunities to improve and enhance the quality of tourist facilities and the variety of tourist related business in Walkerton.
- c) Provide sufficient suitable lands and necessary municipal services for a broad range of economic activities and job opportunities to meet the needs of residents of Walkerton.
- d) Strengthen Historic Walkerton downtown as the community's commercial focal point.
- e) Advocate municipal co-operation with private enterprises.
- f) Participate with business groups, tourism organizations and service groups in the coordinated promotion of Walkerton.
- g) Participate with local agencies in providing retraining and continuing education opportunities for the local labour force.
- h) Recognize home occupations as an important economic activity.
- i) Promote the Community in terms of its tourism potential and access to the Saugeen River Valley.
- j) Promote a coordinated and co-operative approach to regional economic development initiatives.
- k) Continue to support the many institutions and public agencies which diversify the local economy.

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4.2 HERITAGE RESOURCES

Council recognizes the importance of cultural heritage resources within the Municipality. The historical character of the community comprises those features which are unique or representative of past human activities or events. These include built heritage features such as buildings, structures, monuments or remains of historical, cultural and/or architectural value, and cultural heritage features such as landscapes, vistas, sites and areas of archaeological and historic value and urban areas that are of historic and scenic interest.

4.2.1 Goal

To identify, protect, preserve and enhance Walkerton's built, landscape and archaeological heritage for its cultural, historic and economic value to the community.

4.2.2 Action

- a) Encourage private and public sector initiatives for the protection, restoration and enhancement of existing heritage buildings, structures, streetscapes or areas which contribute to the identity, character and history of the Walkerton community, particularly those of historic, architectural, or archaeological significance, pursuant to the Ontario Heritage Act.
- b) Encourage and foster public awareness, participation and involvement in the conservation of cultural heritage resources, in co-operation with local historical groups or the Brockton Heritage Committee.
- c) Ensure that their cultural heritage resources are protected during land use development processes.
- d) Lead the community in restoring, rehabilitating, enhancing and maintaining any cultural heritage properties owned by the Municipality or projects involving municipal public works, as examples of proper stewardship and conservation approaches in fulfillment of the heritage goals and policies of this Plan.

4.2.3 Heritage Policies

- a) Council shall encourage the identification, restoration, protection, maintenance and enhancement of cultural heritage resources. Cultural heritage resources include but are not necessarily restricted to:
 - i) Properties, areas or cultural landscapes of historical value or interest, including properties associated with significant historical local, national or international personalities, and properties which serve to provide insights into the history and past development of the Town;
 - ii) Properties, areas or cultural landscapes of architectural value or interest including properties representative of a certain style or period of architecture and/or building construction, important landmarks of the Town, and properties or areas which make an important contribution to the streetscape of the community;
 - iii) Properties, areas or cultural landscapes which have been identified

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- to contain significant archaeological remnants of prehistoric habitation and/or important archaeological evidence of historic activities;
- iv) Properties, areas or cultural landscapes considered to be important to the Town as a result of their location and setting; and,
 - v) Natural features including trees and hedgerows considered to be of significant historical cultural or archaeological value.
- b) The Municipality shall work with local historical groups, the Ontario Ministry of Culture and any other interested groups or individuals in establishing a list of documented heritage features within the Community.
 - c) It shall be a policy of the Municipality to encourage organizations such as the Business Improvement Area (BIA) to establish an ongoing facade improvement program, promoting the use of facade design guidelines through annual design awards, design workshops and pamphlets, the display of old photos, and before and after pictures.
 - d) Council may by by-law designate cultural heritage resources, such as individual properties and conservation districts pursuant to the Ontario Heritage Act and the policies of this Section. Prior to the passage of such a by-law, Council shall be satisfied that:
 - i) The building or property is strongly associated with the life of a person who played an integral role in the development of the Municipality and/or is well-known locally, nationally or internationally; and/or,
 - ii) The building or property is the location of, or is associated in a significant way, with a significant local, national or international event; and/or,
 - iii) The building embody the distinguishing characteristics or an architectural type recognized for its style or period of construction, or it is a notable example of workmanship by an early master builder, designer, or significant architect. It is not imperative that antiquity alone be the basis for selection, however, it should be an important consideration if other more significant examples have disappeared.
 - iv) The building or property is considered to be an easily recognizable landmark in the Municipality and contributes to the character of the community; and/or,
 - v) The potential for illustrating the heritage value should be such that it will be possible for visitors to gain from the building an appreciation for the architecture or history with which it is associated.
 - vi) In considering the designation of a building, the extent of the original materials and workmanship remaining should be important to that designation.
 - vii) Intangible elements such as feeling, association and aesthetics shall be considered as important as the physical appearance of the building or structure.
 - viii) Architectural character should be considered on the basis of style, plan and sequence of spaces, uses of materials and surface

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- treatment and other detail including windows, doors, lights, signs and other fixtures of such buildings and the relation of such factors to similar features of the buildings in the immediate surroundings.
- ix) The neighbourhood contains a collection of buildings and properties described in Sections i), ii), iii), and iv), above and which collectively contribute to the character of the Municipality.
 - e) Council may pass by-laws under provincial legislation to protect designated buildings and properties pursuant to the Ontario Heritage Act and may pass by-laws to protect significant archaeological sites.
 - f) All new development permitted by the land use policies and designations of this Plan, and infrastructure projects, shall have regard for cultural heritage resources and encourage, wherever possible, the incorporation of these resources into any plans which may be prepared for such development and/or conserve such resources by removal and documentation. New structures built in the area of these resources shall be designed to reflect the surrounding landscape and built form. Council shall use Site Plan Control to ensure that new development is sited and designed to complement the historic and natural character of the Municipality.
 - g) Council shall appoint a Heritage Committee to assist in the identification, promotion and protection of heritage resources.
 - h) The Municipality recognizes that there may be archaeological remains of prehistoric and historic habitation, or areas containing archaeological potential within the boundaries of the Community. Council may therefore require Archaeological Assessments conducted by archaeologists licensed under the Ontario Heritage Act, as a condition of any development proposal affecting these resources. Archaeological assessment reports conducted by licensed archaeologists are to be in compliance with licensing requirements established under the Ontario Heritage Act.
 - i) When an identified human cemetery, marked or unmarked human burial is affected by land use development, the Municipality shall consult appropriate government agencies, including the Ministry of Culture and the Ministry of Government Services (MGS). The provisions under the Heritage Act and the Cemeteries Act (Revised) shall apply.
 - j) Where feasible, relevant by-laws, programs and public works undertaken by the Municipality shall conform to and further the heritage goals and policies of this Plan and the Ontario Heritage Act.
 - k) The Municipality recognizes and supports the creation of a heritage resource information base, resulting in a comprehensive heritage site inventory and/or heritage master plans according to the Ontario Heritage Act.
 - l) Council may investigate and initiate various methods to provide planning incentives such as bonusing provisions, transfer of density, special zoning by-laws, site plan control provisions, etc. for the purposes of cultural heritage conservation.
 - m) Council shall maintain a Community Heritage Trust Fund, in compliance with Municipal By-laws, to encourage heritage conservation and to promote

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the conservation and stabilization of properties and areas of architectural and historical value in the Community. The revolving nature of the fund is intended to finance activities which both fulfill the mandate of the fund and also return money to the fund for further related activities. Financial assistance may be in the form of grants, loans and loan guarantees to owners of heritage designated properties for restoration projects, or purchasers of heritage designated properties under Part IV and Part V of the Ontario Heritage Act.

- n) Council may exercise its legislative authority to control the alteration and demolition of heritage resources on individual properties or in identified Districts designated under Part IV or Part V of the Ontario Heritage Act, or by establishing an area of Demolition Control under Section 33 of the Planning Act.

4.2.4 Cultural Heritage Master Plan

Council may prepare a Cultural Heritage Master Plan (CHMP). Such a Master Plan would survey, inventory, examine and study the Municipality's cultural heritage resources. The purpose of the CHMP is to make recommendations on how the cultural heritage resources of the Municipality should be enhanced and protected in accordance with the goals and objectives of this Plan.

4.2.5 Ontario Heritage Act

One of the main options available to the Municipality in achieving its heritage goals, actions and policies is the Ontario Heritage Act. This Act enables the Municipality to protect properties of historic or architectural value from demolition or unsympathetic alteration. Appendix 'B' provides an outline of the Ontario Heritage Act.

4.2.6 Role of Public Authorities

Public authorities have the ability to make decisions affecting the public realm that can have a positive impact on cultural heritage resources.

- a) On this basis, the carrying out of any public work by any Public Authority shall have regard to the retention and protection of significant cultural heritage resources in accordance with the goals and objectives of this Plan and the CHMP. Pursuant to the Ontario Heritage Act, all public works within Heritage Conservation Districts shall conform to the applicable Heritage Conservation District Plan.
- b) Council may impose as a condition of any development approval the retention and conservation of cultural heritage resources identified in a CHMP, or the implementation of appropriate mitigation measures, to minimize the impact of the development on the cultural heritage resource.
- c) The inventory of heritage buildings and structures within the Municipality shall be maintained. Inventoried heritage resources may be considered for designation under the Ontario Heritage Act and/or conservation through the

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review of any proposed development, subject to all relevant legislation. The inventory may be included within the CHMP described in the Plan.

- d) Council may prepare an inventory of cultural heritage landscapes. This inventory may form a component of a Cultural Heritage Master Plan for the Municipality. A cultural heritage landscape is a defined geographical area of heritage significance that has been modified by human activities.

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4.3 COMMUNITY IMPROVEMENT

Community Improvement may be generally defined as encompassing all those activities, both public and private, which maintain, rehabilitate and redevelop the existing physical environment to accommodate the social, economic and environmental priorities within the community. These activities will improve the general appearance and economic viability of a Community Improvement Area.

Community Improvement Plans identify the specific projects that need to be carried out in a particular area to improve the quality of life and the built environment in an area. Community Improvement Areas may be established by Council and designated by by-law, in accordance with the provisions of the Planning Act.

4.3.1 Goal

Improve community facilities and infrastructure to address social, environmental and economic priorities and needs of the community.

4.3.2 Actions

- a) Maintain or improve municipal services, public utilities and social and recreational facilities.
- b) Identify and prioritize public works projects and funding programs which assist in stimulating economic activity in the Community.
- c) Coordinate public projects and expenditures to optimize their benefit to the community.
- d) Promote community improvements which address existing environmental concerns or sustainability goals.
- e) Maintain community standards for the maintenance of private property.
- f) Promote the redevelopment of vacant or underutilized properties and buildings and improve conditions in older, residential neighbourhoods.
- g) Improve the property and business tax base by encouraging economic expansion and new development by both the private and public sectors.
- h) Encourage investment and improvement in the maintenance and rehabilitation of existing commercial, industrial, institutional and residential buildings and structures.
- i) Promote revitalization for Historic Walkerton.
- j) Improve parking facilities in Historic Walkerton.
- k) Improve stormwater management and treatment in the Municipality.

4.3.3 Criteria for Community Improvement Area Designation

The Municipality may consider the following criteria in selecting a Community Improvement Area:

- a) Existence of incompatible or conflicting land uses;
- b) Buildings in need of maintenance, repair or rehabilitation due to age, appearance and inability to meet current energy efficiency and structural standards;
- c) Inadequacies in municipal services including sanitary sewer, water, or

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- stormwater systems and parking facilities which may be in need of repair;
- d) Deficiencies in the road network;
- e) Inadequate supply of parkland, cultural or social facilities;
- f) Susceptibility to flooding and poor drainage;
- g) Deterioration and appearance of building facades, streetscape, parking facilities, pedestrian access or signage;
- h) Areas which contain environmental issues such as soil contamination or concerns;
- i) Deficiencies exist in screening, buffering, streetscaping or landscaping;
- j) Cultural heritage resources in area warranting protection and/or enhancement;
- k) Opportunity exists to achieve economic growth in an area as a result of building improvement, repair and/or replacement; and,
- l) Brownfield sites, which include vacant or underutilized lands that have previously been used for industrial or commercial purpose that may have left the site with a degree of contamination.

4.3.4 Community Improvement Area Designation

- a) This Plan establishes portions of multiple land use designations in the downtown area, as a Community Improvement Area, as shown more precisely on Schedule 'D'.
- b) Council may by by-law establish other Community Improvement Plan Areas as appropriate, in accordance with this Section of this Plan.

4.3.5 Phasing

- a) In the phasing of community improvements it is the policy of Council to:
 - i) Integrate community improvement projects into other municipal improvement programs.
 - ii) Determine specific community improvement project priorities and the budget allocation as part of the municipal budgeting process
 - iii) To undertake improvements in the community improvement project areas based on the number and severity of the deficiencies, the benefits of the improvement to the project area and the Municipality, the degree of municipal commitment and public support for the project, and the financial resources available.

4.3.6 Consultation with the County of Bruce

- a) The Municipality shall consult with the County of Bruce when Community Improvement Plans are being prepared to ensure the co-ordination of improvements to sewer, water, and other County services with municipal improvements. Where possible, the Municipality may create partnerships for Community Improvement projects and funding.
- b) Based on the above, the Municipality, from time to time, may identify a Community Improvement Area.
- c) In order to carry out the community improvement goals and actions of this Plan, the Municipality may:

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- i) Prepare and carry out a Community Improvement Plan which itemizes and prioritizes the community improvement projects;
- ii) Participate and coordinate with senior levels of government; and,
- iii) Co-operate with groups and organizations whose objectives include community improvement.

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4.4 ENVIRONMENT

The Walkerton community's primary natural feature is the valley of the Saugeen River and its tributary, Silver Creek. The river valley has shaped the location of land uses as well as the topography and layout of the Municipality.

Comments received during the public meetings for the Official Plan reflect a desire to protect the environment in numerous ways, including protecting and improving the features of the Saugeen River and ensuring tree planting in the downtown as well as in new subdivisions.

4.4.1 Goal

To protect and enhance Walkerton's healthy environment by minimizing air, water and land pollution, and through the wise use of the area's natural resources.

4.4.2 Actions

- a) Review all development proposals to ensure that environmental concerns are addressed, including land use compatibility between sensitive land uses and transportation, utility and industrial facilities.
- b) Improve the water quality of Silver Creek and the Saugeen River through wise land use practices and the efficient treatment of sewage and the management of storm water.
- c) Protect the Saugeen River Valley for its ecological, visual, recreational, and economic importance to Walkerton.
- d) Review all development proposals to minimize flooding potential and ensure no net loss of fish habitat.
- e) Review all development proposals to promote the conservation of energy, water and other natural resources.
- f) Consider preparing a waste management plan that ensures the reduction, re-use and recycling of waste materials from households, businesses, institutional uses and industry.
- g) Initiate a municipal urban tree policy for the removal and planting of trees on municipal property, and the removal of trees on private property prior to receiving development approvals.
- h) Encourage the continuous improvement of air quality by strengthening relevant By-laws and promoting the reduction of greenhouse gas emissions by all sources.
- i) Protect the night-time environment and the Municipality's position as a natural retreat destination and Bright Star community by requiring dark sky lighting standards in new development.

4.4.3 Environmental Review Policies

- a) Environmental studies, as determined by the Municipality or various government agencies, may be required prior to the Municipality making a decision on development proposals, depending on the scale, intensity and

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- type of development being proposed.
- b) Where the Municipality has determined that an environmental review is required, the review of development proposals shall assist in determining whether the development should be approved by the Municipality and if so, what environmental safe-guards shall be required.
- c) If an Environmental Impact Statement is required, it shall be completed in accordance with Appendix 'B' of this Plan.

4.4.3.1 Land Use Compatibility and Sensitive Land Uses

- a) The Municipality shall consider the land use compatibility between sensitive land uses such as residential, and transportation, utility and industrial facilities.
- b) Land uses which are incompatible because of noise, dust, odour, vibration and other adverse environmental impacts should generally be kept separate from sensitive land uses, as defined in the Provincial Policy Statement, such as (but not limited to) residential uses, educational facilities and health facilities, including long term care facilities.
- c) The Municipality shall strive to maintain compatibility between sensitive land uses and industrial facilities. Measures including land use separation, buffering, screening and site design measures shall be provided between incompatible land uses in accordance with the guidelines of the Ministry of the Environment. Distances shall vary depending on the nature of the industrial facility and the intervening land use.

4.4.3.2 Water Quality and Quantity

- a) The Municipality shall consider the potential impact a development may have on the quality and quantity of the Community's water resources. Such an assessment should not only involve the individual development but should also take into account the cumulative effects that such a development may create.
- b) Development shall be assessed based on:
 - i) Protection, maintenance and enhancement of water resources;
 - ii) Impact on the quality and quantity of surface and groundwater resources; and,
 - iii) Promotion of water conservation and the efficient use of water resources.

4.4.3.3 Site Redevelopment/ Soil Quality Assessment

- a) All persons acquiring land for any purpose are expected to satisfy themselves with respect to any potential hazardous waste.
- b) The Municipality shall require residential and commercial development proposals involving the redevelopment of industrial, transportation or utility sites to include investigations into the potential contamination of the site as a result of the previous use. In these instances a Record of Site Condition completed by a qualified engineer shall be required with all development applications.

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- c) Contaminated sites must be thoroughly investigated and a clean-up plan prepared in accordance with Ministry of the Environment guidelines, prior to the Municipality's consideration of the redevelopment proposal.

4.4.3.4 Fish Habitat

- a) It shall be a policy of the Municipality that development only be permitted where there will be no net loss of fish habitat. Where possible, proposed developments shall create a net gain in fish habitat.

4.4.4 Water Conservation Policies

- a) The Municipality shall encourage water conservation by the residents, businesses and industry connected to the municipal water system. This may include the promotion of water conservation practices such as water meters, changes in daily habits and retrofits to plumbing fixtures.
- b) The Municipality shall promote a water conservation educational program to assist users in undertaking reasonable steps to reduce water consumption. Such a program may include the following:
 - i) Research into water conservation products and techniques that are effective and available for households, businesses and industries;
 - ii) Distribution of information on products and techniques to households;
 - iii) Periodic presentations on water conservation so that residents can learn about water conservation techniques.

4.4.5 Energy Conservation Policy

- a) The Municipality shall encourage measures to conserve energy resources in new development. These measures may include:
 - i) Maintaining a compact urban form;
 - ii) Establishing an efficient transportation network;
 - iii) Providing neighbourhood services and facilities in close proximity to residential development to reduce travel by motor vehicle;
 - iv) Avoiding the extensive loss of sunlight to adjacent land uses;
 - v) Encouraging the energy efficient design of buildings and the installation of energy conserving appliances, fixtures and systems;
 - vi) Encouraging the proper siting of buildings and appropriate landscaping for wind shelter in the winter and the prevention of overheating in the summer; and,
 - vii) Encouraging walking and bicycling use and facilities to accommodate such uses including trails and bicycle parking and storage facilities.

4.4.6 Tree Planting Program and Tree Removal Guidelines

- a) The Municipality shall continue its tradition of street beautification through a tree planting program.
- b) The Municipality will establish tree removal guidelines. These guidelines should identify heritage trees and nuisance trees, notification procedures

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for residents affected by the removal of the tree, and the replacement of nuisance trees in more appropriate locations.

4.4.7 Waste Management Policies

- a) The Municipality shall endorse and implement reasonable waste diversion strategies, including reduce, reuse and recycle techniques from the Bruce County Waste Management Master Plan Study.

4.4.8 Bright Star Community Policies

- a) The Municipality is a “Bright Star” community committed to protecting the night-time environment. This is achieved by eliminating hazardous and annoying glare from poorly designed light fixtures, reducing stray light through shielding and directing light fixtures to prevent light from unnecessarily falling outside the boundaries of the property on which a light fixture is installed.
- b) Development shall enhance and complement the Municipality’s Bright Star status by using dark sky/bright star-compliant exterior light fixtures and layouts to reduce light pollution.

4.4.9 Air Quality Policies

- a) The Municipality will encourage measures to improve air quality. These measures may include:
 - i) Maintaining a compact urban form;
 - ii) Establishing an efficient transportation network;
 - iii) Providing neighbourhood services and facilities in close proximity to residential development to reduce vehicular travel;
 - iv) Strengthening By-laws governing idling, camp fires and open-air burning;
 - v) Encouraging alternatives to motorized yard care products;
 - vi) Encouraging proper vehicle maintenance; and,
 - vii) Encouraging walking and bicycle use.

4.4.10 Natural Heritage System

The Walkerton Natural Heritage System (WNHS) is comprised of natural heritage features and areas linked together where feasible with natural corridors which are intended to provide connectivity and support natural processes which are necessary to maintain biological and geological diversity, natural functions and viable populations of indigenous species and ecosystems.

The WNHS may include a variety of natural heritage features and areas including conservation areas, parks, rivers, streams, wetlands, fish habitat, woodlands, valleylands, habitat of endangered species and threatened species, significant wildlife habitat, and significant areas of natural and scientific interest, all of which are important for their environmental and social values as a legacy of the natural landscape of Walkerton.

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- a) The Walkerton Natural Heritage System is shown on Schedule 'C'. The WNHS is not a Land Use designation, therefore the policies of the underlying land use designation shown on Schedule A 'Land Use Plan' i.e. Environmental Protection, Recreation & Open Space etc. remain in effect.
- b) Lands identified as part of the WNHS may include both private and public owned lands. Where any land identified as part of the WNHS is held in private ownership this Plan shall not be construed as implying that such areas are free and open to the general public nor that the lands will be purchased by the Municipality or other public agency.
- c) The Municipality shall encourage the long term protection of the Walkerton Natural Heritage System as shown on Schedule 'C' and it's associated ecological and hydrologic functions.
- d) Where Schedule 'C' overlays lands that are subject to a development proposal under the Planning Act, the Municipality shall request the developer to mitigate any potential impacts on the WNHS through the use of unique development design or engineering, and/or the use of buffering. Where it is demonstrated that the impacts on the WNHS can be mitigated, the Municipality may request the applicant enhance the existing natural heritage feature(s) on the property, and/or request a monetary contribution to be used for the enhancement or protection of natural features elsewhere in Walkerton.
- e) Where Schedule 'C' overlays lands that are subject to a development proposal under the Planning Act, the Municipality may require a developer to submit an Environmental Impact Study in order to determine if unidentified natural heritage features and areas exist on the remainder of the development lands. In accordance with the Provincial Policy Statement, the Municipality may apply the natural heritage protection policies of this Section to such identified features.

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4.5 SUSTAINABILITY

Council recognizes the importance of promoting development that is designed to be sustainable. Sustainable development refers to development that meets the needs of the present generation without compromising the ability of future generations to meet their own needs.

Supporting community sustainability requires the Municipality to consider the inter-relationship between the environment, economy and community when reviewing development proposals and public works.

4.5.1 Goal

To protect and enhance the community of Walkerton for its current residents and future residents through the development of sustainable practices and to promote the sustainability concepts through the review and approval of development projects.

4.5.2 Actions

- a) Encourage and foster public awareness on sustainability and sustainable practices.
- b) Ensure that planning and development to be undertaken in a context which recognizes the interactions of all parts of ecosystems and protects the integrity and vitality of natural systems and processes.
- c) Ensure that future development shall recognize cumulative impacts by not exceeding the capacity of air, land and water to absorb the impact of human use.
- d) Ensure that past environmental degradation shall be remediated and natural systems regenerated through redevelopment.
- e) Ensure that future development shall contribute to the reduction of per capita energy consumption
- f) Ensure that the stewardship of land and resources will be a shared responsibility of government, corporations and owners.

4.5.3 Sustainability Policies

- a) Council shall ensure decisions related to future land use, public works and capital expenditures shall be made having consideration for the long term impacts on the environment, economy and the community.
- b) The sustainability of a development shall be considered with respect to impacts on:
 - i) Climate change and air quality;
 - ii) Energy conservation;
 - iii) Ecological integrity and biodiversity;
 - iv) Financial impact on the Municipality and community quality of life;
 - v) Community cohesion and character; and,
 - vi) Reducing of waste.
- c) New development projects shall be encouraged to utilize local goods,

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- services and materials wherever possible.
- d) Buildings shall be designed to minimize energy consumption, and wherever possible utilize green energy sources.
- e) Facilities and site design that encourage walking and cycling shall be incorporated in public and private works.
- f) New uses that provide goods, services, facilities and employment specifically targeted for youth is strongly encouraged in the community.
- g) The Municipality shall maximize waste reduction and recycling programs wherever possible.
- h) In an effort to maintain and enhance water quality the Municipality may consider placing limits on the use of pesticides, herbicides and fertilizers for cosmetic purposes.
- i) The Municipality may consider the development of a water conservation awareness and rebate program.
- j) The Municipality will create a trail master plan to ensure connectivity throughout the community without the need for automobiles.
- k) The Municipality will review all its activities and policies to ensure that sustainability concerns are appropriately considered and addressed.

SECTION 5 – MUNICIPAL SERVICES

Services and utilities such as the provision of a potable water supply, disposal of wastes and energy supply, are essentials of life. The provision of such utilities is often an important means of implementing planning and directing urban growth and economic development.

5.1 GOAL

To provide a full range of affordable municipal services to meet the economic, social and environmental needs of the community.

5.2 ACTIONS

- a) Continue the efficient use of municipal sewer, water and electrical services through the appropriate prioritization and upgrading of municipal service improvements.
- b) Provide sufficient sewage treatment and water reserve capacity and adequate collection and distribution facilities to accommodate future growth.
- c) Consider a wide range of options for paying for municipal services such as taxes, user fees, front ending, privatization, and prioritizing service delivery.
- d) Ensure new development incorporates best management practices for storm water management.
- e) Establish a process whereby a commitment to sewage treatment and water supply capacity only occurs upon registration of Plans of Subdivision and execution of a Subdivision or Condominium Agreement with the Municipality.

5.3 WATER SUPPLY AND SEWAGE DISPOSAL POLICIES

- a) The Walkerton Water Treatment System (WTS) has a capacity of 7,500m³/day and the current average use is around 2,300m³/day (2016 data). The WTS has sufficient capacity to handle the projected increase in population to 2026.
- b) The Walkerton Sewage Treatment Plant (STP) has a capacity of 7,550m³/day and the current average is around 2,500m³/day (2016 data). The STP has sufficient capacity to handle the projected increase in population to 2026.
- c) Full municipal water and sewage services are the preferred form of servicing. In areas serviced by full municipal sewage and water services development will be permitted only if sufficient reserve water and sewage plant capacity will be available to accommodate the development, and other approved development.

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- d) Partial services are generally discouraged, but may be used in the following circumstances:
 - i) Where they are necessary to address failed individual on-site sewage services and individual on-site water services in existing development; or
 - ii) To allow for 'Infilling' and 'Minor Rounding Out' only within the existing settlement area boundary on partial services provided that site conditions are suitable for the long-term provision of such services with no negative impacts. 'Infilling' shall be defined as the creation of a new vacant lot(s) of record when the new lot is to be created between two existing dwellings, such dwellings being separated by not more than 30 metres (98.4 feet), on the same side of the road where both dwellings are currently partially serviced. 'Minor Rounding Out' shall be defined as the creation of a new vacant lot of record where the new lot to be created will immediately abut an existing lot of record that is currently partially serviced.
- e) The Municipality shall require development and redevelopment projects to demonstrate that surface water originating from the site is not entering the sanitary sewer system and is adequately treated for quantity and quality.
- f) The Municipality shall continue to upgrade its sanitary sewer system to reduce infiltration and extraneous flows from storm water.

5.4 STORM WATER MANAGEMENT POLICIES

- a) The Municipality shall require at source best management practices and techniques to maintain storm water quality and quantity. This shall assist in controlling flooding, ponding, erosion and sedimentation and enhance the water quality and fish habitat of Silver Creek and the Saugeen River.
- b) Development proposals shall be accompanied by a storm water management report which meets the quality and quantity requirements of the Municipality of Brockton, and the Saugeen Valley Conservation Authority.
- c) Where appropriate, new development shall incorporate the major-minor system concept and:
 - i) The storm water management system shall be designed to control run-off from the site to predevelopment levels, and where necessary, shall require detention or storage facilities to control discharge rates. Where feasible, detention must be provided onsite.
 - ii) The minor system shall accommodate run-off from more frequent storms up to the design capacity of the existing receiving system and, where necessary, shall require detention or storage facilities. New collection systems shall be designed in accordance with the Municipality's municipal servicing standards.
 - iii) Wherever possible natural infiltration of storm water shall be encouraged, provided that areas of standing water are minimized.
- d) Natural drainage systems used in the design of new subdivisions and major water courses should be left, in their natural state, including existing

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- vegetative buffers. Channelization shall be discouraged. Detention and retention facilities may be permitted in open space areas to ensure controlled run-off to receiving streams and maximum natural infiltration.
- e) Any modification to an existing natural water course shall preserve floodplain storage capacity and shall require approval from the Saugeen Valley Conservation Authority.
 - f) The Municipality shall assume ownership and/or maintenance responsibilities for new storm water management facilities and structures serving more than one property. The Municipality may require the developer to provide an up-front cash payment to offset on-going maintenance costs of storm water management facilities.

SECTION 6 - TRANSPORTATION

The transportation system provides an important component of the framework for municipal growth and development and is a vital municipal service.

6.1 GOAL

To provide a transportation system which allows for the efficient movement of goods and people, and facilitates economic activities within the Community.

6.2 ACTIONS

- a) Promote and improve the system of arterial and collector roads to provide for the safe and efficient movement of local and through traffic.
- b) Establish uniform signage to identify the location of major community facilities, historic features and recreation opportunities.
- c) Promote bicycle and pedestrian travel.

6.3 ROAD CLASSIFICATION POLICIES

- a) The Municipality shall classify roads according to their predominant function. Schedule B Roads Plan identifies the designation of roads by classification. Road classifications are as follows:
 - i) Provincial Highways: Provincial Highways are under the jurisdiction of the Provincial Ministry of Transportation (MTO) Walkerton is served by Provincial Highway #9. The primary function of the Provincial Highways is to move relatively large volumes of traffic efficiently through the community. The MTO will determine the minimum right-of-way widths for those sections of Highway #9 under their jurisdiction.
 - ii) Arterial County (Urban): Arterial County (Urban) roads are under the jurisdiction of the County of Bruce. There are two County roads serving Walkerton: County Road #4 and County Road #2. The primary function of the Arterial County (Urban) road is to move relatively large volumes of traffic efficiently through the community. Roads identified as 'County Arterial (Urban) on Schedule 'B' shall generally have a minimum right-of-way of 20 metres (65.61 feet).
 - iii) Arterial: Arterial roads are designed to handle high volumes of traffic on two to four lanes of pavement, while providing access to abutting properties. Right-of-way widths shall, where possible, have a minimum width of 26 metres (85.30 feet).
 - iv) Collector: Collector roads are designed to collect and carry local traffic to the arterial roads or distribute traffic to the local roads on two to four lanes of pavement, as well as to provide land access to abutting properties. The minimum road right-of-way for collector roads shall generally be 20 metres (65.61 feet).
 - v) Local: Local roads are designed to handle predominantly local traffic at lower operating speeds on two traffic lanes. Local roads shall generally

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have a minimum right-of-way width of 20 metres (65.61 feet).

6.4 ROAD NETWORK POLICIES

- a) The Municipality shall integrate the planning of the municipal road network with the existing and proposed road networks under the jurisdiction of the Province, the County of Bruce and surrounding municipalities.
- b) No new development and/or redevelopment shall be permitted unless such lands are accessible by an improved public road, maintained year round and which meets the Municipality's design standards and is of an acceptable standard of construction to accommodate the traffic to be generated. For the purposes of this Plan, laneways shall not be considered to be a public road.
- c) Condominium roads may be constructed to a lesser standard than municipal public roads provided that the roads are designed to accommodate emergency service vehicles and safe operation of vehicles.
- d) The Municipality shall require, as a condition of approval of any development or redevelopment that sufficient lands be conveyed to the Municipality to provide for a road right-of-way width in accordance with the road classification identified on Schedule B Road Plan, and defined in [Section 6.3](#), Road Classification Policies.
- e) The Municipality shall require, as traffic conditions warrant, improvements in the form of jog eliminations, regulation of turning movements, proper signing, installation of traffic signals, marking of traffic lanes and channelization to be undertaken.
- f) In considering development proposals, the Municipality shall ensure that new intersections are properly located and designed to ensure traffic safety. Where existing intersections are significantly affected by new development, the Municipality may require improvements to such intersections.
- g) In considering development proposals adjacent to arterial, collector or local roads, the Municipality may regulate the number, location and design of entrances.
- h) Development along Arterial County (Urban) roads that would detract from their primary traffic function may be discouraged. The County of Bruce is the approval for entrances/access on to an Arterial County (Urban) and may grant or refuse access. Where a development is likely to generate significant traffic volumes on an Arterial County (Urban), the applicant may be required to prepare a traffic impact study to demonstrate how the transportation impacts of a proposed development or redevelopment can be mitigated and addressed in a manner consistent with the objectives of the County.
- i) Development along Provincial Highway #9 that would detract from its primary traffic function may be discouraged. Development within the MTO's Permit Control Areas, as defined under the Public Transportation and Highway Improvement Act, shall be subject to the approval of the MTO. Permits for access, signs, buildings and utility encroachments within the MTO Permit Control Area may be required from the MTO. Where a

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development is likely to generate significant traffic volumes on Provincial Highway #9 the applicant may be required to prepare a traffic impact study to demonstrate how the transportation impacts of a proposed development or redevelopment can be mitigated and addressed in a manner consistent with the objectives of the MTO.

6.5 ROAD WIDENING POLICIES

- a) Road widening shall take place in conformity with the standards outlined in [Section 6.3](#) of this Plan. Privately owned land required for road allowance widening may be acquired by the appropriate road authority through purchase or by dedication as a condition of subdivision, severance, or site plan approval, or other appropriate means.
- b) Road widening and greater road allowance requirements may be required at any intersection for the purpose of providing daylight triangles, lane channelization, and locations for traffic control devices. They may also be required along any arterial road to accommodate auxiliary turning lanes intended to provide better access to land uses that are major traffic generators.
- c) Generally, road widening shall be taken equally on both sides of a road as measured from the centre line of the road allowance. Where physical or other conditions necessitate a widening on one side in excess of an equal amount, only that portion of the widening that represents an equal amount shall be required as dedication under the Planning Act.
- d) The Comprehensive Zoning By-law may establish setback requirements from the centre line or the limit of the required road allowance. The Comprehensive Zoning By-law may also recognize, as legal uses, properties which do not conform to lot area or setback requirements due to road widening.

6.6 PEDESTRIAN AND BICYCLE TRAFFIC POLICIES

An important component of any transportation system is the establishment of a safe and efficient pedestrian and bicycle system. People should be encouraged to walk and ride bicycles within the Community.

- a) The Municipality shall develop a pedestrian walkway system which links major commercial, residential, community facilities and open space areas in a continuous system.
- b) Pedestrian access from the downtown to the Saugeen River Valley shall be improved to stimulate the function of the waterfront as a major attraction within the Community.
- c) The Municipality shall require all new development to include the construction of adequate sidewalks.
- d) The Municipality shall strive to establish proper signage and traffic controls to allow for the safe movement of pedestrian traffic across arterial or collector roads.

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6.7 TRAFFIC IMPACT ASSESSMENT POLICY

- a) Where development will add significant volumes of traffic to the road system or where it is proposed in an area with recognized road deficiencies, the Municipality shall require a traffic impact assessment or intersections and turning movements, or other matters as may be required.

6.8 PARKING AREAS

- a) All parking areas shall be designed to ensure an appropriate flow of internal traffic, service and emergency access.
- b) Development of drive-through facilities shall not be permitted in the Historic Walkerton Area. Where permitted such facilities shall ensure that there is sufficient queuing space so as not to interfere with internal traffic or external traffic on municipal roads.
- c) Parking areas shall be designed to minimize 'heat island' impacts by providing landscaped areas integrated into the parking area with shade trees and maximize natural infiltration.
- d) Adjacent parking areas shall provide vehicular and pedestrian connectivity to provide for short vehicle trips wherever possible.

SECTION 7 - IMPLEMENTATION

7.1 INTRODUCTION

This Section provides a guide to those who wish to participate in the planning process or who wish to propose developments within the Community. The following policies explain the various planning tools available to the Municipality, when they may be used, and the type of issues they can address.

7.2 AMENDMENTS TO THE OFFICIAL PLAN

Circumstances may arise where a development does not conform to the policies or land use designations of the Official Plan. The Municipality shall give consideration to all applications to amend the Official Plan, and notify the general public and government agencies and ministries of the nature of the proposed amendment, in accordance with the requirements of the Planning Act.

The submission of an Official Plan amendment application shall be accompanied by a plan of the proposed development and a report which addresses the following:

- a) The proposed amendment complies with the Vision for the Historic Walkerton community, if applicable.
- b) The proposed amendment furthers the Goals and Actions of the Plan.
The Amendment is in keeping with Provincial and County policy.
- c) The demonstrated need for the proposed development.
- d) The suitability of the lands for the proposed use.
- e) The compatibility of the proposal with the existing and planned land uses in the surrounding area.
- f) An assessment of how lands affected shall be adequately serviced to accommodate the proposed development.
- g) An assessment of the impacts the proposed development shall have on surrounding land uses, traffic movements, servicing, built heritage and natural environment.
- h) An assessment of the impacts the proposal shall have on municipal capital works and services.

7.3 PRE-CONSULTATION

Prior to the submission of any development application for which the Municipality is the approval authority, applicants shall pre-consult with the Municipality in accordance with the provisions of this Plan and the Municipality's Pre-consultation By-law. The County of Bruce is encouraged to participate in the Municipality's pre-consultation process as appropriate. The pre-consultation process is intended to address the requirements for a completed application and may require more than one pre-consultation meeting and involve other agencies and Municipal Departments.

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7.4 COMPLETE APPLICATION

In accordance with the provisions of Sections 22, 34, 51 and 53 of the Planning Act, any application submitted to the Municipality of Brockton in support of a development proposal must be deemed to be a complete application and be accompanied by the appropriate fee before processing any application. Any required background reports, studies documents and materials must be prepared and submitted to the satisfaction of the Municipality.

Should it be determined through the review process that the submission is incomplete, inadequate or further issues need to be addressed, additional information may be required. The authority to deem an application complete may be delegated to the Chief Building Official by by-law.

To be considered complete under the *Planning Act*, Official Plan Amendment, Zoning By-law Amendment, Plan of Subdivision, and Consent applications must be accompanied by the following:

- a) A completed application form(s);
- b) Any information or material prescribed by the *Planning Act* and relevant Ontario Regulations;
- c) Prescribed application fee(s); and,
- d) A completed pre-consultation form setting out the applicable information requirements.

In addition to the requirements specified above, this section sets out the supplementary information or material in the form of studies that is required in support of an application for Official Plan Amendment, Zoning By-law Amendment, Plan of Subdivision or Consent. Some of the studies identified below may also be requested in order to allow for the proper evaluation of an application for Site Plan Approval.

The supplementary information requirements may include, but shall not be limited, to the following:

- a) Land Use Planning Report. The intent of such a report would be to describe the proposal in detail and provide an opinion on how the proposal shall conform to the Goals and Actions of this Plan.
- b) Environmental Impact Study (EIS). The purpose, intent, and content of such a study is set out in [Section 3.7.6](#) of this Plan.
- c) Geotechnical Assessment. Such an assessment shall be required to support development on private or partial services and, if necessary, to assess slope stability and erosion hazards.
- d) Stormwater Management Report. Such an assessment provides recommendations on stormwater quality and quantity that ensures that post-development peak flow shall not be greater than predevelopment flows, as well as addressing possible impacts on watershed flow regimes, and identifying site management measures required during construction.

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- e) Servicing Study. The purpose of such a study is to identify specific sanitary and water supply needs for individual development proposals.
- f) Traffic Impact Assessment. Such an assessment may be required to determine what impact a development proposal shall have on roads adjacent to a proposed development and roads in the general area.
- g) Archaeological Assessment. Such an assessment determines the existence of archaeological remnants requiring preservation, excavation or protection.
- h) Cultural Heritage Impact Statement. The intent of the study is to determine what impacts the development shall have on the identified or significant cultural heritage resource and whether the application conforms to the Goals and Actions of this Plan.
- i) Tree Preservation Plan/Study. The intent of such a Plan/Study is to inventory trees on a development site and make recommendations on how trees can be retained and/or replanted as a condition of development.
- j) Environmental Site Assessment (Phase I and II). The intent of a Phase I study is to determine whether or not a property is contaminated. In the event that a Phase I investigation shows evidence of contamination, a Phase II investigation that includes matters such as surface and subsurface soil sampling and groundwater and surface water sampling is required.
- k) Land Use Compatibility Assessment. The intent of such an assessment is to describe and review the potential impacts of proposed sensitive land uses on existing industrial uses or the impacts of existing industrial uses on proposed sensitive land uses, in terms of noise, dust, odour and similar items in accordance with Ministry of Environment Guidelines. Such an assessment may include a Noise Impact and Vibration Study. The intent of this study is to identify noise and vibration mitigation requirements proposed for development involving sensitive land uses that are adjacent to or in proximity to a highway, arterial road, industrial use or railway.

The list of information or material specified in this section is not intended to be exclusive. Other information or material may be required by the Municipality, in consultation with the County, and other applicable agencies in response to a particular development proposal. All studies shall be:

- a) Carried out by qualified professional consultants retained by and at the expense of the proponent. The Municipality shall require peer reviews of the studies by an appropriate public agency or by a professional consultant retained by the Municipality at the proponent's expense; or,
- b) Carried out by a qualified professional consultant retained by the Municipality at the expense of the proponent.

All recommendations contained in all studies shall be implemented by the proponent to the satisfaction of the Municipality, the County and other applicable agencies.

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7.5 THE COMPREHENSIVE ZONING BY-LAW

- a) A review of the Municipality's Comprehensive Zoning By-law shall be undertaken to ensure that it properly implements the policies of this Plan.
- b) It is the policy of the Municipality to refuse amendments to the Comprehensive Zoning By-law which do not conform to the Official Plan.
- c) Existing legal non-conforming land uses may be placed in zones that do not correspond with the Land Use designation of the Official Plan. The Comprehensive Zoning By-law may recognize existing uses, provided the following criteria are met:
 - i) The applicable zone does not permit as-of-right, changes in the use of the building(s), structure(s) or lot that would result in significant impacts on adjacent uses;
 - ii) The recognition of the legal non-conforming use does not represent a danger to surrounding uses and/or persons; and,
 - iii) The legal non-conforming use does not interfere with the desirable development or enjoyment of the adjacent area.
- d) Vacant land within the Community may be placed in a Planned Development zone. A Planned Development zone restricts the use and development of vacant land until an appropriate development proposal is submitted. A Planned Development zone may permit the continued use of existing buildings and structures, but all new uses shall require an amendment to the Zoning By-law.
- e) It is not the intent of this Plan to zone all lands in accordance with the land use designations until such time as the policies of this Plan can be met. However lands may be pre-zoned in accordance with the land use designations provided that Council is satisfied that it will further the goals and strategic objectives, and other relevant objectives and policies of this Plan.

7.6 MINOR VARIANCES

In certain instances, a proposal to construct a new structure or expand an existing structure may not be able to meet one or more of the provisions of the Comprehensive Zoning By-law (e.g. an addition to a house cannot meet the side yard requirements). In such cases, the individual may request the Committee of Adjustment to grant a minor variance from one or more of the requirements of the Zoning By-law to permit the development to proceed.

- a) The Committee of Adjustment may consider granting a minor variance to a proposed development which cannot reasonably meet one or more of the provisions of the Zoning By-law, provided the development meets sound planning principles.
- b) Prior to considering an application for minor variance, the Committee of Adjustment may require the applicant to demonstrate that the development is:
 - i) In keeping with the character and environment of the surrounding neighbourhood;
 - ii) In keeping with the intent of the Comprehensive Zoning By-law;

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- iii) In keeping with the intent of the Official Plan;
- iv) An appropriate and desirable use of land; and,
- v) Minor in nature.
- c) If a minor variance application is approved, the Committee of Adjustment may impose conditions which shall ensure the development has minimal impact on surrounding uses and satisfies reasonable planning criteria.
- d) The Chief Building Official for the Municipality shall be satisfied that all the conditions of the minor variance are met prior to the issuance of a building permit.

7.7 LEGAL NON-CONFORMING USES

Certain uses that legally existed prior to the adoption of a Comprehensive Zoning By-law but are not permitted in that same By-law are referred to as legal non-conforming uses.

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

- a) It is the policy of the Municipality that legal non-conforming uses should cease to exist in the long run. Additions, expansions or changes in use which do not meet the requirements of the Comprehensive Zoning By-law should be discouraged.
- b) The Municipality recognizes that circumstances may exist where changes to legal non-conforming uses may be desirable given their economic, cultural, social or historical importance to the Community. In such cases, the Committee of Adjustment may grant permission for an addition, expansion or change in use.
- c) A change in use of a legal non-conforming use to a use which is still not in compliance with the Comprehensive Zoning By-law, but which is more compatible than the existing use, may be permitted by the Committee of Adjustment.
- d) The Committee of Adjustment shall use the following criteria to assess such proposals. Failure to meet one or more of these criteria may provide grounds for refusal of the application by the Committee of Adjustment.
 - i) The proposed addition, expansion or change in use shall not worsen the non-conforming nature of the property.
 - ii) The proposed addition, expansion or change in use shall be in an appropriate proportion to the size of the existing use.
 - iii) The proposed addition, expansion or change in use shall have minimal impact on the surrounding built environment in terms of projected levels of noise, vibration, fumes, smoke, dust, odours, lighting and traffic generation.
 - iv) The proposed addition, expansion or change in use shall include the protection of surrounding uses through the provision of landscaping, buffering, or screening, appropriate setbacks for buildings and structures, or other measures which improve compatibility with the

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- surrounding area.
- v) The traffic and parking conditions shall not be adversely affected by the proposed addition, expansion or change in use. Appropriately designed ingress and egress points to and from the site and improvement to sight conditions shall be considered in order to promote maximum safety for pedestrian and vehicular traffic.
 - vi) The site shall include adequate provision for off-street parking, loading and unloading facilities.
 - vii) The development has appropriate municipal services such as storm drainage, water supply, sanitary sewers and roads, which are available or can be made available through the conditions of approval.
- e) The Committee of Adjustment may place conditions on the approval for the addition, expansion or change in use of non-conforming uses. These conditions may include, but are not limited to, application of Site Plan Control, cash-in-lieu of parking, the installation of services and bonding.

7.8 LEGAL NON-COMPLYING USES

Situations may exist where the present use of a parcel of land is permitted in the zone in which it is located, but the buildings located on the property do not meet one or more of the provisions of the zone (e.g. a house located too close to the lot line). These situations are known as legal non-complying uses.

- a) It is the policy of the Municipality to permit the expansion, alteration and addition to a legal non-complying use, without Committee of Adjustment approval, provided that:
 - i) The expansion, alteration or addition does not further aggravate the existing non-compliance of the use; and,
 - ii) The expansion, alteration or addition does not create another non-compliance with the By-law.

7.9 INCREASED HEIGHT & DENSITY PROVISIONS

The Municipality has the authority to pass a By-law which authorizes increases in the height and/or density of a specific development proposal permitted under the Comprehensive Zoning By-law, in return for the developer providing facilities, services or other matters which are deemed beneficial to the community.

- a) Increased height and density provisions shall only be awarded to developments where adequate municipal services are available and such increased height and density does not have a negative impact on surrounding uses or places a financial burden on the Municipality and where one or more of the following criteria are fulfilled:

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- i) The development provides for assisted housing, seniors housing or special need housing in accordance with identified needs in the community;
- ii) The development incorporates the preservation and restoration of buildings of historic or architectural value that shall serve to meet the heritage resource goals and actions of this Plan;
- iii) The development incorporates a comprehensive redevelopment plan for lands within the Historic Walkerton area, which provide for intensification of land use and serves to reinforce the economic viability of the downtown commercial core;
- iv) The development includes the provision of significant community amenities and recreational facilities in locations which serve the identified needs of the community as a whole.

7.10 INTERIM CONTROL BY-LAWS

The Municipality has the authority to place a freeze on development, as permitted under the Comprehensive Zoning By-law, where they have serious concerns with allowing development to continue.

In such cases, the Municipality may put a hold on development permitted under the Comprehensive By-law, for a maximum period of two years through an Interim Control By-law. The initial Interim Control By-law can be in effect for a one year period, with a one year extension if required. This hold on development allows the Municipality to undertake a thorough review of its policies and take the necessary action to address the problem.

The Municipality should only use Interim Control in limited circumstances, where the development of certain lands pose serious problems and require study.

- a) It is the policy of the Municipality to use Interim Control in circumstances where an immediate policy review of specific issues is required.
- b) Prior to the passage of an Interim Control By-law the Municipality shall arrange for a study of the issues associated with the lands forthwith.

7.11 HOLDING PROVISIONS

The Municipality may place a Holding (H) provision on the zone which prevents any development from taking place until the Municipality is satisfied that certain conditions have been met. In such instances, the Municipality can indicate its support for the principle of the development but also identify the need for additional actions prior to development proceeding.

The use of a Holding provision is seen as an effective tool in the streamlining of the approval process. There is no appeal period with such by-laws and rights to appeal are limited only to the applicant in the event of refusal or neglect by Council to make a decision within 120 days to remove the Hold, thereby allowing development to proceed quickly once the conditions have been satisfied.

- a) The Municipality may utilize the Symbol "H" or "h" in all zones in the

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- Comprehensive Zoning By-law as a means of ensuring that certain conditions have been met prior to development proceeding.
- b) When lands are subject to a Hold the use of the lands and buildings shall be limited to those that existed prior to the Holding Symbol being placed on the property, or those uses as may be specified in the By-law. In some circumstances, the Municipality may allow additions or alterations to existing uses, or may partially or temporarily remove a Hold to allow for limited new development or site alteration to occur.
 - c) The Municipality may adopt a by-law under Section 36 of the *Planning Act* removing the Holding Symbol from the applicable lot when satisfied that the conditions specified in the By-law are met and/or agreements executed that ensure for the orderly development of the lands.
 - d) Conditions that maybe imposed by the Municipality may include:
 - i) The owner/developer entering into a Site Plan Control or Subdivision or Consent Agreement to the satisfaction of the Municipality;
 - ii) The owner/developer making satisfactory arrangements for the installation of sanitary or storm sewer, water and road services;
 - iii) The owner/developer receiving final approval for a plan of subdivision or condominium, and that all the conditions have been met such that the lots or units are ready for release;
 - iv) The owner/developer submitting all necessary technical studies;
 - v) The owner/developer satisfying all financial requirements of the Municipality;
 - vi) The owner/developer ensuring all measures to protect natural areas have been implemented;
 - vii) The owner/developer undertaking an archaeological assessment, to the satisfaction of the Province, by an archaeologist licensed under the Ontario Heritage Act, and conserving any significant archaeological resources and/or removal and documenting or preserving on site, to the satisfaction of the Province;
 - viii) The owner/developer addressing any site contamination or other environmental constraints on site;
 - ix) The owner/developer making satisfactory arrangements for parking;
 - x) The development/redevelopment within commercial and industrial lands is in accordance with the design and site criteria established by the Municipality.
 - xi) Any other condition or requirement as deemed necessary by the Municipality.

7.12 PARKING, PAYMENT-IN-LIEU REQUIREMENTS

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

If a development is unable to provide enough parking spaces, the Municipality has

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the authority to offer an exemption from the parking requirements of the Comprehensive Zoning By-law, and accept a Payment-in-Lieu of each parking space not provided.

- a) The Municipality may adopt a Payment-in-Lieu By-law enabling it to accept cash payments in compensation for insufficient parking spaces involving development/ redevelopment proposals.
- b) The Municipality considers Payment-in-Lieu of parking as an effective mechanism for encouraging a compact, efficient and viable downtown core.
- c) Monies raised through Payment-in-Lieu shall be placed in a special reserve fund, separate from general revenues, dedicated to managing existing public parking resources and/or establishing new parking facilities.
- d) In order to determine the actual costs of providing a parking space, and the appropriate fee to be charged for each space levied, the Municipality may undertake a parking study.
- e) In order to encourage development/redevelopment within the downtown core, the Municipality may wish to have a Payment-in-Lieu fee which is less than the true cost of providing new parking spaces.
- f) In order to encourage the development/redevelopment of 'Affordable Housing' initiatives, or portions of housing initiatives, which can be certified as 'Affordable Housing', the Municipality may waive a Payment-in-Lieu fee or reduce the Payment-in-Lieu fee to less than the true cost of providing new parking spaces. The Comprehensive Zoning By-law shall establish parking provisions/requirements for 'Affordable Housing' that reflect this Policy.

7.13 PARKLAND DEDICATION

As a condition of development or redevelopment or the approval of a plan of subdivision of land in the Municipality, land shall be conveyed or dedicated to the Municipality for park or other public recreational purposes.

The conveyance or dedication of land to the Municipality for park or other public recreational purposes shall be in accordance with the following:

- a) For industrial or commercial development, redevelopment, a conveyance or dedication of-2% of the land;
- b) For all other land uses (including residential development, redevelopment or plans of subdivision providing for low, medium and/or high density uses), conveyance or dedication shall be either equal to 5% of the land proposed for development, redevelopment or subdivision or 1 hectare per 300 dwelling units, whichever is greater;
- c) For mixed-use development or redevelopment, conveyance or dedication requirements shall only apply to the residential portion of the development proposal in the amount equal to 1 hectare per 300 dwelling units. However, in no instance shall the contribution be less than 2% of the land area or the equivalent Payment-in-Lieu value;

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- d) For conversion of non-residential buildings to residential uses, dedication shall be in accordance with Subsection (b) with appropriate credit to be made for any previous dedication; and,
- e) For residential plans of subdivision, the standard of 1 hectare per 300 dwelling units may be applied to non-residential, non-commercial and non-industrial blocks within the plan of subdivision, provided such blocks are excluded from the calculation for the 5% of the land proposed for subdivision.

Council may waive the land conveyance requirement in favour of Payment-in-Lieu of parkland dedication or require a combination of cash and land where:

- a) The use of alternative parkland dedication policy consumes more than 10% of the site area thereby rendering the site undevelopable; or,
- b) The amount of land for parkland dedication does not result in a sufficient area for park development; or,
- c) The dedication of land is not deemed necessary.

In all cases of Payment-in-Lieu, the value of the land shall be determined in accordance with the provisions of the Planning Act.

In order to encourage the development/redevelopment of 'Affordable Housing' initiatives, or portions of housing initiatives, which can be certified as 'Affordable Housing', the Municipality may waive the requirement for either parkland dedication and/or Payment-in-Lieu of parkland.

Valleylands, lands required for drainage purposes or stormwater management, lands susceptible to flooding or otherwise unsuitable for development shall not be accepted as statutory parkland dedication.

Lands to be dedicated for park purposes shall be in a condition acceptable to the Municipality. The timing of such conveyance shall be determined by the Municipality.

Where a development or redevelopment proposal includes non-developable land, Council may request that such land be dedicated to the Municipality. However, these lands shall not be included as part of the parkland dedication.

7.14 SITE PLAN CONTROL

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

The Municipality can also require that an individual/ developer enter into an agreement to ensure that work is carried out in accordance with the site plan.

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- a) All lands within the limits of the Official Plan of the Walkerton community as delineated on Schedule 'A' Land Use Plan shall be designated as a Site Plan Control Area. Residential buildings containing up to two dwelling units, shall be exempt from this requirement except for lands designated or formerly designated, Environmental Protection or shown as Flood Fringe Constraint Area.
- b) The Municipality may require the signing of a Site Plan Agreement as a condition of development. Such agreements shall be required prior to the issuance of a building permit.
- c) Upon the execution of a Site Plan Agreement, the agreement may be registered on title of the lands and be binding on all future landowners.
- d) No person shall undertake any development in the area designated under subsection (a) unless Council has approved one or both, as Council may determine, of the following:
 - i) Plans showing the location of all buildings and structures to be erected and showing the location of all facilities and works to be provided in conjunction therewith and of all facilities and works required under subsection (f)(1), including facilities designed to have regard for accessibility for persons with disabilities.
 - ii) Drawings showing plan, elevation and cross-section views for each building to be erected, which drawings are sufficient to display,
 - 1) the massing and conceptual design of the proposed building;
 - 2) the relationship of the proposed building to adjacent buildings, streets, and exterior areas to which members of the public have access;
 - 3) the provision of interior walkways, stairs, elevators and escalators to which members of the public have access from streets, open spaces and interior walkways in adjacent buildings;
 - 4) matters relating to exterior design, including without limitation the character, scale, appearance and design features of buildings, and their sustainable design, but only to the extent that it is a matter of exterior design, provided a by-law that contains provisions relating to such exterior design matters is in effect in the municipality;
 - 5) the 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, provided a by-law contains provisions relating to such sustainable design elements is in effect in the municipality; and

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- 6) facilities designed to have regard for accessibility for persons with disabilities.
- e) The following matters relating to buildings described in subsection (d) (2) are not subject to site plan control:
 - i) Interior design.
 - ii) The layout of interior areas, excluding interior walkways, stairs, elevators and escalators.
 - iii) The manner of construction and standards for construction.
- f) As a condition to the approval of the plans and drawings referred to in subsection (d) (2), the Municipality may require the owner of the land to:
 - i) Provide to the satisfaction of and at no expense to the municipality any or all of the following:
 - 1) Subject to the provisions of [Section 6.5](#), widenings of highways that abut on the land.
 - 2) Subject to the Public Transportation and Highway Improvement Act, facilities to provide access to and from the land such as access ramps and curbing and traffic direction signs.
 - 3) Off-street vehicular loading and parking facilities, either covered or uncovered, access driveways, including driveways for emergency vehicles, and the surfacing of such areas and driveways.
 - 4) Walkways and walkway ramps, including the surfacing thereof, and all other means of pedestrian access.
 - 5) Facilities designed to have regard for accessibility for persons with disabilities.
 - 6) Facilities for the lighting, including floodlighting, of the land or of any buildings or structures thereon.
 - 7) Walls, fences, hedges, trees, shrubs or other groundcover or facilities for the landscaping of the lands or the protection of adjoining lands.
 - 8) Vaults, central storage and collection areas and other facilities and enclosures for the storage of garbage and other waste material.
 - 9) Easements conveyed to the municipality for the construction, maintenance or improvement of watercourses, ditches, land drainage works, sanitary sewage facilities and other public utilities of the municipality or local board thereof on the land.
 - 10) Grading or alteration in elevation or contour of the land and provision for the disposal of storm, surface and waste water from the land and from any buildings or structures thereon;
 - ii) Maintain to the satisfaction of the municipality and at the sole risk and expense of the owner any or all of the facilities or works mentioned in paragraphs ii), iii), iv), v), vi), vii), viii), ix) and x) of clause f (1), including the removal of snow from access ramps and driveways, parking and loading areas and walkways;

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- iii) Enter into one or more agreements with the municipality dealing with and ensuring the provision of any or all of the facilities, works or matters mentioned in clause f(1) and the maintenance thereof as mentioned in clause f(2) or with the provision and approval of the plans and drawings referred to in clause 2 of subsection d);
- iv) Enter into one or more agreements with the municipality ensuring that development proceeds in accordance with the plans and drawings approved under subsection d (2);
- g) Plans and drawings in respect of any development proposed to be undertaken in the area shall not be approved until the County of Bruce has been advised of the proposed development and afforded a reasonable opportunity to require the owner of the land to:
 - i) Provide to the satisfaction of and at no expense to the County of Bruce any or all of the following:
 - 1) Subject to [Section 6.5](#), widenings of highways that are under the jurisdiction of the County of Bruce and that abut on the land,
 - 2) Subject to the Public Transportation and Highway Improvement Act, where the land abuts a highway under the jurisdiction of the County of Bruce, facilities to provide access to and from the land such as access ramps and curbing and traffic direction signs,
 - 3) Where the land abuts a highway under the jurisdiction of the County of Bruce, off street vehicular loading and parking facilities, either covered or uncovered, access driveways, including driveways for emergency vehicles, and the surfacing of such areas and driveways,
 - 4) Where the land abuts a highway under the jurisdiction of the County of Bruce, grading or alteration in elevation or contour of the land in relation to the elevation of the highway and provision for the disposal of storm and surface water from the land,
 - 5) Where the land abuts a highway under the jurisdiction of the County of Bruce, facilities designed to have regard for accessibility for persons with disabilities;
 - ii) Enter into one or more agreements with the County of Bruce dealing with and ensuring the provision of any or all of the facilities, works or matters mentioned in clause 1) and the maintenance thereof at the sole risk and expense of the owner, including the removal of snow from access ramps and driveways and parking and loading areas;
- h) Any agreement entered into under subsection (f)(3) or under subsection (g)(2) may be registered against the land to which it applies and the municipality is entitled to enforce the provisions thereof against the owner and, subject to the provisions of the Registry Act and the Land Titles Act, any and all subsequent owners of the land.

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7.15 PLANS OF SUBDIVISION AND CONDOMINIUM

The County of Bruce has the authority for creating lots by Plan of Subdivision. Prior to approval of a Plan of Subdivision, a developer must satisfy all conditions placed upon the development by the Municipality or by the various government agencies and ministries. This process usually involves the developer entering into a Subdivision Agreement with the Municipality.

Subdivision Agreements provide the Municipality with a legal mechanism to ensure the design and servicing of the subdivision meet municipal standards, as well as allow for some type of performance bond should any costs be incurred by the Municipality in the development of the subdivision.

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

- a) The Municipality shall not support Plans of Subdivision that do not conform to the policies of the Official Plan and/or the provisions of the Comprehensive Zoning By-law.
- b) Prior to permitting the development of a Plan of Subdivision, the Municipality shall be satisfied that the development can be supplied with municipal services such as schools, fire protection, water supply, storm drainage, sewage disposal facilities and roads. Such development should not adversely affect the finances of the Municipality.
- c) The Municipality shall enter into a Subdivision Agreement as a condition of the approval of Plans of Subdivision. Such agreements shall ensure that the developer provides the necessary internal or external services to the development to the specifications established by the Municipality.
- d) Where new development is proposed on a site, part of which has physical or environmental hazards, then such land will not necessarily be acceptable as part of the dedication for open space purposes required under the Planning Act. All lands dedicated to the Municipality shall be conveyed in a physical condition satisfactory to the Municipality. Where an open watercourse is dedicated to the Municipality, adequate space shall be provided for maintenance operations. If necessary, the Municipality may request a maintenance easement, at no cost to the corporation, in its favour.
- e) In order to encourage the development of 'Affordable Housing', the Municipality shall require developers to indicate in their applications potential opportunities to provide 'Affordable Housing'.
- f) Prior to the submission of an application for a Draft Plan of Subdivision, Draft Plan of Condominium or application for Exemption for a Plan of Condominium, the developer shall confer/consult with the Municipality on opportunities to provide 'Affordable Housing' within the proposed development.
- g) As part of the submission the Municipality requires the owner to demonstrate how the proposed design and the site and buildings:
 - i) Implements good urban design guidelines;

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- ii) Contributes to compact, urban and pedestrian-oriented form and function that enhances pedestrian accessibility;
- iii) Safely addresses vehicular traffic impacts;
- iv) Implements sustainable development objectives including protection of the natural heritage system, energy efficiency, minimizing light pollution and water consumption, stormwater management controls, tree planting and other enhancements to the natural environment;
- v) Enhances and complements the Municipality's "Bright Star Community" status by using dark sky/bright star-compliant exterior light fixtures and layouts to reduce light pollution;
- vi) Protects, enhances or restores the Municipality's built heritage;
- vii) Integrates with surrounding ultimate land uses and addresses impacts due to noise, traffic, overshadowing, and wind effects;
- viii) Provides landscaped areas and urban amenities consistent with the context of the planned land uses and the Municipality's landscaping design and amenity requirements;
- ix) Makes appropriate provision for sequential staging of services including the construction of infrastructure to service the site; and,
- x) Implements any other relevant policies of this Plan.

7.16 CONSENT TO SEVER LAND

The County of Bruce has the authority for creating lots by consent and granting rights-of-way and easements. However, the Municipality has a large degree of control over the creation of lots by consent and can request that conditions be placed on the approval of such lots, similar to the conditions it may ask for with a Plan of Subdivision.

- a) The Municipality shall support applications to create lots by consent when:
 - i) The scale of development proposed or the total development potential of the property would not require a plan of subdivision;
 - ii) The application represents infill in an existing built up and serviced area, and the proposed lots are in keeping with the lot area, frontage and density pattern of the surrounding neighbourhood;
 - iii) The creation of lots would not create or worsen traffic, access or servicing problems;
 - iv) The application represents an orderly and efficient use of land, and its approval would not hinder the development of the retained land; and,
 - v) The severed and retained lots shall front on an existing road allowance which is opened and maintained on a year-round basis and is constructed to a standard of construction adequate to provide for the additional traffic generated by the proposed development. Consents shall not be granted where access to either the retained or severed parcel is proposed to be via a municipal laneway.
- b) The Municipality shall not support Consent applications that do not conform with the policies of the Official Plan and/or the provisions of the Comprehensive Zoning By-law.

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- c) Prior to permitting the creation of lots by Consent, the Municipality shall be satisfied that the development can be supplied with municipal services such as schools, fire protection, water supply, storm drainage, sewage disposal facilities and road access. Such development should not adversely affect the finances of the Municipality.
- d) The Municipality may enter into a Subdivision Agreement as a condition of the approval of Consent applications. Such agreements shall ensure that the necessary internal or external services be provided by the developer to the specifications established by the Municipality.
- e) The Municipality shall support residential intensification where full municipal water and sewer services are available and provided the proposed scale of development is appropriate to the size and characteristics of the lot on which it is to be constructed.

7.17 PROPERTY MAINTENANCE AND OCCUPANCY

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

- a) It is the policy of the Municipality to maintain a Property Maintenance and Occupancy By-law, affecting all lands within the Municipal boundaries, regulating such matters as:
 - i) Garbage disposal, pest prevention, structural maintenance of buildings, and cleanliness of buildings;
 - ii) Excavation and stabilization of soils;
 - iii) The safety and maintenance of buildings;
 - iv) Services of buildings (plumbing, heating, electricity); and,
 - v) Maintenance of yards, removal of weeds, debris, rubbish, unlicensed or wrecked motor vehicles, trailers, and other structures not permanently fixed to the ground.
- b) The Municipality shall appoint a Property Standards Officer who shall be responsible for administering and enforcing the Property Maintenance and Occupancy By-law.
- c) The Municipality shall appoint a Property Standards Committee for the purpose of hearing appeals against an order by the Property Standards Officer.
- d) In addition to the enforcement of minimum standards on private properties, the Municipality shall undertake to keep all municipally owned properties and structures in a fit and well maintained condition, and to maintain in good repair municipal services such as roads, sidewalks, water and sewage facilities, etc.

7.18 SIGN BY-LAW

The Municipality has the authority to regulate, through a by-law and permit system,

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the placement of signs, notices, placards, or other advertising devices on private and public lands. Under such a By-law, the Community may require the removal of signs not in compliance with the By-law, levy fines against contravention to the sign by-law, and require licensing of those persons supplying mobile signs.

7.19 PUBLIC CONSULTATION

Brockton Council actively encourages public participation on land use planning matters within Walkerton. The following represent the goals of the Municipality in terms of public participation:

- a) To adhere to the public notification requirements prescribed in the Planning Act, as amended, including holding public open houses where required.
- b) Council may extend the area of notification and timing of notification to residents and property owners of public meetings held by Council, in accordance with the maximum time limit requirements of the Planning Act and its regulations, without amendment to this plan.
- c) To encourage the organization of an open house or similar event over and above those minimums required under the Planning Act by applicants/developers for those applications or development proposals which may impact multiple residents and property owners.
- d) To ensure that the public is adequately consulted in the context of all land use decisions including official plan amendments, zone change applications, minor variances, plans of subdivision, and consents.
- e) To encourage public participation in planning matters and provide appropriate access to applicable planning information.
- f) To consider, and implement where appropriate, innovative methods of public facilitation and participation, involving both methods of communication of planning information, and methods of information gathering from the public
- g) To encourage applicants to consult with the Municipality before submitting applications under the Planning Act.
- h) Council may forego public notification and public meetings in connection with Official Plan, community improvement plan, and zoning by-law amendments if such amendments relate to matters that will not affect the policies and intent of the Official Plan or community improvement plan, or the provisions of the zoning bylaw in any material way, and may include the following matters:

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- i) Altering punctuation or language to obtain a uniform mode of expression;
 - ii) Correcting clerical, grammatical, dimensioning or typographical errors;
 - iii) Altering the number and arrangement of any provision;
 - iv) Inserting historical footnotes or similar annotations to indicate the origin and approval of each provision;
 - v) Changing the format of a document;
 - vi) Consolidating amendments;
 - vii) Transferring official plan, community improvement plan and zoning by-law information to new base maps; and
 - viii) Dealing with such matters as outlined in [Section 2.3](#) Interpretation.
- i) To consult with the public prior to finalizing the adoption or update of the following initiatives:
- i) A Sign By-law;
 - ii) A Community Improvement Plan;
 - iii) A Property Standards By-law;
 - iv) A Payment-in-Lieu for Parking Study;
 - v) A Development Charges By-law; and,
 - vi) Any other initiative that may affect the Community.

7.20 FINANCE

This Plan makes reference to a number of community initiatives under the responsibility of the Municipality. However, the Municipality should provide and improve services in a fiscally responsible manner.

It must be understood that the Official Plan has a life expectancy of 15 to 20 years and that all of the projects and priorities referred to in the Plan cannot be initiated or implemented as soon as the Plan is adopted.

It is the intention of the Municipality, therefore, to only carry out those expenditures and public works that are affordable, given the Municipality's financial abilities.

- a) The Municipality shall not grant approval to any development unless it is in a financial position to provide the services required by such development.
- b) The Municipality shall promote the establishment of a diverse and stable economic base both in terms of job opportunities and tax revenue.
- c) The Municipality may undertake a Development Charges Study to determine the cost of providing services to new developments, and may implement a Development Charges By-law enabling the recovery of the costs of servicing new development.
- d) The Municipality shall use the following guidelines in making financial decisions:
 - i) Capital expenditures shall be guided by a Five Year Capital Forecast, reviewed annually;
 - ii) Outstanding debenture debt shall be limited to a percentage of

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- taxable assessment and assessment eligible for grants-in-lieu of taxes - this percentage figure shall be reviewed annually in light of changing circumstances and responsibilities; and,
- iii) Capital expenditures from current funds may be limited to a predetermined mill rate for each year
 - e) The Municipality may establish and maintain a Historic Walkerton Community Re-investment Fund and make annual contributions to pay for capital improvements and public service upgrades within the area. Funds may be expended without the guidance of a Community Improvement Plan.

7.21 STATUS/SPOT ZONING

At the sole discretion of the Municipality 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 zoned to recognize its existing status regardless of the Official Plan designation of the land. Such uses may be zoned to reflect their present use and standards provided:

- a) The use to be zoned was established legally;
- b) The use to be zoned is not located in an Environmental Protection designation or similar zone, or in a floodway;
- c) The use to be zoned will not be unduly impacted by neighboring incompatible uses;
- d) The zone will not permit any significant change of use or zone provisions that will aggravate any situation detrimental to adjacent conforming uses;
- e) The use 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;
- f) The use to be zoned does not constitute a danger to surrounding uses and persons by virtue of their hazardous nature or the generation of significant traffic;
- g) The use to be zoned does not pollute air and/or water to the extent of interfering with the ordinary enjoyment of neighboring properties; and
- h) The use to be zoned does not interfere with the desirable development or enjoyment of the adjacent area.

APPENDIX 'A'
THE CONSERVATION & MAINTENANCE OF STOREFRONTS
(NOTE #8 Archaeological Conservation Notes)

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APPENDIX 'B'
Minimum Environmental Impact Study Requirements

An **Environmental Impact Study** (EIS) shall include, as a minimum, the following:

Section A: Description of Existing Natural Environment**1) Site Description and Landscape Context**

A general description of the existing natural environment. This includes the specific biological and terrain characteristics and ecological and physical functions and processes occurring on and through the site.

Environmental impacts also include off-site effects. A similar, but more general description of the landscape context of the site or planning area is required.

2) Summary of Development Proposal

A concise summary of the development proposal or application.

Section B: Anticipated Environmental Effects**1) Characteristics of the Features and Functions Affected by the Proposal**

Central to an EIS is the assessment of whether a development proposal negatively impacts the features or the ecological functions of an area. The broad scope of the assessment is balanced by the requirement that the EIS deal with the impacts that might reasonably be expected to occur.

Because of this, an initial focus is necessary to outline the key features or ecological functions of the specific natural heritage feature and area identified at the site. These key functions and features constitute the functions and features of concern to the EIS.

The EIS should also assess the environmental impacts of development in relation to the system, in this case of natural heritage features and areas.

2) Sensitivity Assessment (Degrees and Extent of Impacts on Feature and Function)

The sensitivity of the features and functions to the development proposal should be assessed as a method of focusing on the extent and degree of environmental effects that might reasonably be expected to occur.

3) Predicted Effects (Direct and Indirect)

The specific environmental effects that are expected to occur on the key features and functions of areas are to be documented in the EIS. These include both direct and indirect impacts.

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Section C: Proposed Mitigation

1) Mitigation Methods Proposed

The identification of alternative methods and measures that would mitigate any predicted environmental impacts must be identified.

Where mitigation through avoidance is not possible, alternative methods must include measures to minimize impacts, conditional on subsequent monitoring of effects to ensure successful implementation. Restoration, remediation, improvement and enhancement are also encouraged.

If mitigation methods or measures cannot be designed to ensure the proposal does not negatively impact the features, or the ecological functions for which the area is identified, the no-development option should be considered.

2) Mitigation Methods Selected

The development alternative that is selected should be the alternative that does not negatively impact the features or the functions of the particular areas, or which appropriately mitigates the potential environmental effects.

Section D: Monitoring Plan

The purpose of the monitoring plan is to measure effects over time. In some situations, this will require subsequent changes to site conditions if the environmental effects are found to exceed predicted effects or targets, or if there are identifiable negative effects.

Where mitigation is achieved through avoidance of negative impacts, a simplified monitoring plan to ascertain the success of the project is all that is required.

Where mitigation is achieved by methods or measures to minimize but not eliminate environmental effects, the predicted net effects after mitigation shall be described, and a monitoring plan designed to measure those effects shall be implemented.

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APPENDIX 'C'
Ontario Heritage Act

The Ontario Heritage Act allows the Municipality to:

- a) Pass by-laws to designate individual properties as being of historic, architectural or archaeological significance to the community. The by-law shall include a description of the property and a statement of the reasons for designation.
- b) Pass by-laws to designate Heritage Conservation Districts in order to protect the heritage resources of an area. Prior to designating a Heritage Conservation District pursuant to the Ontario Heritage Act, Council may:
 - i) Pass a by-law to define an area to be studied for possible future designation;
 - ii) Consider passing a by-law to impose interim control of alteration, demolition or removal of cultural heritage resources in the area defined as under study for possible future designation pursuant to the Ontario Heritage Act;
 - iii) Prepare and adopt a Heritage Conservation District Plan; and,
 - iv) Establish a Heritage District Committee to advise Council on matters pertaining to the designated district.
The by-law shall be based on a study identifying the heritage resources of the area.

Within a heritage conservation district, development proposals must give consideration to protecting the character of the area.

- c) A Brockton Heritage Committee shall be established pursuant to Section 28 of the Ontario Heritage Act to advise and assist Council on matters related to Parts IV and V of the Act. In addition, Council may wish to expand the role of the heritage advisory committee to advise and assist Council on other matters of cultural heritage conservation, including the identification, promotion and protection of heritage resources.
- d) Pursuant to the Ontario Heritage Act, and as part of an overall strategy to conserve built heritage resources, Council may refuse to permit the demolition of heritage buildings or structures that have been designated under the Ontario Heritage Act