



TOWNSHIP OF
ASHFIELD – COLBORNE – WAWANOSH

Ashfield - Colborne - Wawanosh OFFICIAL PLAN

Official Plan Amendment No. 12
Five Year Review

Last Revised: July 26, 2021

Please note:

- Proposed additions are noted in ***Bold Italic*** text
- Proposed deletions are noted in ~~strikeout~~ text

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1. THE PLAN AND ITS PURPOSE

1.1. THE OFFICIAL PLAN

This document is the Official Plan for the Township of Ashfield-Colborne-Wawanosh. The following text and the maps, noted as Schedules “A” to “Q” shall constitute the Official Plan for the Township of Ashfield-Colborne-Wawanosh.

The Plan applies to all lands within the corporate boundaries of the Township of Ashfield-Colborne-Wawanosh.

1.2. RELATIONSHIP WITH COUNTY PLAN

This Plan, under the direction of the Huron County Official Plan, adopts certain basic principles. Sections 1.2 and 8 of the Huron County Official Plan state that, the County Official Plan provides guidelines to local municipalities for the development of local official plans, and, “the County will be the approval authority for all local Official Plans.”

The land use categories and definitions used in the County Plan are general. While the basic distinction between rural and urban land uses of the County Plan is maintained, this Plan develops more specific land use categories. An Official Plan created by a municipality must conform to the County Official Plan and shall be consistent with the Provincial Policy Statement (PPS), as prescribed in the Planning Act. This Official Plan of the Township of Ashfield-Colborne-Wawanosh conforms with the County of Huron Official Plan and ~~conforms with~~ the Provincial Policy Statement.

1.3. PURPOSE OF THIS PLAN

The purpose of this Plan is to renew planning for the Township of Ashfield-Colborne-Wawanosh as a whole. This plan was adopted in 2003 and updated in 2013 **and subsequently in 2021**.

The Township of Ashfield-Colborne-Wawanosh was formed on January 1, 2001, from the amalgamation of the Townships of Ashfield, Colborne and West Wawanosh. The three former municipalities had individual Secondary Plans under the County Official Plan of 1973. This document will replace those Plans with one Official Plan under the new County Official Plan of 1999. The Official Plan passed in 2003 has been updated. The **most recent 2021** update implements the policy changes reflected in the Provincial Policy Statement of 2005~~20~~ and the updated County Official Plan of 2012~~21~~.

The following factors support the need for an updated land use plan:

- the formation of the new municipality;
- to anticipate and reflect change;
- to ensure conformity with Provincial Policies and the Huron County Official Plan;
- the County Official Plan requires the development of new local plans using community-based processes;
- to address new pressures and issues; and
- to build a consensus on the desired future for the Township.

This Plan was created in 2003 with extensive public engagement, through Township residents articulating and confirming a vision. A total of 334 residents and stakeholders contributed to the creation of the 2003 Official Plan. Participants of public workshops and meetings provided the vision, goals and policy directions for the Township. In 2011 **and 2021**, the Township undertook a review of the Official Plan in order to ensure conformity with the Provincial Policy Statement and Huron County Official Plan and to ensure that the plan remains relevant to changing local conditions.

The purpose of this Plan is to identify the resources, capabilities and constraints of the land and the community to enhance the stewardship of the Township’s environment, **and respond to the impacts of a changing climate**. Any future development in Ashfield-Colborne-Wawanosh will further the vision and goals of this Plan. This Plan provides the legislative basis to implement the community’s vision and goals.

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

Specifically, the purposes of this Plan are:

- To create a planning environment that addresses the needs and aspirations of the community;
- To build a vision for the future of the Township which is agreed upon generally by the community and which the community has an active role in implementing;
- To create a forum for community-based dialogue in the design, implementation and review of the Plan;
- To develop a land use planning program that maximizes compatibility and minimizes conflict between different land uses;
- To ensure that future development and decisions in the Township are in keeping with the vision, goals and policies of this Plan;
- To promote a healthy, prosperous, vital community that encourages development and growth;
- To better promote local enterprise such as local food production to improve the resilience of the community to meet its economic needs locally;
- To improve the capacity of our community to mitigate emissions that contribute to climate change and adapt to the effects of climate change;
- To promote healthy population growth throughout the Township to support continued community services for all citizens; and
- To provide for capital works programs and implementation of Provincial legislation.

1.4 LAND ACKNOWLEDGMENT

The Township of Ashfield-Colborne-Wawanosh acknowledges that the land upon which it is located is the traditional territory of the Anishinaabe, Haudenosaunee and Neutral peoples. There is recognition of First Peoples' continued stewardship of the land and water, and that this territory was subject to the Dish with One Spoon wampum, under which multiple nations agreed to care for the land and resources by the Great Lakes in peace.

The Township would also like to acknowledge and recognize the Upper Canada Treaties signed in regards to this land, which include Treaty #29 and Treaty #45 1/2, and our roles as treaty people, committed to moving forward in the spirit of reconciliation, gratitude, and respect with all First Nation, Métis and Inuit people.

2. BASIC PRINCIPLES

Ashfield-Colborne-Wawanosh is an expansive rural, agricultural community dotted with small villages and hamlets and an extensive lakefront community. The Township has nationally significant agricultural land, an attractive shoreline along Lake Huron, and a network of important natural systems and resources.

This Plan builds on the basic principles of the Huron County Official Plan. The vision, goals and policies of this Township Plan, in conjunction with the land use pattern (Schedule B), balance land uses including development and conservation.

The goals, directions, policies and actions contained in this Official Plan constitute the Land Use Plan for the Township of Ashfield-Colborne-Wawanosh. Land use planning is a key tool to secure the desired future of the community. This Plan is implemented primarily by the numerous individual decisions and actions of government at all levels, by community and industry organizations, and by the private sector.

2.1. VISION

Through the public process, the residents of Ashfield-Colborne-Wawanosh developed a vision for the Township which is adopted by this Plan. The vision is designed to build on the history and strengths of the community, with heightened consideration of the environment.

The vision of Ashfield-Colborne-Wawanosh is to become an environmental leader in agriculture, community, conservation, development and recreation/tourism.

The predominant message that emerged from residents, regardless of their community of interest, is to protect and enhance the natural environment. Residents provided a strong directive for the Township to build on existing environmental standards and regulations to become leaders in the protection and enhancement of the environment.

In the review of the Official Plan that was conducted in 2011, residents identified a desire to slow and reverse population decline; to support the ability of all farmers, including small scale farmers, to make a livelihood; to revitalize villages and hamlets; and to reduce the impacts of development on water quality and natural heritage.

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

In this vision, all sectors of the community have an equal responsibility for environmental protection and enhancement, **to mitigate greenhouse gas emissions and increase resiliency to climate change** through their actions and decisions. Managing future development in the community requires residents working together to share information, to raise awareness and to seek solutions.

2.2. GOALS

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

1. Agriculture

The goals developed for agriculture are:

- To ensure the viability of all farm types, sizes and intensities of agriculture through flexibility and protection of the agricultural land base;
- To support agricultural practices that protect resources and maintain strong environmental standards;
- To limit non-farm development in the agriculture designation in support of a strong agricultural sector; and
- To give priority to agriculture uses over other uses in the prime agricultural area.

The land base of Ashfield-Colborne-Wawanosh supports a thriving agricultural sector, with over 90% of the Township classified as prime land (Class 1, 2, and 3) in the Canada Land Inventory of agricultural capability.

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

- protecting water quality,
- improving the health of the environment including **reducing greenhouse gas emissions, sequestering carbon and supporting actions that mitigate the impacts of extreme weather events; and**
- reducing negative effects on neighbouring land uses.

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

2. Community Facilities and Infrastructure

The goals developed for community facilities and infrastructure are:

- To ensure appropriate and adequate services and facilities are provided;
- To direct new community facilities to settlement areas; ~~and~~
- Promote recreational opportunities for all age groups and abilities through a range of built and natural settings; **and**
- **Consider building to a higher efficiency standard when new facilities and infrastructure are required.**

This Plan recognizes the importance of community services to the quality of life for Township residents. Community facilities are used for social, administrative and recreational purposes, such as churches, schools and sports facilities. These uses should be located in settlement areas.

Infrastructure uses are deemed to be public, and are required throughout the Township. These uses include roads, electricity and transmission lines and have limited discretion as to location.

3. Community Economic Development

The goals developed for ~~the economy~~ **community development** are:

- To promote sustainable development within the Township;
- **To apply a rural lens to community engagement, service provision, decision making and other aspects of change within the community to recognize and address the uniqueness of rural life;**
- ~~• To protect and enhance all economic sectors;~~
- To encourage new and innovative pursuits and partnerships;
- To provide appropriate services which improve the health, well being and enjoyment of **all** residents in the community **through an inclusive approach;**
- **To promote stewardship, energy conservation and climate change mitigation and adaptation in the functioning of the Corporation and within communities, and**
- To promote economic development and ensure competitiveness by:
 - Ensuring an appropriate mix and range of employment opportunities including small scale manufacturing, commercial, and institutional;
 - To promote desirable careers to attract and retain young people;
 - Protecting and preserving employment areas for current and future uses; and
 - Promoting home occupations and home industries as business incubators.

~~Like Huron County as a whole, Ashfield-Colborne-Wawanosh's economic foundation lies in agriculture, tourism, manufacturing and creative industries. This Plan supports the future of these economic activities with the aim of sustainable development.~~

4. Extractive Resources

The goals developed for extractive resources are:

- To identify and protect sand, gravel, petroleum and mineral deposits of significant quantity and quality for future use;
- To allow extractive resources to develop in a manner that minimizes conflict with adjacent uses;
- To avoid extracting from areas of natural environment whenever possible;
- To allow for oil and gas exploration and extraction; and
- To prohibit commercial scale water taking for human consumption as a land use activity.

Sand, gravel, petroleum, mineral deposits and water are important and valuable resources in the Township. The intent is to allow for the development of these resources within the context of the vision and other goals and policies within this Plan.

Mineral Aggregates

Mineral aggregates are an important resource in Ashfield-Colborne-Wawanosh. This resource is non-renewable; therefore it is a priority to ensure its protection.

The extraction of sand and gravel can have social and environmental impacts. Hence, such operations should be developed in such a way so as to minimize these impacts and be progressively rehabilitated.

A basic principle of this plan is to ensure that sand and gravel deposits are protected for future use. They should be developed in an appropriate manner which limits their impact on surrounding areas. Areas of extraction shall be progressively rehabilitated and returned to their former use, either agriculture or natural environment.

5. Natural Environment

The goals developed for natural environment are:

- To protect locally, regionally and provincially significant natural areas from development, which would have a negative impact on natural environment features and functions **and their ability to mitigate and adapt to the extreme weather events caused by climate change;**
- To improve the quality of water in groundwater, streams, rivers and Lake Huron;
- To ensure a healthy environment and improved quality of life through the protection and enhancement of natural heritage features, areas and systems; and
- To encourage compatible development in keeping with environmental, social and economic goals.

The lakeshore, forests, wetlands, groundwater, rivers and valleys make up the Township's natural environment system.

The intent of this Official Plan is to preserve and protect existing natural environment areas and to promote the restoration of the natural environment wherever possible. ~~This plan supports the development of a Huron County Natural Heritage Plan, to identify priorities for conservation and enhancement of the natural environment.~~ **This plan recognizes the contribution of natural areas in mitigating impacts of climate change.**

6. Lakeshore and Recreation

The goals developed for lakeshore and recreational areas are:

- To protect the natural features and functions of the lakeshore from incompatible development;
- To direct development to designated areas;
- To ensure clean drinking water and lake water for residents through the appropriate management of services and land use;
- To ensure appropriate and adequate services are provided along the lakeshore; and
- To direct development away from natural hazards such as the lake bank, dynamic beach and gullies **in recognition that these areas are more prone to the negative impacts of climate change.**

The scenic shore of Lake Huron attracts recreation, tourism and residential development. Significant development pressure exists along the lakeshore and rivers. Some areas of the lakefront have experienced intensive development in the past, while other areas contain undeveloped shoreline. The lake bank is considered a sensitive area and shall not be developed.

Future development will be directed to designated areas to avoid disruption to the environment and to protect the agricultural land base. Development will occur only where adequate measures are taken to protect the environment.

7. Settlement Areas

The goals developed for settlement areas are:

- To protect and enhance the character and aesthetic qualities of the settlement areas;
- To provide sufficient land for growth within settlement areas;
- To direct development to designated areas;
- To prevent the intrusion of non-farm development in agriculture areas;
- ***To encourage the development of compact neighbourhoods which help reduce greenhouse gas emissions and share climate changing mitigation and adaptation infrastructure;***
- To ensure appropriate and adequate services are provided within settlement areas; and
- To build on the strengths and unique character of each village and hamlet to promote sustainable development for vibrant, safe and healthy places to live.

The Township is well served by a variety of villages and hamlets. These settlements vary in scale and character, but all urban areas within Ashfield-Colborne-Wawanosh have a primarily rural quality and provide a range of community services.

Continuous pressure exists for rural non-farm residential development within the Township. The goals and policies of this Plan aim to protect agriculture and areas of natural environment by directing development to settlement areas. Sufficient land is available within the designated settlement boundaries for development.

3. AGRICULTURE

3.1. INTRODUCTION

A fundamental principle of this Plan is to promote and protect the long-term future of agriculture. Ashfield-Colborne-Wawanosh is considered a prime agricultural area, containing highly productive soils for agriculture. The community has developed a high degree of skill, innovation and leadership in farming and the basic indicators of successful agriculture are strong. The policies of this Plan aim to protect the land base and to promote a cultural and natural environment conducive to an integrated agricultural community and economy. To achieve these goals, most of the Township has been designated “Agriculture.”

Within the Agriculture designation, there is prime agricultural land and non-prime agricultural land. Prime agricultural land means land with class 1-3 soils and non-prime agricultural land is class 4-6 soils as designated by the Canada Land Inventory. Both prime and non-prime agricultural land comprises the prime agricultural area of the Township.

3.2. DEFINITION

In the agriculture designation the predominant use of land will be:

- farming of all types;
- industrial and commercial activities which are primarily related to agriculture, **including on-farm diversified uses**;
- residential uses directly related to agriculture;
- natural features that enhance the area for agricultural **practice**, and ecosystem health; **and climate change resilience**; and
- sustainable agricultural practices that promote a healthy environment **and climate resilience**.

3.3. GOALS

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

- To ensure the viability of all farm types, sizes and intensities of agriculture through flexibility and protection of the agricultural land base;
- To support agricultural practices that protect resources and maintain strong environmental standards;
- To limit non-farm development in the agriculture designation in support of a strong agricultural sector; and
- To give priority to agriculture uses over other uses in the prime agricultural area.

These goals will be supported by the following directions:

- To ensure maximum flexibility for farm operators to engage in differing types and sizes of agricultural operations;
- To actively promote and encourage farm operators to use best management practices that protect and enhance the environment; **and features and mitigate the impact of climate change and extreme weather events**;
- To provide a policy and regulatory environment that is supportive of farming and agriculture related businesses;
- To relate development in agricultural areas to the needs of agriculture and respect the farmer’s ability to farm and to make a living in agriculture;
- To prevent prime agricultural land from being used for non-agricultural purposes;
- To encourage the retention and reestablishment of woodlots, wetlands and other natural areas recognizing their benefits for agriculture, and the natural environment **and climate change mitigation and adaptation**;
- To prohibit uses which are not primarily related to agriculture from establishing in areas designated agriculture;
- To promote food production for local consumption, and promote **increase** food security **and reduce greenhouse gas emissions**;

- To encourage agri-tourism including development of farmer's markets; and
- To encourage home occupation and home industry uses as on-farm businesses.

3.4. POLICIES

(Permitted uses in the Agriculture designation are reflected in policies 3.4.1 through 3.4.18)

1. Farm Unit

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

- land base;
- barns and other buildings that support the farm operation;
- farm dwelling; ~~and~~
- ~~temporary dwellings required for additional labour or for a retiring farmer~~
- **additional residential unit within the main dwelling or accessory building; and**
- **accommodation for additional farm labour if required.**

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

The continued diversification of the agricultural industry will be encouraged. All types, sizes and intensities of agriculture will be supported.

Farm operations of varying types and sizes will be allowed. A residence with an additional residential unit may be built in conjunction with a farm where it is accessory to a commercial scale farming operation. Commercial scale farming means that the residents of the property will be directly involved in farming with a clear intent to produce crops/livestock, with substantial interest in generating products for off farm sale. Having a "Farm Business Registration Number" would assist in demonstrating commercial scale agriculture.

Original lots are considered farm units and will be allowed a residence. Original lots in the Colborne Ward are lots shown on the original survey fabric. Original lots in the Ashfield and Wawanosh Wards are lots established by the settlement pattern shown in the 1879 Atlas of Huron County. Existing lots containing more than 38 ha of land will be allowed a residence.

~~An additional residential unit temporary dwelling, supplementary ancillary to a main dwelling may be permitted on farms engaged in commercial scale farming, either within the farm dwelling or in an accessory building. and on existing separated lots for such purposes as farm labour, a retiring farmer or an elderly person. A temporary dwelling is defined as a mobile home or similar moveable dwelling. A development agreement is required ensuring the removal of the temporary dwelling when no longer required for its intended purpose.~~

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

- ***be located within close proximity to the existing dwelling or farm building cluster;***
- ***comply with Minimum Distance Separation Formula;***
- ***utilize the same access point and laneway as the main farm dwelling***
- ***have appropriate services available. The additional residential unit is encouraged but not required to share water and wastewater services with the existing dwelling.***

Additional residential units will not be permitted to be severed onto a separate lot, and may not be considered for a surplus farmhouse severance. ~~second permanent dwelling on a farm or on a separated lot will not be permitted.~~

In addition to the main dwelling and the additional residential unit, a farm parcel is also permitted to contain accommodations for additional farm labourers if demonstrated to be required by the operation. The accommodations can take multiple forms and are not limited to mobile homes.

~~A farm dwelling may be converted or enlarged to accommodate not more than two dwelling units.~~

On parcels in the agricultural designation which are not engaged in commercial scale farming, an additional residential unit is permitted within the main dwelling. Garden suites are also permitted on a temporary basis in a moveable structure ancillary to the dwelling and subject to the policies outlined in the Settlement Area Section.

2. Farming Practices

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

3. Lot Size

Lot sizes shall support the long-term needs of agriculture and shall ensure that land parcels remain flexible for all forms of agriculture as promoted by this plan. Lands must be used for the production of food, fibre, **biomass** or livestock. A minimum lot size of 38 hectares shall apply to all new lots being created. The division of a 60 ha or larger farm into two farm parcels may be permitted subject to the land division policies.

4. Nutrient Management

Farm operators will complete nutrient management plans, and other environmental studies according to best management practices as required by relevant provincial legislation for certain types and sizes of operations.

All animal operations shall have a sufficient land base available on which to properly apply all manure generated by the operation.

Site plan control may be applied to animal operations with more than 300 nutrient units. These operations shall demonstrate that an adequate water supply is available without negatively affecting the water supply of neighbouring properties.

5. Agricultural Protection

Agricultural lands as designated on Schedule B shall be protected. Non-agricultural development, other than those uses permitted specifically by this Plan, shall locate in settlement areas. **An agricultural system approach, which strives to maintain and enhance the geographic continuity of the agricultural land base and the functional and economic connections to the agri-food sector, will be utilized.**

6. Agricultural Commercial and Industrial Uses

Commercial and industrial uses that process agricultural products or service farms **are considered agriculture related uses** and may be **are** permitted in the agriculture designation **either on farms or on separate agriculture related commercial or industrial properties** provided:

- the use relates to commercial scale agriculture and not to goods or services that are normally required by the general public;
- the use is required in proximity to farms;
- where possible, the use locates in or near settlement areas, locates in groups, and avoids prime agricultural land;
- any accessory residence remains part of the use and not on a separately titled lot;
- if located on a separately titled lot, is zoned in accordance with the Zoning By-law;
- applicable Provincial requirements are met (e.g., certificate of approval); and
- additional requirements are addressed through site plan control.

Minimum Distance Separation does not apply to Agricultural Commercial and Industrial Uses or to a barn establishing in proximity.

7. Home Occupations & Home Industries-On-Farm Diversified Uses

On-Farm Diversified Uses are on-farm business activities that are secondary to the farm and compatible with neighbouring uses-are encouraged. **On-farm diversified uses are encouraged provided they:**

~~“Bed and Breakfasts” are considered home occupations and are regulated in the zoning by-law. Home occupations and small-scale home industries are permitted in the agricultural designation provided they:~~

- ~~• are compatible with **and do not hinder neighbouring** surrounding uses;~~
- ~~• **are of a limited scale and** do not remove large amounts of farmland from production;~~
- ~~• **are operated by persons residing on the farm;**~~
- ~~• do not cause traffic or safety concerns; and~~
- ~~• comply with the zoning by-law which may regulate these uses.~~

On-Farm Diversified Uses are encouraged to locate in proximity to the farm dwelling. On-Farm Diversified Uses are not subject to the Minimum Distance Separation Formula. On-Farm diversified uses may be subject to Site Plan Control. On-Farm Diversified Uses will not be permitted to be severed from the farm unit.

8. Natural Environment

Within the agricultural area, natural features and ecosystem functions will be protected. Wise stewardship practices shall be used to protect and enhance the natural environment **and the continued utilization of the Huron Clean Water Program should be promoted.** Farm woodlots and other natural features will remain part of the farm holding. Further directions are contained in the Natural Environment policies.

9. Water Protection

Drinking water shall be protected in accordance with the Clean Water Act. Wellhead Protection Areas, Highly Vulnerable Areas and Significant Groundwater Recharge Areas are identified in this plan in Appendices 11, 12, 13 and will be protected through zoning. Land uses in these areas with a potential risk to impact water quality or quantity may be restricted, prohibited and/ or subject to further approval in accordance with provincial regulations.

In accordance with the Natural Environment policies of this plan, landowners have an important role in protecting the quality and quantity of water through good stewardship and the adoption of best management practices.

10. Minimum Distance Separation

All farm operations and buildings, and all non-farm uses and structures permitted by the agricultural policies of this Plan will comply with the Minimum Distance Separation (MDS) I and II formulae.

The MDS varies according to the type and size of livestock operation. Around settlement areas and other uses (such as recreational or institutional uses), the MDS calculations result in larger separation distance requirements.

Cemeteries are considered institutional uses and will be considered Type B land uses according to the MDS formulae. Closed cemeteries, **and those** which receive little visitation, are identified on Appendix 10 and ~~will be~~ **are** considered a Type A land use.

~~Appendix 1 to this Plan contains a map showing sample areas of increased separation distances around settlement areas and other uses. This map is for illustrative purposes only. Specific separation distances are calculated using the MDS formulae in the zoning by-law.~~

11. Surplus Dwellings

Dwellings that are surplus to the farm operator as a result of the acquisition of an additional farm property may be severed subject to the requirements of Section 3.5.9. **Additional residential units ancillary to the main dwelling on a farm do not qualify as a surplus dwelling.**

12. Lots of Record

Lots of record are separate properties that existed on the date of adoption of this Plan. These lots should be used for farming or for other uses permitted in the agricultural designation, and may contain a farm dwelling subject to Section 3.4.1. **Smaller lots of record/small holdings may not be suitable for standard farming practices.**

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

- agriculture or other permitted uses are not feasible or practical on the lot;
- the lot contains a limited amount of arable land (generally less than 4 hectares);
- the proposed dwelling complies with the MDS 1 formula, using Type A land use;(Amended by OPA #4)

- the site is suitable for residential construction;
- the soil is suitable for an approved sewage disposal system;
- a potable water supply will be available; and
- the lot abuts a fully maintained public road.

13. Extraction

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

See Section 5.4.14 for commercial scale water-taking uses.

14. Community Facilities and Infrastructure

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

Communities relying on horse-drawn vehicles as their primary means of transportation may require localized schools or churches in rural areas. These uses may be permitted by rezoning without amendment to this Plan. These uses will locate on existing lots, will not be permitted to be severed and will avoid prime agricultural land where possible. The MDS formula may be tailored to accommodate these uses on the host farm.

Infrastructure uses deemed to be public uses will be permitted in the agricultural designation. These uses are required throughout the countryside and include:

- facilities and corridors for utilities such as water, sewage, electricity, communications, and oil/gas wells and transmission;
- roads, railways and trails; and
- flooding and erosion control works.

15. Greenhouses

Agricultural production in greenhouses is increasing in Huron County. Greenhouse development is a permitted agricultural activity. Greenhouses covering more than 1 hectare per lot will require a rezoning to address compatibility with surrounding uses and to establish siting regulations. All greenhouse development will provide measures to protect the quality and quantity of surface water and groundwater. Development may also be regulated through site plan control.

16. Wineries, *Breweries* and *Cideries*

The Plan permits accessory wineries, ***breweries and cideries*** in the agricultural area as ***farm related secondary*** uses which support and are related to the agricultural production ***which occurs primarily onsite*** of fruit.

17. Removal of Agricultural Lands from Agricultural Designation

While it is the intent of this Plan to protect agricultural areas and prohibit development, applications for a change of use may arise from time to time. In the evaluation of these applications, agriculture will be given priority, subject to the following criteria:

Land may only be excluded from prime agricultural areas for:

- Expansion of a settlement area boundary through a supportive comprehensive review and subject to the policies of Section 8 of this plan;
- Creation of a new settlement area through a supportive comprehensive review and subject to the policies in Section 8 of this plan;
- Extraction of aggregate resources as an interim use, provided progressive and final rehabilitation is undertaken where feasible, subject to policies in Section 5 of this plan; and
- Limited non-residential uses, provided:
 - There is a demonstrated need for the proposed use;
 - ***The proposed use complies with the Minimum Distance Separation Formula;***
 - Reasonable alternative locations are not available which avoid prime agricultural areas; and

- Reasonable alternative locations are not available in prime agricultural areas with lower priority agricultural lands.

18. Renewable Energy

Renewable energy systems such as wind, solar and biomass facilities may be permitted in agricultural areas. The following considerations shall guide the Township when reviewing and commenting on proposals for renewable energy facilities in the agricultural area:

- **Effects on the economic, social and environmental wellbeing of the community, and the health, safety, and wellbeing of persons;**
- **Proximity of proposed facilities to Settlement Areas and other sensitive receptors;**
- **Suitability of the road network to accommodate construction and ongoing maintenance and emergency access;**
- **Loss of prime agricultural land and adverse impacts on agricultural operations and sector;**
- **Adverse impacts on natural features and functions;**
- **Adverse impacts on wildlife, including bats and migratory birds;**
- **Adverse impacts on archaeological and cultural heritage resources;**
- **Proximity and cumulative effect of existing or planned renewable energy facilities; and**
- **Buffering and appropriate separation distances from energy generation facilities and transmission systems.**

In the prime agricultural area, ground-mounted solar facilities shall be permitted as an on-farm diversified use or on small lots as an accessory use to the primary use, subject to the requirements in the Zoning By-law.

3.5. LAND DIVISION

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

1. All consents must conform with the general requirements of Section 9.1.
2. Where the parcels being conveyed and retained are for agricultural purposes, a consent may be granted, provided that both the severed and retained parcels:
 - constitute suitable agricultural operations either by themselves or in conjunction with other lands owned by the operator;
 - contain sufficient area for long term agricultural flexibility for future changes in the type or scale of operation; and
 - are a minimum of 38 hectares

The division of a 60 hectare or larger farm into two farm parcels may be permitted subject to:

- compliance with the foregoing requirements;
- a minimum lot size of approximately 38 ha and 20 ha respectively for the proposed lots;
- a minimum lot size of 38 ha for any intensive livestock operation;
- there has been no separation of a parcel less than 38 ha from the property since the date of adoption of this Plan; and
- the division of 40 ha parcels into smaller units is not permitted.

3. Where the land being conveyed or retained is for an agricultural, commercial or industrial use, a consent may be granted subject to the requirements of Section 3.4.6.
4. Where the land being conveyed is to be added to an abutting, existing non-farm use, a consent may be granted provided that a minimum amount of productive agricultural land is involved and the conveyance is for convenience or servicing purposes.
5. All consents will be subject to the minimum distance separation requirements.
6. Where intensive animal operations are involved, a Nutrient Management Plan or other municipal or provincial approvals will be required prior to severance.

7. Consents will not be allowed which have the effect of creating lots the use of which is not directly related to agriculture. Residential lots will not be allowed. This policy does not apply to a surplus farm residence, where permitted to be severed by this Plan.
8. Consents may be granted for title correction purposes and for minor lot boundary adjustments.
9. Consents may be granted for severance of dwellings that are surplus to the farm operator as a result of the acquisition of an additional farm property subject to the following criteria:
 1. The residence must be a minimum of 15 years old or has immediately replaced one of a series of habitable residences which were built a minimum of 15 years ago or replaces a house accidentally destroyed by fire or natural disaster.
 2. The residence is habitable, as determined by the Chief Building Official, ~~and is intended to be used as a primary residence.~~
 3. A new residence is prohibited (through zoning) on any remnant parcel of farmland created by a surplus residence severance.
 4. The area to be severed will be rezoned to a special agricultural zone.
 5. The area of farmland attached to the surplus house is kept to a minimum size needed for residential purposes, taking into consideration water and sewage services and environmental and topographic features.
 6. Minimum Distance Separation (MDS) formula requirements are met ~~to the surplus house~~ if barn(s) exist on the retained farmlands. MDS does not apply to existing barns on separately titled lots. (Amended by OPA8)
 7. There has been no previous separation of land for residential purposes from the farm property as it existed on June 28, 1973, other than in a settlement area.
 8. The retained lands are a minimum of 19 hectares unless merged with an abutting farm.
 9. For residences located within 300m of a Primary Deposit or 150m of a Secondary Deposit the following additional requirements apply:
 - i. A minimal amount of the mineral deposit is sterilized;
 - ii. A favourable Aggregate Impact Assessment satisfactory to the Municipality and the County is submitted; and
 - iii. The applicant provides a letter acknowledging the presence/ potential for extraction in proximity to the surplus residence and agrees to provide future purchasers with a copy of this letter (See Section 5.4.17).
 - ~~10. Barns in the immediate vicinity may be required as a condition of severance to be demolished or zoned to restrict livestock to one livestock unit per acre.~~
11. For the purposes of this section:
 1. a corporation may be an eligible farming operation provided the same corporation owns at least two farms, each containing a residence, one of which may be severed in accordance with this section; and
 2. an unincorporated group of one or more person(s) may be an eligible farming operation provided **at least half of a majority** of the owners, together or individually each own another farm containing a residence, one of which may be severed in accordance with this section; where owners normally reside in the same household, they may be considered as one individual within the group of owners.
12. Any unused well is required to be decommissioned by a licensed professional as a condition of consent.

4. COMMUNITY ECONOMIC DEVELOPMENT

The Community Development policies apply across the Township and support sustainable development, which equally considers economic, social and environmental factors, and quality of life. Quality of Life includes: accessibility of employment, health care, education, recreation, culture and heritage; the provision of hard services such as roads, water, sewage and waste disposal; healthy, safe and vibrant communities; and a healthy environment, and clean water and resilience to climate change. A healthy local economy and quality of life are interdependent.

The goals for community development are:

- *To promote sustainable development within the Township;*
- *To apply a rural lens to community engagement, service provision, decision making and other aspects of change within the community to recognize and address the uniqueness of rural life;*
- *To encourage new and innovative pursuits and partnerships;*
- *To provide appropriate services which improve the health, well being and enjoyment of all residents in the community through an inclusive approach;*
- *To celebrate the rich heritage of the Township including acknowledgement of the Indigenous traditional territory;*
- *To promote stewardship, energy conservation and climate change mitigation and adaptation in the functioning of the Corporation and within communities, and*
- *To promote economic development and ensure competitiveness by:*
 - *Ensuring an appropriate mix and range of employment opportunities including small scale manufacturing, commercial, and institutional;*
 - *To promote desirable careers to attract and retain young people;*
 - *Protecting and preserving employment areas for current and future uses; and*
 - *Promoting home occupations and home industries as business incubators.*

4.1. COMMUNITY ECONOMIC DEVELOPMENT

INTRODUCTION

Agriculture, manufacturing, tourism, creative industries and small businesses form the foundation of Ashfield-Colborne-Wawanosh's economy. Economic activity provides jobs and builds wealth, contributing to a viable community and a quality of life that is valued by local residents.

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

The community is concerned with stimulating employment for all existing and future residents in the Township. This Plan supports the continuation of existing economic activities and the creation of new businesses, including service-oriented businesses, with the aim of sustainable development.

4.2. DEFINITIONS

Community improvement identifies any deficiencies in the Township relating to hard and soft services and seeks means of improvement.

Heritage resources are cultural features which represent past human activities, events or achievements, and are designated by Council under the Ontario Heritage Act. Heritage resources are located in both urban and rural areas and include buildings and structures of historical significance, archaeological sites, and human-made landscapes.

GOALS

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

- To protect and enhance all economic sectors;
- To encourage new and innovative pursuits and partnerships;
- To promote desirable careers to attract and retain young people;
- To provide appropriate services which improve the health, wellbeing and enjoyment of residents in the community; and
- To promote economic development and ensure competitiveness by:
 - Ensuring an appropriate mix and range of employment opportunities including small scale manufacturing, commercial, and institutional uses;
 - Protecting and preserving employment areas for current and future uses;
 - Promoting home occupations and home industries as business incubators.

4.4. POLICIES

1. ~~Economic Development~~

POLICIES

The following economic development policies are adopted:

- a) *Municipal Council may appoint an Economic Development Committee to coordinate and assist with economic development activities in the municipality.*
- b) *To assist in promoting funding programs that provide assistance to private landowners for the maintenance, rehabilitation and redevelopment of their properties;*
- c) *To ensure that appropriately serviced lands are available for development, recognizing that residential development is required to accommodate workforce and promote economic activity;*
- d) *To allow for the growth of all appropriate sectors of the economy with sufficient services, including municipal infrastructure, communication and information technology access, and physical infrastructure;*
- e) *To promote, and when possible participate in, innovative partnerships that result in higher quality of life for Township residents, such as the Kingsbridge Centre;*
- f) *To bring together the resources of all community organizations and interest groups striving to improve the community environment and coordinate the efforts and activities of these groups.*
- g) *All economic development activities shall be in keeping with the land use policies of this Plan. The Township will consider innovative activities or land uses which:*
 - *promote sustainable economic development;*
 - *protect and enhance the natural environment; and are*
 - *compatible with surrounding land uses.*

2. ~~Land and Services~~

~~Through land use designations, the Township will maintain a~~ A sufficient supply of land is available in the settlement areas to allow for growth of the various economic sectors. Servicing requirements are contained in the land use policies.

4.2 CULTURAL HERITAGE RESOURCES

Ashfield-Colborne-Wawanosh has a rich and diverse history which should be preserved and promoted. Cultural heritage plays a vital role in the community and includes both tangible and intangible. Tangible value includes archaeological sites including marine archaeological sites, areas of Indigenous cultural interest, historical buildings and structures and artifacts of architectural or historical significance. Intangible heritage value includes identity of the past – human activities, events and achievements.

A few examples of cultural heritage resources in the Township include

- *designated heritage structure Ball's Bridge;*

- **the salt heritage of Salford;**
- **the Elementary Flying Training School which was established during the Second World War on what lands now referred to as the Goderich Airport;**
- **Tiger Dunlop's Tomb;**
- **Current and former churches, including the Kingsbridge Centre;**
- **Numerous former schoolhouses which have been repurposed.**

Natural, built and cultural heritage sites and archaeological sites will be identified and protected through the development review process under the Ontario Heritage Act. **A property does not have to be listed or designated to be considered as having cultural heritage value or interest.**

Ashfield-Colborne-Wawanosh may participate in any funding programs that assist residents in conserving heritage resources. The Huron County Cultural Plan provides guidance in conserving heritage resources. Development adjacent to designated heritage properties or buildings will be sensitive to and not detract from the attributes of heritage property. **Adjacent lands are those contiguous to or in the immediate vicinity of a protected heritage property.**

GOALS

The following goals are adopted to promote cultural heritage and archaeological resources:

- 1. To promote the preservation of cultural heritage resources;**
- 2. To promote a greater awareness of the history of the Township, value of historic features and heritage conservation.**
- 3. To protect areas of archaeological significance.**

POLICIES

The following policies are adopted:

- 1. The Township will protect and conserve cultural heritage resources in accordance with applicable legislation and recognized heritage protocols. Heritage resources and archeological sites will be identified, protected and preserved according to the regulations of the Ontario Heritage Act.**
- 2. Where possible the Township shall take advantage of government programs, such as the Huron County Heritage Fund, to seek to protect, preserve and enhance the heritage of the municipality.**
- 3. The Township will establish a Municipal Heritage Advisory Committee when the need arises under the terms of the Ontario Heritage Act, Section 28, to advise Council on matters relating to this Act and any other special concerns relating to heritage conservation.**
4. The community recognizes the importance of its significant built heritage resources, natural heritage and cultural heritage landscapes. Where appropriate, all new development and infrastructure will be planned in a manner which considers the context in which cultural heritage resources are situated.
- 5. Archaeological Resources**

Where development is permitted, archaeological assessments conducted by archaeologists licensed under the Ontario Heritage Act will be required in areas of archaeological potential. There may be a need for archaeological preservation in situ or rescue excavation of significant archaeological resources as a result of development proposals.

Where burial places are encountered during any excavation activity, the provisions of the Cemeteries Act and its regulations must be followed.

The appropriate **Indigenous** First Nation or Métis groups shall be **consulted** provided notification in regard to the identification of burial sites and significant archaeological resources relating to the activities

of their ancestors. If the Township initiates the preparation of an Archaeological Management Plan, the appropriate **Indigenous** First Nations or Métis groups shall be notified and invited to participate in the process.

4.3 COMMUNITY IMPROVEMENT

Community improvement projects that enhance the economic, environmental, and social well being of the community are encouraged.

GOALS

- 1. To improve the physical appearance and environmental condition of the community;**
- 2. To foster community pride;**
- 3. To attract business investment and new residents to the Township;**
- 4. To involve the public in identifying areas needing of community improvement, what deficiencies exist, and the improvement and rehabilitation priorities; and**
- 5. To focus on the redevelopment of the Villages and Hamlets and protection of heritage assets throughout the municipality.**

POLICIES

- Ashfield-Colborne-Wawanosh may designate, by by-law, the whole or part of the Township as a Community Improvement Project Area in accordance with Section 28 of the Planning Act.
- In determining the location of a Community Improvement Project Area and preparation of a Community Improvement Plan, one or more of the following conditions shall exist:***
 - Buildings, structures and/or properties which are of heritage and architectural significance in need of preservation, restoration, repair, rehabilitation or redevelopment;***
 - High industrial or commercial vacancy rates;***
 - Inadequate mix of housing types;***
 - Known or perceived environmental contaminations;***
 - Responding to impacts of extreme weather events;***
 - Poor visual quality, including streetscape and design; and/or***
 - Any other relevant social, economic or environmental reason.***

4.4 ENERGY CONSERVATION & CLIMATE CHANGE ACTION

INTRODUCTION

The benefits to be derived from energy conservation and climate change mitigation and adaptation are recognized by this Plan and many of the Plan's policies. The following outlines the Township's short-term, long-term and ongoing energy conservation and climate change objectives. It is recognized that these objectives should be considered by the Township in evaluating future municipal and planning issues.

OBJECTIVES

- The Township's short-term objective is to improve energy efficiency in buildings, structures and operations.***
- The Township's longer-term objective is to achieve the substitution of crude oil products in residential, agricultural, commercial and transportation sectors with other alternative local energy forms such as natural gas, propane and electricity, where alternative fuels are cost effective.***
- The Township's on-going and future objective is to achieve the greater utilization of alternative fuels and renewable forms of energy in all sectors. These include wood wastes; water power; forests; plants, crops and organic matter; solar sources and wind energy.***
- The Township's overall objective is to mitigate climate impacts and adapt to climate change through the protection and expansion of natural areas and through the adoption of development standards that prioritize climate change adaptation and mitigation.***

POLICIES

The following policies are adopted:

- a) **To develop linkages between parks, natural environment areas, open spaces to all other land uses through the establishment of an integrated trail network for active modes of transportation, particularly pedestrian and bicycle paths.**
- b) **To promote energy conservation in the Township through environmental design of municipal buildings, by encouraging the development and use of public transportation, and through the promotion of compact form in urban design.**
- c) **To promote the identification, environmental clean-up, and re-use of contaminated lands (i.e. brownfield sites).**
- d) **To promote and protect natural areas for reducing greenhouse gas emissions, sequestering carbon and mitigating the impacts of extreme weather events**

4.5 SOURCEWATER PROTECTION

INTRODUCTION

Source Protection Plans are in effect to protect the current and future municipal drinking water supply system. Water quality will be protected, improved and restored with priority given to vulnerable areas as identified by and in accordance with the policies contained in the most recent versions of the Maitland Valley Source Protection Plan. These vulnerable areas are at risk of contamination from incompatible land uses and other drinking water threats. In Huron County there are four types of vulnerable areas: Wellhead Protection Areas, Intake Protection Zones, Highly Vulnerable Aquifers, and Significant Groundwater Recharge Areas. Policies for these vulnerable areas are provided in this Plan, building upon the approach, definitions and policies in the Maitland Valley Source Protection Plan.

Through the use of components from the Source Protection Plans, the Township will achieve the goal of protecting, improving and restoring the drinking water resource. These components include: Education & Outreach, Section 57 – Prohibitions, Section 58 – Risk Management Plans, Section 59 – Restricted Land Use Approvals, and addressing the 22 Drinking Water Threats (as prescribed under the Clean Water Act, 2006).

POLICIES

- 1. For lands located within a wellhead protection area where the vulnerability score is 10, the lot size for any proposed development on existing 'lots of record' that would include a small on-site sewage system, shall be based at a minimum on the most current version of the Province's Guidelines for Individual Onsite Sewage Systems.**
- 2. For private septic systems and previously approved developable lots within a wellhead protection area where the vulnerability score is 10 and no municipal sanitary sewer exists, all future or replacement systems shall be located as far as practically possible from the wellhead while remaining in compliance with the Building Code.**
- 3. For lands within a wellhead protection area where the vulnerability score is 10, all properties directly abutting a municipal sanitary sewer must connect to that sewer, and all private septic systems on those lots must be decommissioned.**
- 4. Where feasible, sewage collection and treatment systems shall be located outside of the wellhead protection areas with a vulnerability score of 10.**

Sourcewater information is included on Appendix X and X of this Plan. These appendices may be updated without amendment to the Plan.

5. EXTRACTIVE RESOURCES

5.1. INTRODUCTION

Extractive resources, consisting of mineral aggregate deposits (sand and gravel), minerals (salt, natural gas and petroleum resources), and water, are important resources in Ashfield-Colborne-Wawanosh. Several mineral aggregate operations are located within the municipality. The demand for aggregates is expected to continue at present volumes for the term of this Plan. These non-renewable resources require protection, conservation and careful management.

Mineral aggregates are an important resource in Ashfield-Colborne-Wawanosh. This resource is non-renewable. Therefore, proper conservation and management is essential.

The Huron County Aggregates Resource Strategy recommends that primary and secondary areas of the resource with zero (0) or one (1) constraint be designated as “Extractive Resources” in order to protect the aggregate for future extraction.

Based on the recommendation of the Aggregates Strategy and in consultation with the public, areas designated “Extractive Resources” on Schedule ‘B’ have been identified. Additional areas of primary and secondary aggregate deposits are shown on Appendix 8.

5.2. DEFINITIONS

Areas of extractive resources contain mineral aggregate deposits, minerals, and commercial water taking geological deposits that yield sand, gravel, salt, natural gas, petroleum resources and water in commercial quantities. Activities associated with extraction include crushing, screening, washing, stockpiling and asphalt plants. All areas licensed under the Aggregate Resources Act and those potential aggregate deposits with no significant limitations to extraction are designated ‘Extractive Resources.’

Mineral Aggregate Deposits: are areas of identified minerals that have sufficient quantity and quality based on specific geological evidence to warrant present or future extraction.

Mineral Aggregate Resources: are non-renewable materials, consisting predominately of gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other prescribed material.

Mineral Aggregate Operation: are lands under license or permit, other than for a wayside pit, issued in accordance with the Aggregate Resources Act. A mineral aggregate operation includes: associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregates and derived products such as asphalt and concrete, or the production of secondary related products.

Constrained Deposits: are those areas of primary and secondary mineral aggregate deposits where social or environmental features may be impacted by the extraction. Constraints include: locally significant wetlands, locally significant areas of natural and scientific interest, significant woodlands, sinkholes, significant valley lands, floodplains and their associated buffers.

Sterilized Deposits: are areas of primary and secondary mineral aggregate deposits that are not recommended for extraction and include: aggregate under areas designated urban, cemeteries, landfills, provincially significant wetlands, provincially significant areas of natural and scientific interest (life science), and municipal well-head capture zones and their associated buffers.

Primary Mineral Aggregate Deposits: are areas in which a major resource is known to exist. These deposits are of the highest quality and quantity within the area.

Secondary Mineral Aggregate Deposits: are deposits not considered to be the best resources in the County. They contain large quantities of sand and gravel and are an important part of the aggregate supply of the area. These areas are viable for commercial extraction.

Tertiary Mineral Aggregate Deposits: are deposits considered to have the lowest quality and quantity of sand and gravel resource in the County and are only viable for commercial extraction in limited circumstances.

Progressive Rehabilitation: is sequential rehabilitation, completed during the period that aggregate is being extracted, in accordance with the Aggregate Resources Act, and its regulations. The site plan and the conditions of the license are approved by the Ministry of Natural Resources.

Sensitive Receptor: includes buildings and land uses such as day care centres, schools and buildings/ facilities where people sleep (e.g. a residence, nursing home, hospital, trailer park, campground).

5.3. GOALS

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

- identify and protect sand, gravel, petroleum and mineral deposits of significant quantity and quality for future use;
- allow extractive resources to develop in a manner that minimizes conflict with adjacent uses;
- avoid extracting from areas of natural environment whenever possible;
- allow for oil and gas exploration and extraction;
- prohibit commercial scale water taking for human consumption as a land use activity;
- utilize the mineral aggregate resource in an efficient and environmentally sustainable manner;
- ~~• make as much of the mineral aggregate resource as is realistically possible available as close as possible to the market;~~
- recognize existing mineral aggregate operations and protect them from activities that would preclude or hinder their continued use or expansion;
- protect primary and secondary mineral aggregate deposits with limited constraints, from incompatible development, since these areas have high potential for future mineral aggregate extraction;
- protect primary and secondary mineral aggregate deposits from incompatible development, even though they may not be designated mineral aggregates, as these areas are considered an important provincial resource.
- ensure that new or expanding mineral aggregate operations are sited in locations that will have minimal impact on significant social, economic and environmental features;
- ensure that the activities of mineral aggregate operations are carried out with minimal environmental, economic and social impacts;
- minimize conflicts between incompatible land uses;
- require that all mineral aggregate operations meet the licensing requirements and standards of the Aggregate Resources Act;
- encourage consultation between relevant agencies and the proponent to ensure that new or expanding mineral aggregate operations meet the requirements of this Plan;
- ensure that areas of mineral aggregate extraction are progressively rehabilitated as aggregate is exhausted, in conjunction with the policies of this Plan;
- **conserve aggregate resources through aggregate recycling;**
- implement the recommendations of the Huron County Aggregate Resource Strategy Report, ~~as endorsed by Huron County Council~~ **with consideration of the local context and factors relevant to Ashfield-Colborne-Wawanosh.**

5.4. POLICIES

(Permitted uses in the Extractive designation are reflected in policies 5.4.1 through 5.4.18)

The following policies apply to areas designated Extractive Resources:

1. Designation and Licensing

Mineral aggregate operations must be designated Extractive Resources in this Plan and must be zoned to an Extractive Resources zone before licensing and extraction occur. All operations must be licensed under the Aggregate Resources Act and comply with the Act and regulations.

2. Existing Licensed Operations

Existing licensed mineral aggregate operations and associated uses will be allowed to continue and to expand where appropriate, subject to the requirements of this Plan.

Expansions of existing licensed operations onto adjacent lands not designated Extractive Resources may only be permitted where the policies of Section 5.4.5 are satisfied.

3. Agriculture and Natural Environment Uses

Agriculture and Natural Environment uses including buildings, structures and accessory uses are encouraged, and shall be permitted on lands designated Extractive Resources in accordance with the appropriate policies of this Plan.

4. Proposed Operations In Areas Designated as Extractive Resources

1. Proposed new mineral aggregate operations and the expansion of existing mineral aggregate operations in areas designated Extractive Resources will be permitted subject to an amendment to the Zoning By-Law. These areas are designated Extractive Resources in accordance with the recommendations of the Huron County Aggregate Resource Strategy.

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

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

4. Required studies shall be completed to the satisfaction of the Township, the Ministry of Natural Resources, and other applicable ministries or agencies before approvals are obtained under the Planning Act for rezoning or the Aggregate Resources Act for license. The required studies are outlined in Section 9.14.

5. Where a new pit is proposed in proximity to an existing, licensed pit, the cumulative impacts must be assessed and mitigated.

5. Proposed Operations Outside Areas Designated as Extractive Resources

1. Proposed mineral aggregate operations or the expansion of existing mineral aggregate operations in areas not currently designated Extractive Resources on Schedule 'B', will be evaluated on an individual basis with reference to the recommendations of the Huron County Aggregate Resource Strategy.

The Huron County Aggregate Resource Strategy, 2005 recognizes that additional mineral aggregate deposits exist outside the recommended Extractive Resource designated areas. Areas identified as having 2 or more constraints were not recommended for designation because extraction in these areas may have an increased impact on social, economic or environmental features.

However, in certain circumstances it may be necessary and appropriate to permit a new operation or expansion in these areas. Where development of a new or expanding mineral aggregate operation is proposed in one of these areas, an amendment to this Plan and the Zoning By-Law will be required.

Prior to approval of the Official Plan and Zoning By-Law amendments, the following studies or documents may be required:

- a) All studies required under Section 5.4.4 and outlined in Section 9.14; and
- b) Additional Impact Assessment requirements including:
 - Potential impacts of the aggregate operation on existing land uses within 300 metres;
 - Impact on the character of the area, including built **and cultural heritage** resources;
 - Impacts of odour, dust, particulate emissions and vibration from the proposed use on adjacent land uses; and
 - If any adverse impacts are identified, a description of how these impacts will be minimized.

2. Proposed new mineral aggregate operations or the expansion of existing mineral aggregate operations in “sterilized” mineral aggregate deposits (as shown on Appendix Maps), as identified in the Huron County Aggregate Resource Strategy, 2005, will not be supported. Amendments to this plan and the implementing zoning by-law are discouraged.

6. Review of Required Plans Under the Aggregate Resources Act

All plans meeting the requirements of the Aggregate Resources Act licensing process, will be circulated to the County, Township and the Maitland Valley Conservation Authority to review.

All extraction, processing and associated activities shall be located, designed and operated so as to minimize environmental, economic and social impacts and ensure no negative impacts on surrounding properties. The Township may request that specific conditions be attached to the license.

7. Development Adjacent to Lands in Extractive Resources Designation

When new development outside of a settlement area, within 300 metres of a known aggregate deposit or operation is proposed through a planning application under the Planning Act, Council shall be satisfied that the proposed use is compatible with current or future mineral aggregate operations.

In some cases, setbacks and other mitigation measures may be required to minimize conflicts between uses.

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

Areas where petroleum/gas wells are located should be avoided when siting buildings unless it can be demonstrated that development can occur safely. A well licence must be obtained from the Ontario Ministry of Natural Resources before any attempt is made to enter or plug a well.

While it is the intent of this plan to protect areas of known mineral aggregate deposits and operations from incompatible development, in some cases development may occur adjacent to or in areas of significant mineral aggregate resources, minerals and petroleum resources only if:

- Resource use is not feasible;
- The proposed land use serves a greater long term public interest;
- The use does not adversely affect the availability of aggregate or petroleum resources in adjacent areas; and
- Issues of public health, safety and environmental impact are mitigated.

8. Rehabilitation

All mineral aggregate operations shall be progressively rehabilitated. The Township will work with operators and the Ministry of Natural Resources to ensure that all licenses have appropriate progressive rehabilitation plans.

Where, prior to extraction, a site was considered prime agricultural land, the aggregate operation will be required to rehabilitate to its former use. Rehabilitation to an agricultural use shall be in accordance with Section 5.4.9.

Where, prior to extraction, a site was considered as non-prime agricultural land, or where a site is within 100 metres of an existing natural feature, the aggregate operation may be rehabilitated to either agriculture or to natural environment. Rehabilitation to a natural environment use shall be in accordance with Section 5.4.10 and the Natural Environment policies of this Plan.

9. Rehabilitation to Agriculture

A site being rehabilitated to an agricultural use must restore approximately the same land area and soil capability that existed prior to extraction.

Plans submitted in accordance with the Aggregate Resources Act shall ensure the most efficient and effective use of overburden, topsoil and other non-product material.

On prime agricultural lands, complete agricultural rehabilitation is not required if:

- there is a substantial quantity of mineral aggregate resource below the water table warranting extraction;
- other alternatives have been considered by the applicant and found unsuitable; and
- agricultural rehabilitation in remaining areas is maximized.

Consideration of other alternatives shall include resources in areas of Canada Land Inventory Class 4 to 7 soils, resources on lands identified as designated growth areas, and resources on prime agricultural lands where rehabilitation is feasible. Where no other alternatives are found, prime agricultural lands shall be protected in this order of priority: specialty crop, Canada Land Inventory Classes 1, 2, 3.

10. Rehabilitation to Natural Environment

A site being rehabilitated to a natural environment use must restore no less than the same land area that existed prior to extraction. Native, self-sustaining vegetation should be established.

Rehabilitation to Natural Environment will be encouraged in order to assist with the implementation of the Natural Environment goals of this plan. The operator is encouraged to consult with the Maitland Valley Conservation Authority when designing the operational plans and progressive rehabilitation plans.

11. Wayside Operations

Wayside mineral aggregate operations for public authority contracts, including portable asphalt plants, will be permitted for a maximum period of 18 months without amendment to this Plan where permitted by the zoning by-law. Wayside operations may locate in the agricultural designation but not in the natural environment designation, or designated settlement areas.

12. Portable Asphalt Plants

A portable asphalt plant is a permitted use in the Extractive Resource designation and will be controlled by the zoning by-law.

13. Mineral and Petroleum Resources

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

14. Commercial Scale Water-Taking

Commercial water-taking is a land use and is defined as extraction of water for resale as bulk water or beverages and is prohibited in Ashfield-Colborne-Wawanosh.

15. Human Made Hazards

Development on, abutting or adjacent to lands affected by mine hazards; oil, gas and salt hazards; or former mineral mining operation, mineral aggregate operations or petroleum resource operations may be permitted only if rehabilitation measures to address and mitigate known or suspected hazards are under-way or have been completed.

16. Protection of Natural Areas and Groundwater

Aggregate operations will be developed in a manner that protects natural areas and groundwater. The proponent will conduct studies to identify negative effects on natural features and functions resulting from extraction. Hydrogeological studies will be required to address adverse effects in the quality and/or quantity of groundwater where extraction is proposed near or below the water table, or on or near potential groundwater recharge areas.

17. Surplus Residence

Surplus residence severances are not permitted in primary aggregate deposits as identified on Appendix 8. For surplus residence severances located within 300m of a Primary Deposit or 150m of a Secondary Deposit the following additional requirements apply:

- A minimal amount of the mineral deposit is sterilized;
- A favourable Aggregate Impact Assessment satisfactory to the Municipality and the County is submitted; and
- The applicant provides a letter acknowledging the presence/ potential for extraction in proximity to the surplus residence and agrees to provide future purchasers with a copy of this letter.

18. Special Policies

The following special policies apply additional requirements related to the mineral aggregate operation at Lot 16 & 17, Maitland Concession, Colborne Ward, Township of Ashfield-Colborne-Wawanosh:

1. Notwithstanding any policy of this plan to the contrary, the licensed pit at Lot 16 & 17, Maitland Concession, Colborne Ward, Township of Ashfield-Colborne-Wawanosh will be required to be progressively rehabilitated to a woodlot. The Township will seek conditions under the Aggregate Resources Act to ensure the licensee is required

to monitor rehabilitation results and demonstrate that woodland areas are being successfully rehabilitated before subsequent stages of woodland removal are permitted to proceed.

2. The licensee will seek input from the Township of Ashfield-Colborne-Wawanosh and the Maitland Valley Conservation Authority in the development of a spills contingency plan. The Township of Ashfield-Colborne-Wawanosh will ensure extra care is employed in the spills contingency plan developed in accordance with the Aggregate Resources Act prescribed conditions. The Township will require that the spills contingency plan be developed in consultation with the Township and Maitland Valley Conservation Authority. (Amended by OPA # 5 2010 and OMB Case Number PL101197)

5.5. LAND DIVISION

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

1. All consents must conform with the general requirements of section 9.1.
2. Consents may be granted for mineral aggregate operations subject to general conformity with the agricultural policies for the remaining parcel.
3. A consent for a surplus farm residence severance may be granted subject to the provisions of Section 5.4.17 and 3.5.9.
4. Consents may be granted for title correction purposes and for minor lot boundary adjustments.

6. NATURAL ENVIRONMENT

6.1. INTRODUCTION

Natural environment areas consist of:

- wetlands;
- forests;
- rivers and streams;
- valleys;
- the lakeshore and lake bank;
- environmentally sensitive areas; and
- groundwater.

Since settlement in the 1800s, extensive areas of natural environment have been diminished through clearing, drainage and development. The remaining natural environment areas **have taken on a greater significance for the health and integrity of the ecosystem and are increasingly important to the area's ability to mitigate and adapt to the impacts of climate change.** The intent of this Plan is to protect these areas to ensure a healthy ecosystem.

The community declared that a healthy environment is a priority and believes it is the responsibility of all residents to protect and maintain. The community's vision of Ashfield-Colborne-Wawanosh is to become an environmental leader in all areas of the Township and in its land uses. Natural environment areas must be improved in quality, corridors to facilitate wildlife travel should be re-established, and tree planting for reforestation and windbreaks should be encouraged. Significant development pressure exists along the lakeshore and within the Maitland and Nine Mile river valleys because of their aesthetic qualities and unique natural features. Development is directed away from these areas to protect their natural features and functions. New development is not permitted on the lake bank or in river valleys, and setbacks are established within the zoning by-law from the top of the bank and from natural features. **With more frequent extreme weather events predicted for the future, these limits to development have become even more important.**

Forests provide many benefits for the natural and human environment. Forests cover about 19% of Ashfield-Colborne-Wawanosh's land base. The amount of tree cover in the Township ranges from 9% in the Eighteen Mile sub-watershed to 27% in the Lower Maitland sub-watershed. By using marginal lands, there are opportunities to increase forest cover in all sub-watersheds within the Township, to an average forest cover target of 25% or greater across all sub-watersheds. This amount of forest cover is achievable without removing any land from agricultural production **and would provide important environment services to the area, including carbon sequestration, relief from higher than average temperatures, flood and erosion control, and protection from severe wind gust events.**

These natural features are part of a larger system, and should be protected with a view to enhancing the entire ecosystem **and mitigating the anticipated impacts of climate change.** Watershed planning is supported as a comprehensive and integrated approach for conservation.

6.2. DEFINITION

The natural environment features **are as defined within the Provincial Policy Statement.** ~~those listed in Section 6.1 and are further explained in the appendix of this Plan.~~

Natural Heritage features of regional and provincial significance are given special protection by this plan in accordance with the Provincial Policy Statement. These features include significant wetlands including coastal wetlands, significant woodlands, significant valleylands, significant wildlife habitat and significant areas of natural and scientific interest. Appendices 2, 3, 4, and 5 to this plan provide further explanation of significant Natural Heritage features.

6.3. GOALS

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

- To protect locally, regionally and provincially significant natural areas from development which would have a negative impact on natural environment features and functions;
- To improve the quality of water in groundwater, streams, rivers and Lake Huron;
- To ensure a healthy environment and improved quality of life through the protection and enhancement of natural heritage features, areas and systems; ~~and~~
- **To mitigate and adapt to local climate change impacts; and**
- To encourage compatible development in keeping with environmental, social and economic goals.

These goals will be supported by the following directions:

- To identify and protect areas of natural environment which are of provincial and local significance;
- To conserve, protect and re-establish natural environment areas, recognizing the diversity of natural features, ~~and~~ the connections between them **and their importance to mitigating and adapting to climate change;**
- To maintain the landscape for maximum bio-diversity, beauty, and its inherent value;
- To heighten public awareness, increase stewardship and enhance community cooperation for protection of the natural environment;
- To use innovative tools and landowner incentives which further the natural environment goals of this Plan;
- To promote increased forest cover;
- To protect and enhance beach, dune, shoreline and bluff ecosystems; and
- To participate in community-based watershed planning.

This plan supports the development of Huron County Natural Heritage Plan integration of **the Natural Environment Update for Huron County** which identified priorities for conservation and enhancement of the natural environment. **The recommendations of the Natural Environment Update for Huron County are incorporated into the policy framework and schedules of this Plan with consideration of the local context and influencing factors.**

6.4. POLICIES

(Permitted uses in the Natural Environment designation are reflected in policies 6.4.1 through 6.4.10)

1. Designations

Natural environment features are designated and must be protected, restored, and enhanced for the benefit of present and future generations. Uses such as conservation, forestry, wildlife areas, and passive recreation are permitted. Specific policies dealing with the various components of the Natural Environment designation will identify any additional uses and constraints that apply. **The Rural Hazard designation is also subject to the policies of this section.**

Natural Environment Schedules are included for guidance in interpreting the Natural Environment policies and do not contain designations. Changes to the Natural Environment Schedules may only be made by amendment to this Plan.

The Township recognizes the dynamic nature of natural features. Boundary confirmation and features evaluations can be included as requirements of any Environmental Impact Study that is required in support of a proposed land use change or development application. From time to time, it may be necessary to update the Natural Environment designations to recognize changes in the area.

2. Watershed Planning

The integrity and function of the ecosystem will be protected, restored and enhanced. Watershed or sub-watershed planning integrates water management, environmental management and land use planning on an ecosystem basis. The Township of Ashfield-Colborne-Wawanosh consists of 5 sub-watersheds or basins. The boundaries of watersheds and sub-watersheds provide natural limits for managing the relationships between human activities and the environment.

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

The Conservation Authorities prepare Watershed Report Cards evaluating progress on forest health and water quality targets as well as strategies which protect and enhance natural features. These report cards will be used to guide activities to protect and enhance natural features within the Township.

3. Community Stewardship

For the Township of Ashfield-Colborne-Wawanosh to become environmental leaders and to create a healthy ecosystem, the efforts and stewardship of the whole community are essential. Numerous individual and community initiatives are necessary for a healthy environment. Initiatives include awareness, water management **and conservation**, septic system maintenance, sustainable agricultural practices, **greenhouse gas reductions**, **stormwater management** and forestry management.

The Township will work with the Conservation Authority, the Stewardship Council, the Huron County Health Unit and other community groups, such as the Lower Maitland Stewardship Group, to promote a healthy environment.

4. Groundwater Protection

Groundwater plays an essential role in maintaining ecosystem health, including aquatic and terrestrial ecosystems and human health. Water in the ground recharges aquifers and provides base flow to rivers and streams. Land use planning must consider the protection and enhancement of water and related resources and aquatic ecosystems on a watershed basis. Development will protect water quality and quantity.

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

This Plan implements the recommendations of the Huron County Groundwater Study, 2003, by identifying and protecting sensitive areas such as groundwater recharge areas, municipal well source areas, and groundwater areas susceptible to surface impacts. A Hydrogeological Study, Environmental Impact Study, Nutrient Management Plan or other appropriate study may be required for development in sensitive areas.

Drinking water shall be protected in accordance with the Clean Water Act **and MVCA Sourcewater Protection Plan**. Wellhead Protection Areas, Highly Vulnerable Areas and Significant Groundwater Recharge Areas are identified in this plan in Appendices 11, 12, 13 ~~and will be protected through zoning~~. Land uses in these areas with a potential risk to impact water quality or quantity may be restricted, prohibited and/ or subject to further approval in accordance with provincial regulations.

Proponents may be required to demonstrate that water supply meets or exceeds Provincial guidelines without adversely affecting the quality or quantity of water in nearby wells. Any abandoned wells are to be decommissioned in accordance with Ministry of Environment guidelines. Additional studies may be required to identify recharge and discharge areas.

5. Protection of Natural Environment Features

All areas of natural environment within Ashfield-Colborne-Wawanosh will be protected. The most significant and sensitive natural features in the Township, identified as being provincially or locally significant, are designated Natural Environment.

Natural features are part of a larger system and should be protected with a view to enhancing the entire ecosystem. The natural heritage system including natural features such as woodlands and wetlands and the linkages between; linkages provide connectivity and development is encouraged to protect and improve connectivity between natural features.

Natural Environment areas consist of the following natural features:

- wetlands;
- woodlands;
- rivers and streams;

- valleylands;
- lakeshore;
- environmentally sensitive areas (ESAs), including:
 - life science areas of natural and scientific interest (ANSIs);
 - habitat for threatened or endangered species;
 - wildlife habitat; and
 - fish habitat;
 - earth science areas of natural and scientific interest (ANSIs).

Natural features in addition to those listed above such as grasslands and meadows provide ecological benefits to the Township and should be preserved.

The preservation of native plant and wildlife species is important to maintaining biodiversity and a healthy environment. The protection, expansion and enhancement of natural corridors, connections and linkages between natural features shall be maintained, promoted and improved.

Natural environment areas are intended to remain in their natural state. No development or site alteration will be allowed in these natural areas, except for a residence where permitted in Section 6.4.6.

While it is the intent of this Plan to protect natural areas and prohibit development, applications for a change of use may arise from time to time. In the evaluation of these applications, the natural environment will be given priority. ~~No~~ Change of use will **not** be permitted in natural environment areas unless extensive environmental studies are completed which demonstrate that no negative impacts will result on the natural features, ~~or~~ ecological functions of the area **or the ability of the area to adapt to climate change**.

Forestry practices that respect ecological functions and sustainable forest management practices will be promoted and supported. Selective cutting will be regulated by the County Forest Conservation By-law. Clearing of natural environment areas is not permitted. Drainage of natural environment areas is discouraged and where permitted under the Drainage Act, will respect ecological features and functions. Forested areas greater than 0.5 hectares and less than 4 hectares are of local importance. Forested areas 4 hectares or larger are of provincial significance. All of these areas shall be protected.

Nothing in the Natural Environment policies is intended to limit the ability of agricultural uses to continue.

6. Use of Existing Natural Environment Lots

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

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

1. No alternative location exists on the property that is outside the natural environment designation, except for small accessory buildings;
2. The affected area is not a wetland, a floodplain, a hazard area (unstable slopes, soils or sinkholes), or an environmentally sensitive area (ANSI, habitat for threatened or endangered species);
3. On lake bank or valley properties, no alternative building site exists outside of the lake bank, valley, 100 year erosion potential, or gully erosion potential and natural hazards are addressed through appropriate engineering measures;
4. The development results in minimal effects on the ecological features and functions of the area. Development is prohibited in significant woodlands, significant valleylands, significant wildlife habitat and significant areas of natural and scientific interest, or on lands adjacent to the foregoing significant features and wetlands, unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions;
5. Groundwater will be protected, particularly in vulnerable areas;

6. The local conservation authority or other appropriate agencies shall be consulted;
7. The residence may not be severed from the holding on which it is located;
8. The proposed dwelling complies with the MDS I formula, using Type A land use;
9. The site is suitable for construction, the soil is suitable for sewage disposal and an adequate supply of potable water is available;
10. Development is in accordance with the County Forest Conservation By-law;
11. The site is serviced by a fully maintained municipal or provincial road (alternative standards may apply to existing developed areas);
12. Development is in compliance with the fill and construction regulations;
13. Development may be conditional on natural environment enhancements, such as forest improvements, wildlife corridors, stewardship agreements and conservation easements; ~~and~~
14. Development is prohibited in areas that will impact fish habitat, except in accordance with provincial and federal requirements; **and**
15. **Where possible, development will consider climate change mitigation and adaptation measures.**

7. Adjacent Lands

Provincial Policies require that lands adjacent to significant natural features be protected from incompatible development within:

- 120 metres of Provincially significant wetlands;
- 50 metres of all other significant natural features.

In agricultural areas, adjacent lands will be 15 metres from all significant natural features, except for provincially significant wetlands which require 120 metres. ~~No adjacent land is applied around woodlots smaller than 4 hectares.~~

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

8. Watercourses and Fish Habitat

Development and site alteration shall not adversely affect watercourses. The zoning by-law shall establish setbacks from watercourses to minimize the effect of development and site alteration. The Ministry of Natural Resources and Department of Fisheries and Oceans may be consulted when a proposal potentially affects fish habitat.

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

9. Habitat of Threatened and Endangered Species

The Province has advised that there are threatened and endangered species in the Township. The location of these species and their habitats are not publicly identified for protection purposes. The Fish and Wildlife Conservation Act and the Endangered Species Act mandate protection of threatened or endangered species and their habitat. The Township will work with appropriate authorities to ensure their protection.

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

10. Natural Hazards and the Lakeshore

Natural hazards include:

- flooding;
- erosion;

- unstable slopes;
- sinkholes;
- lands adjacent to ravines, river valleys and streams;
- dynamic beaches; and
- the shoreline of Lake Huron.

Erosion hazards have been identified along the shore of Lake Huron. The areas affected by these hazards are shown in Appendix 14 100 Year Erosion Line and Appendix 15 Gully Erosion Potential.

Development shall avoid areas of natural hazards. No new lots are to be created in the Gully Erosion Potential area unless it has been demonstrated that the natural hazard has been addressed through a municipally maintained erosion control system.

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

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

Land adjacent to the shoreline is a natural hazard area where the shoreline may be eroding or there is risk of flooding, damage by storms and bluff failure. These and other natural processes must be considered when reviewing proposed development.

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

Where a natural hazard overlaps with a natural heritage feature, the designation is Natural Environment. Natural hazards are otherwise designated Hazard.

10. Flood Plain

Development in flood plain areas will be regulated by the one-zone flood plain approach, which includes the entire flood plain bounded by the regulatory flood line (Hurricane Hazel storm). The two-zone approach (flood plain and flood way) may be applied where justified by engineered studies.

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

The limits of the flood plain areas are contained within the ~~Natural Environment~~ **Hazard** designation on Schedule B. ***Where the floodplain overlaps with a natural heritage feature, the designation is Natural Environment. The Hazard designation was introduced to better delineate which areas contain natural hazards only.***

11. Environmental Impact Study

An Environmental Impact Study is required when development is proposed in or adjacent to significant natural features. Proponents will consult with the local Conservation Authority regarding the requirements for Environmental Impact Studies. Terms of reference will be prepared by the municipality or their designate with input from the appropriate scientific experts for the applicant. Terms of reference must be approved by the municipality prior to any work being undertaken on the Environmental Impact Studies. Terms of reference will address the site specific natural environment features and functions and the methodology to be used for determining no negative impacts.

Environmental Impact Studies, where required, should be conducted in two phases.

- Phase I evaluates the suitability of the site for the proposed development, including an inventory of the natural features and functions present on the site, identification of natural features, natural hazards, hydrologic and ecological functions, determination if habitat of threatened or endangered species are present; details regarding the accepted methods of evaluating potential impacts will be provided; and qualifications of personnel required to carry out these evaluations will be specified.

- Phase II should identify conditions for development and any potential mitigation measures. The Phase I report must be reviewed and approved by the appropriate agencies before Phase II is initiated.

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

12. Environmental Impact Study Guidelines

Phase I: Site Suitability

The following will be provided for an Environmental Impact Study – Phase I

- An identification and description of the purpose of the proposed land use change and proposed development;
- The natural heritage features and functions, and or hazard features present;
- The existing interconnections or corridors with adjacent natural features;
- The nature and duration of potential impacts to the site, adjacent lands and ecological processes/ functions; and the potential cumulative effects of the proposed development;
- In the case of natural hazards, information relevant to the slope stability, flooding potential, and existing natural hazard processes will be addressed;
- The specific location of boundaries or edges of such features and functions, and the location of proposed development or site alteration with respect to these delineated boundaries;
- A description of the environment, including ecological processes/ functions that will be or might reasonably be expected to be caused to the environment.

The data will be reviewed and recommendations will be made to the Township on the suitability of the proposal from an environmental perspective. If the proposal is deemed suitable, actions will be identified that are necessary to mitigate the effects(s) on the environment.

Phase II may or may not be required as a result of Phase I.

Phase II: Development / Maintenance/ Management Requirements

An assessment of the proposal giving particular attention to the following:

- Potential or expected impacts on the features or functions or natural hazard conditions;
- Opportunities for enhancing the conservation and management of the features or functions; and
- Expected or proposed mitigation measures.

The applicant is required to complete an appropriate development plan for the proposal, including maintenance and management plans to protect the environment. The plan is to be approved by the Township based on the recommendation of the technical review committee.

* Properties marked with an asterisk (*) on Schedule B contain significant natural features, but may not necessarily be designated Natural Environment. An Environmental Impact Study will be required to determine the extent of permitted development.

13. Pt Lot 1, Front Concession NTP, Ashfield Ward

Notwithstanding any policy of this plan to the contrary, Part Lot 1, Front Concession N.T.P., being Parts 1 and 2, Plan 22R-3247, and lot with roll number 24-3, Ashfield Ward as this is a stable slope not subject to lake bank recession and a geotechnical report has been prepared by a qualified professional demonstrating that the site is suitable for building, may be used for one recreational residence in the Natural Environment designation below the top-of-bank on each lot, subject to the following requirements:

1. development shall be at a low density with each parcel a minimum of 1 hectare in size;
2. sufficient area above the top-of-bank for a septic tank and tile bed system approved by the Huron County Health Unit; sewage will be pumped from the dwelling to the septic system; no septic system is permitted below the top-of-bank;

3. no development is permitted within the 1:100 year wave uprush limit and no development is permitted on the foredune which helps to protect the toe of the bluff;
4. the natural environment will be protected by limiting the removal of vegetation to that necessary for the dwelling and access lane, and by appropriate provisions for drainage;
5. provisions to implement the foregoing requirements, including the use of a (-H) Holding symbol in the zoning by-law and/or a development agreement registered on title.

(As amended by OPA 256, Township of Ashfield Secondary Plan)

6.5. LAND DIVISION

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

1. All consents must conform with the general requirements of section 9.1.
2. Consents may be granted for the conveyance of land to public bodies or agencies engaged in the protection, reestablishment and management of the natural environment.
3. Consents may be granted where both the severed and retained parcels:
 - are original lots (as defined in Section 3.4.1.); and
 - both the severed and retained parcels are eligible for a rezoning under Section 6.4.6.
4. Consents may be granted for title correction purposes and for minor lot boundary adjustments.

7. RECREATION

7.1. INTRODUCTION

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

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

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

7.2. DEFINITION

Recreation uses are intensive activities requiring a land base such as golf courses, trailer parks, campgrounds, marinas and parks.

7.3. GOALS

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

- To direct development to designated areas;
- To protect natural features and functions from incompatible development;
- To prevent the intrusion of non-farm development in agriculture areas;
- To ensure appropriate and adequate services such as water supply and sewage disposal are provided; and
- To direct development away from natural hazards such as the lake bank, dynamic beach and gullies.

7.4. POLICIES

(Permitted uses in the Recreation designation are reflected in policies 7.4.1 through 7.4.2)

1. Development Standards

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

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

2. Trailer Parks and Campgrounds

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

1. Trailer/camp sites will be limited to seasonal and recreational occupancy and will not be used as a year-round dwelling.
2. The density of development will not exceed 15 sites per hectare. Areas of natural environment and open space included in the design may be used in calculating density.
3. Communal open space, which may include natural areas, shall occupy at least one third of the area of the development.
4. Potable water will be supplied by a communal water system or communal faucets to the satisfaction of the Ministry of the Environment and/or Huron County Health Unit. Individual wells for trailer/camp sites will not be permitted.
5. Sewage disposal will be provided by a communal sewage system or a communal washroom facility to the satisfaction of the Ministry of the Environment and/or Huron County Health Unit. Individual septic systems for trailer/camp sites will not be permitted.
6. Access to the beach shall be provided over land owned as part of the trailer park/campground.

7.5. LAND DIVISION

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

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

8. SETTLEMENT AREAS

8.1. INTRODUCTION

Ashfield-Colborne-Wawanosh is fortunate to have a variety of settlement areas. Villages and hamlets serve the surrounding agricultural community and function as residential areas. The lakeshore provides residential opportunities for recreation and permanent living. Suburban development exists in the area north of the Town of Goderich.

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

8.2. DEFINITION

A variety of settlement types and designations exist within Ashfield-Colborne-Wawanosh, including:

- villages and hamlets (Section 8.4);
- lakeshore residential (Section 8.5);
- residential parks (Section 8.6); and
- airport (Section 8.7).

8.3. GOALS

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

- To protect and enhance the character and aesthetic qualities of the settlement areas;
- To provide sufficient land for growth within settlement areas;
- To direct development to designated areas **and encourage higher efficiency development**;
- To prevent the intrusion of non-farm development in agriculture areas; and
- To ensure **that** appropriate and adequate services **and infrastructure** are provided within settlement areas **that can withstand an anticipated rise in extreme weather events**.

It is the intent of this plan to accommodate future growth within existing designated settlement areas.

8.4. VILLAGES AND HAMLETS

8.4.1. INTRODUCTION

Ashfield-Colborne-Wawanosh is well served by several villages and hamlets. Community residents have indicated that scattered rural non-farm development is seen as a basic threat to viable agriculture and the primary goals of this Plan. The villages and hamlets provide alternatives for individuals who do not wish to live in larger urban places and prefer a rural setting.

8.4.2. DEFINITION

The villages function as centralized locations for residential, commercial and social activities. The villages include:

- Auburn
- Benmiller
- Dungannon
- Port Albert
- Salford
- South of Lucknow
- St. Helens

Hamlets are more rural in character and provide limited residential, commercial and social functions. The hamlets include:

- Amberley
- Belfast
- Kingsbridge
- Kintail
- Lochalsh
- Nile
- St. Augustine
- ~~St. Helens~~

NOTE: For villages and hamlets, the detailed schedules will prevail.

1. Auburn

Auburn is located above the Maitland River Valley and straddles the municipal boundaries of Ashfield-Colborne-Wawanosh, North Huron and Central Huron. Although primarily residential, the village continues to provide social, commercial and service functions for the surrounding area.

2. Benmiller

Benmiller is located at the confluence of Sharpes Creek and the Maitland River. The physical setting makes the village an attractive place to live and visit. The conversion of the original mill properties to an inn forms an integral part of Benmiller. The charm and character of the village should be preserved.

A water supply and sewage treatment facility serves the inn and the adjacent subdivision and no remaining capacity is available. Unless these systems can be expanded, development in Benmiller will be limited to rounding out the village on large lots to accommodate septic systems and protect groundwater.

3. Dungannon

Dungannon is located on the boundary between the Ashfield and Wawanosh Wards. The village provides a focal point for residential, commercial and service functions for the surrounding agricultural area. Development in Dungannon has occurred in a compact form. Limited development pressure exists for the village and new development should take place primarily through infilling.

4. Port Albert

Surrounding the mouth of the Nine Mile River, Port Albert is located between the shore of Lake Huron and Highway 21. Port Albert was envisioned as a major town, with the original town plot covering over 600 acres. Development is concentrated in the river valley with a scattering of recreational and permanent residences above the river valley and along the lake. Port Albert provides ample opportunity for residential development in a rural and lakeshore setting.

5. Saltford

Saltford is located along the Maitland River, northeast of the Town of Goderich. The community is made up of areas within and above the river valley. The original village was located along the Maitland River in the valley. Recent development has taken the form of residential suburbs above the river valley. Saltford contains a large area of undeveloped land. The opening of this area will be based on a comprehensive design and an evaluation of the need for full municipal services.

6. South of Lucknow

Limited ribbon development exists on both sides of County Road 1 in the area south of the Village of Lucknow. The area consists of residential, commercial and industrial uses. Infilling, new development and the contiguous expansion of Lucknow may be permitted subject to appropriate zoning and agreement with the Township of Huron-Kinloss for the extension of services.

7. St. Helens

St. Helens is located in the northwest portion of former West Wawanosh ward. The community is a central location for the cultural and religious activities of the Amish community within and around Ashfield-Colborne-Wawanosh. Increased flexibility in accessory uses which allow for the continue provision of these activities in the community may be permitted, subject to the zoning by-law.

78. Hamlets

Hamlets are remnants of small service centres of the past. Some hamlets have disappeared while others continue to provide limited residential and social uses. Where hamlets remain, they provide a rural setting as an alternative to urban areas. Minimal development pressure exists for these rural communities, and should occur primarily by infilling. The style and function of rural hamlets should be maintained.

8.4.3. VILLAGE/HAMLET GOALS

The goals adopted by this Plan are:

- The goals contained in section 8.3;
- To allow development as a residential, commercial and social focal point for the surrounding community in keeping with the setting, character and aesthetic quality of the village/hamlet; and
- To build on the strengths and unique character of each village and hamlet to promote sustainable growth for vibrant, safe and healthy places to live.

8.4.4. VILLAGE/HAMLET POLICIES

(Permitted uses in the Village/Hamlet designation are reflected in policies 8.4.4.1 through 8.4.4.9)

1. New Development

Development will be directed to designated areas. The designated villages and hamlets contain ample area to accommodate growth.

County-wide growth allocation targets are established in Section 7.3.1 of the County of Huron Official Plan. The Township of Ashfield-Colborne-Wawanosh, with the other Huron County municipalities, will monitor the location of growth and development. Growth allocation will be reviewed when this Official Plan is updated.

The efficient use of land and services is encouraged through intensification including: redevelopment, infilling and expansion or conversion of existing buildings including the establishment of second residential units.

Fully serviced and partially serviced settlement areas like, Benmillier, ~~and~~ Saltford **and Dungannon** offer the best intensification opportunities.

The Township will encourage intensification in settlement areas in a variety of ways including:

- a) The effective use of infrastructure through permitting increased densities and small lot development;
- b) Creating mixed-use neighbourhoods; and
- c) Permitting **additional** ~~second~~-residential units in Village/Hamlet areas.

The Township will encourage the development of housing that is affordable for low and moderate income households. In order to provide opportunities for affordable housing units, Council may consider relief from municipal permit fees, taxes and/or development fees.

Affordable housing may be met by:

- a) Increasing density through reduced lot or unit size;
- b) Construction, redevelopment and renovation of a variety of dwelling types including medium to high-density residential dwelling types, garden suites and ~~second~~ **additional residential** units;
- c) Applying government grants and/or subsidies, including identifying surplus municipal land holdings and land dedication; and
- d) Working with other government agencies and the private sector to promote innovative housing forms and development techniques and incentives that will facilitate the provision of affordable housing.

No expansion of the designated areas may occur except by amendment to this Plan, subject to a demonstrated need and justified location for the urban use, through a comprehensive review. ***In undertaking a comprehensive review, the level of the detail should correspond with the complexity and scale of the settlement area boundary expansion or development proposal.***

A comprehensive review ~~must~~ **should**:

- a) Justify the need for expansion, including demonstrating that sufficient opportunities for growth are not available through intensification, redevelopment and designated growth areas within the local market area;
- b) Demonstrate that the proposed expansion is in the most suitable location and does not comprise specialty crop areas, and there are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas; and impacts from new or expanding settlement areas on agricultural operations which are adjacent or close to the settlement area are mitigated to the extent feasible;
- c) Describe the planned or available infrastructure and public service facilities suitable for the proposed development which protect public health and safety, including the results or a Class EA where necessary;
- d) Demonstrate that the impacts of development on the natural environment will be minimized; and
- e) Provide other studies as required to support the proposed development as required by the County and this Plan.
- f) Changes of land use within villages and hamlets will be considered by rezoning.

2. Residential

The primary use of land in the villages and hamlets is residential in the form of single detached dwellings. Other types of dwellings may be permitted subject to compatibility with the surrounding area, adequate services and rezoning.

Secondary Additional residential units in the form of a separate unit within an existing **or new dwelling, an addition to a dwelling and/or** in a detached accessory building are permitted in the Village/Hamlet designation **provided servicing can be accommodated**. The zoning by-law will specify provisions for secondary residential units.

3. Commercial/Industrial

The villages and hamlets provide local commercial and industrial services. Commercial or industrial uses may be permitted by rezoning, provided:

- a) the use is compatible with the character of the area;
- b) adequate services are available; and
- c) site plan control is implemented to regulate the details of development.

4. Farmer's Markets

Farmer's markets are encouraged in settlement areas, especially fronting on main streets. Provisions to regulate Farmer's markets will be specified in the Zoning By-law.

5. Community Facilities and Infrastructure

Community facilities for social, recreational, administrative or other purposes, such as community centres, sports facilities or government offices, will locate in villages/hamlets to avoid conflicts with agriculture and to enhance urban areas.

Community facilities may be permitted by rezoning, provided:

- the proposed location is suitable for the use and compatible with the surrounding uses;
- adequate services are available; and
- site plan control is implemented to regulate the details of development;
- **consider building to a higher efficiency standard where existing facilities are upgraded or new facilities are required and adding electric vehicle charging stations; and**
- **consider active transportation routes and improving linkages between settlement areas at the time of road re-construction**

Infrastructure uses deemed to be public uses are permitted in any land use designation. These uses are required throughout the Township and include:

- facilities and corridors for utilities such as water, sewage, electricity, communications, and oil/gas wells and transmission;
- roads, railways and trails; and
- flooding and erosion control works.

Infrastructure uses will be located to effectively provide their community functions, while minimizing disruption to surrounding land uses and the natural environment.

6. Natural Environment and Open Space

Natural environment areas will be protected under the policies of section 6.

Open spaces within Settlement Areas represent an opportunity to mitigate and adapt to climate change through tree-planting for shade, stormwater management, and active transportation routes.

7. Settlement Area Food Production

This plan encourages local food production.

The use of future development lands, open space lands and vacant residential lots in Villages and Hamlets for community gardens or private gardens is encouraged. The zoning by-law will establish provisions for community gardens and private market gardens in settlement areas.

8. Accessibility

In cooperation with the County, Ashfield-Colborne-Wawanosh will prepare and implement Accessibility Guidelines to promote universal access where appropriate for all forms of development.

9. Development Standards

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

1. Development must be compatible with surrounding uses.
2. Most development will proceed by plan of subdivision. Infilling and small-scale development may proceed by consent based on an acceptable concept plan.
3. Natural features and functions will be protected. The design will be harmonized with natural features, including topography and woodlands.
4. Lot sizes will be sufficient to accommodate the proposed method of servicing over the long term. Where septic systems are proposed, developments will comply with the provincial groundwater protection criteria for nitrates, and lots will contain a contingency tile bed area.
5. New developments, including the opening up of new areas, will be required to connect to an existing municipal water supply or establish a new municipal water supply. Infilling and small-scale developments may be serviced by communal or individual wells where municipal water is not available. Development adjacent to serviced communities outside Ashfield-Colborne-Wawanosh will be required to connect to existing services.
6. For new developments, including the opening up of new areas, the Township may require a study on the need for a piped sewage system and treatment facility. Where full services are not required, individual septic systems may be permitted. Development adjacent to serviced communities outside Ashfield-Colborne-Wawanosh will be required to connect to existing services.
7. Water supply and sewage disposal are subject to approvals from the appropriate authority before development occurs.
8. Open space areas, natural areas and parkland will be conveyed to the municipality or owned in common by the subdivision residents. ***Open spaces represent an opportunity to mitigate and adapt to climate change through carbon sequestration, shade trees, stormwater management and active transportation routes.*** Council may accept payment in lieu of parkland where appropriate.
9. Vehicle access will be provided by a public road developed to municipal standards.
10. Adequate lot grading and drainage, and storm water management are required.
11. A development agreement will be signed and registered on title to the satisfaction of the municipality.
12. The appropriate zoning is in force.
13. Development will be considerate of Heritage, Accessibility, and Clean Air, Water, and Soil:

- a) Heritage
 - Development and redevelopment will complement small town scale, character and historic streetscapes.
- b) Accessibility
 - All development and redevelopment will be accessible and prevent land use barriers which restrict persons with disabilities from full participation in society in accordance with provincial legislation.
- c) Clean Air, Water, and Soil
 - Development design will incorporate a variety of alternative modes of transportation (e.g. walking and cycling) and will consider energy efficiency and air quality with respect to building design and transportation.
 - Community energy planning is encouraged and may be pursued by the Township to assess future energy needs and options.
 - Development and redevelopment will be encouraged to consider **higher density development** ~~energy efficient construction~~ **and high performance standards that promote low impact low impact design principles, energy efficiency and improved resiliency to the impacts of climate change.** ~~techniques and incorporate energy efficient design principles, and materials (e.g. LEED and EnergyStar)~~
 - Prior to new development or redevelopment, contaminated sites will be restored and remediated to remove or address any adverse effects.

14. For development proposed on private communal services, hydrogeological studies are required.

~~16. New developments will be limited to 5 or fewer lots or units where private on-site water and sewage are to be used.~~

17. Adequate off-street parking is provided to accommodate residents and visitors.

18. Requirements for a complete application as outlined in Section 9.14 must be met.

8.5. LAKESHORE RESIDENTIAL

8.5.1. INTRODUCTION

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

Most of the lakeshore development in Ashfield-Colborne-Wawanosh began as summer cottages. Many seasonal cottage areas remain, although the provision of full service access to developments on the lakeshore is increasing. Recent development along the lakeshore has developed for **full service access**.

This plan allows development in designated lakeshore areas provided natural features and functions are protected and provided development is compatible with surrounding uses. The zoning by-law will distinguish between **service access** at the lakeshore.

8.5.2. DEFINITION

For the purpose of Section 8.5, full service access shall refer to developments which:

- **Are accessible by a public road that is constructed to the municipal standard and is conveyed to the Township of Ashfield-Colborne-Wawanosh.**
- **Contain a road network that is maintained during the winter months.**
- **Have agreements in place with regard to waste collection.**

The Lakeshore Residential designation includes:

- Development with limited service access which is may be most suitable for intermittent and/or recreational use.
- Development with full service access which is suitable to serve as a primary place of residence.

8.5.3. LAKESHORE RESIDENTIAL GOALS

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

- The goals contained in section 8.3;
- To protect the natural features and functions of the lakeshore from incompatible development;
- To direct development to designated areas compatible with surrounding uses; and
- To ensure clean drinking water and lake water for residents through the appropriate management of services and land use.

8.5.4. LAKESHORE RESIDENTIAL POLICIES

(Permitted uses in the Lakeshore Residential designation are reflected in policies 8.5.4.1 through 8.5.4.2)

1. Development Standards

The following development standards shall apply to all ~~seasonal and year-round~~ residential development along the lakeshore:

1. Development must be compatible with surrounding uses.
2. Development in Lakeshore Residential areas will be limited to residential uses.
3. Most development will proceed by plan of subdivision. Infilling and small-scale development may proceed by consent based on an acceptable concept plan.
4. No development will be permitted on the lake bank, beach, beach vegetation area or ravines. Setbacks from slopes will be determined with input from the **Maitland Valley Conservation Authority** ~~conservation authority~~ and with reference to the 100 year erosion line.
5. Natural features and functions will be protected. The design will be harmonized with natural features, including topography and woodlands.
6. The density of development will ~~not exceed~~ **generally be** 1 dwelling per 0.4 hectares. Areas of natural environment included in the design may be used in calculating density. **Additional Residential Units are not permitted within the Lakeshore Residential designation.**
7. Lot sizes will be sufficient to accommodate the proposed method of servicing over the long-term. Where septic systems are proposed, developments will comply with the provincial groundwater protection criteria for nitrates, and lots will contain a contingency tile bed area.
8. New developments, including the opening up of new areas, will be required to connect to an existing municipal water supply or establish a new municipal water supply. Infilling and small-scale developments may be serviced by communal or individual wells where municipal water is not available.
9. For new developments, including the opening up of new areas, the Township may require a study on the need for a piped sewage system and treatment facility. Where full services are not required, individual septic systems may be permitted.
10. Water supply and sewage disposal are subject to approvals from the appropriate authority before development occurs.
11. Public access to the Lake Huron shoreline will be preserved. Development abutting lakeshore access must provide public access to the lakeshore. All other development will be required to have consideration for public access to the lakeshore.
12. Open space areas, natural areas and parkland will be conveyed to the municipality or owned in common by the subdivision residents. Council may accept payment in lieu of parkland where appropriate.
13. Vehicle access will be provided by a public road developed to municipal standards. For existing ~~seasonal~~ lots **without full services**, access may be provided by a public road or existing right-of-way developed to a satisfactory standard.
14. Adequate lot grading and drainage, and storm water management are required.

15. A development agreement will be signed and registered on title to the satisfaction of the municipality.
16. The appropriate zoning is in force.
17. Adequate off-street parking will be provided to accommodate residents and visitors. Alternatives to hard surface paving for parking areas are encouraged.
18. Requirements for a complete application as outlined in Section 9.14 must be met.

2. Service Access Status

Existing or proposed developments within the lakeshore residential designation may be zoned to distinguish between the service access available provided:

1. Zoning for development with full service access will apply to a development as a whole. Individual lots in seasonal areas will not be zoned for full service access.
2. Developments are in compliance with the development standards of Section 8.5.4(1) pertaining to water supply, sewage disposal and a public road developed to municipal standards;
3. For existing developments, at least two-thirds of the property owners in the subject development concur with the request for full service residential zoning;
4. The water supply and distribution system within the subject development comply with provincial and municipal requirements in force at the time of application;
5. Each septic system in the subject development is capable of supporting year-round occupancy, and appropriate contingency measures are in place, to the satisfaction of the Township of Ashfield-Colborne-Wawanosh; and
6. Agreements are in place, as necessary, for municipal services such as winter road maintenance and waste collection.

8.6. RESIDENTIAL PARK

8.6.1. INTRODUCTION

Two large residential parks have existed for many years in the Colborne Ward, on Block A, and on Lot 3 Lake Road West Concession/Broken Front Concession. These developments began as mobile home parks and are changing to leasehold communities with more permanent forms of housing.

This Plan recognizes these two parks ~~and confines them to their present boundaries~~. Residential parks are not permitted to be scattered throughout the municipality. Residential parks, where allowed, must be located within Settlement Areas and designated as Residential Park only where compatibility is achieved with surrounding uses.

The two existing residential parks in the Township are presently on the full communal services. Provided the continued provision of these services, higher density development may be permitted within the residential park designation.

8.6.2. DEFINITION

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

8.6.3. RESIDENTIAL PARK GOALS

The goals adopted by this plan are:

- The goals contained in section 8.3;
- To ensure the orderly development of the existing Residential Parks; and
- To limit the development of additional Residential Parks in the Township.

8.6.4. RESIDENTIAL PARK POLICIES

(Permitted uses in the Residential Park designation are reflected in policy 8.6.4.1)

1. Development Standards

The following development standards shall apply to residential parks:

1. Development must be compatible with surrounding uses.
2. Development will proceed in accordance with a detailed site plan and development agreement addressing design, site pattern, phasing, services, landscaping, communal areas and community facilities.
3. No development will be permitted on the lake bank, beach, beach vegetation area or ravines. Setbacks from slopes will be determined with input from the conservation authority.
4. Natural features and functions will be protected. The design will be harmonized with natural features, including topography and woodlands.
5. The overall density of development will ~~not exceed~~ **generally be a minimum of 125** dwellings per gross hectare. Areas of natural environment included in the design may be used in calculating density.
6. Communal open space, which may include natural areas, shall occupy at least 25% of the area to be developed.
7. Potable water will be supplied by a communal water system to the satisfaction of the Ministry of the Environment.
8. Sewage disposal will be provided by a communal sewage system to the satisfaction of the Ministry of the Environment. Individual septic systems for dwellings will not be permitted.
9. Vehicle access to the Residential Park will be provided by a public road developed to municipal standards. Vehicle access within the Residential Park will be provided by internal roads developed to appropriate standards.
10. Adequate lot grading and drainage, and storm water management are required.
11. The appropriate zoning is in force.
12. Individual dwelling sites within Residential Parks shall not be converted to separately titled holdings.
13. Requirements for a complete application as outlined in Section 9.14 must be met.

8.7. AIRPORT

8.7.1. INTRODUCTION

The Goderich Municipal Airport is located on Blocks A and B of the Colborne Ward. This facility, which includes ~~the hangars, and~~ terminal buildings, **and other supporting infrastructure**, is owned and maintained by the Town of Goderich. A number of airport-related commercial and industrial uses are also on the airport lands. ***Airport lands extend to the Highway 21 corridor and represent the gateway into the Township for travellers entering from the south.***

8.7.2. DEFINITION

The airport includes land owned by the Town of Goderich as well as privately owned properties which contain airport-related uses.

8.7.3. GOALS

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

- To protect the airport from incompatible development; and
- To encourage the establishment of airport-related services on airport lands.
- ***To allow for the strategic location of non-airport related services on airport lands that are demonstrated to be compatible with the airport.***

8.7.4. POLICIES

(Permitted uses in the Airport designation are reflected in policies 8.7.4.1 through 8.7.4.3)

1. Jurisdiction

The Federal Government has exclusive constitutional jurisdiction over aeronautics, which includes those areas designated Airport and used for airport-related uses. Airport uses and buildings are exempt from Township Official Plan policies and Zoning By-law regulations, but proponents will be asked to consider local requirements in their decisions.

2. Airport Related Uses

Airport related services, including commercial and industrial uses, are permitted on airport lands. Plan 564, Part Lot 7 (Reference Plan 22R4442 Part 1 with ROW), Colborne Ward may also be used for commercial and industrial uses not related to the airport as set out in the zoning bylaw.

3. Compatibility

Airport and related uses must be protected from incompatible uses. An area of residential development exists on Blocks A and B, adjacent to the airport. Any proposed development shall not result in conflict with the airport use and will be low in density. ***Non-airport related commercial and industrial uses may be permitted on airport lands, provided the use is demonstrated to not negatively impact the continued operations of the airport. Development proximate to the airport shall be evaluated for obstacle limitation surfaces, bird and wildlife hazards, and restrictions to visibility to ensure the continued operations of the airport are protected.***

8.8. LAND DIVISION

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

1. All consents must conform with the general requirements of section 9.1.
2. The area is not large enough or suited to development by a registered plan of subdivision.
3. Infilling and small-scale developments for areas that are already substantially developed.
4. For commercial, industrial or community facility uses in Villages and Hamlets.
5. For assembling of land for future development.
6. For lot enlargement, lot boundary adjustments and title correction purposes.

8.9 HARBOUR

8.9.1 INTRODUCTION

The Harbour area is located at the mouth of the Maitland River, adjacent to the Town of Goderich. The harbour area serves commercial, industrial and recreational functions and is owned by the Town of Goderich. The jurisdictional boundary of the Township of Ashfield-Colborne-Wawanosh is located immediately north of the harbour area and includes a small portion of the harbour lands adjacent to the breakwater which defines the south limit of the Maitland River where it enters Lake Huron.

Although a small portion of the harbour lands are located within the Township, it is not anticipated that significant expansion or development of harbour-related activities will occur within the Township's limits.

8.9.2 DEFINITION

The Harbour area contains two major industries – the Sifto Salt Mine and the Goderich Elevator and Transit Complex – in addition to serving a recreational function.

8.9.3 GOALS

The goals adopted by this Plan are:

- To protect the harbour area from incompatible development; and
- To encourage the establishment of harbour-related services on harbour lands.

8.9.4 POLICIES

(Permitted uses in the Harbour designation are reflected in policy 8.9.4)

The Harbour will be primarily used for industrial uses which have a demonstrated need for a harbour location for their functional and operational requirements.

All new harbour industries shall require a rezoning, subject to the following requirements:

- direct access to deepwater port and connecting bulk transportation facilities such as dock and rail lines are required,
- a high standard of site planning and building design is followed to maintain an attractive and safe harbour-front which respects natural and heritage features, and;
- all other industrial policies of this Plan are satisfied.

9. IMPLEMENTATION

9.1. GENERAL LAND DIVISION POLICIES

The creation of all new lots by subdivision or by consent shall comply with the following general requirements and the specific requirements of the land use designation.

1. Development shall conform with the land use policies for the designations shown on the land use plan schedules.
2. Development shall comply with the provisions of the zoning by-law. Where a zoning by-law amendment is required, such amendment shall be in force before the consent/subdivision is finalized.
3. Lots must abut a public road developed to municipal standards and to Ministry of Transportation (MTO) standards where access is gained from a Provincial highway.
4. Development shall not result in traffic hazards from limited site lines on curves, grades or near intersections.
5. Adequate services shall be available or made available including water supply, sewage disposal, lot grading and drainage, and storm water management.

9.2. IMPLEMENTATION

This Plan will be put into action mainly through the many individual and collective decisions of the residents of Ashfield-Colborne-Wawanosh.

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

- Residents, individuals, organizations and community groups;
- Municipal Council and its committees, including passing a zoning by-law, building by-law and other appropriate by-laws, and development / subdivision agreements;
- County Council and its committees, including the control of lot and subdivision creation;
- The Ontario ~~Municipal Board~~ **Land Tribunal**, other tribunals and the courts;
- Senior levels of government who, while not bound by the plan, will be asked to consider the Plan's policies in its decisions.

9.3. INTERPRETATION

The boundaries of land use designations on Schedule B are general and approximate, although they generally coincide with defined features such as roads, lot lines, or physical features. Where the general intent of this Plan is maintained, minor adjustments to the boundaries of land use designations will not require an amendment to this Plan.

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

9.4. NON-CONFORMING USES

A non-conforming use is a use of land that:

- lawfully existed on the date of adoption of this Plan and/or the zoning by-law;
- has not ceased; and
- does not conform with the land use designation/zone applying to the land.

Non-conforming uses may be zoned to permit the use, subject to regard for its compatibility with surrounding uses, and limits to expansion.

Non-conforming uses may be extended or enlarged, or changed to a similar or more compatible use under the respective Sections 34(10) or 45(2) of the Planning Act provided that:

- it is not reasonable or feasible to cease or relocate the use;

- any incompatibilities with surrounding uses are not aggravated;
- surrounding uses are protected by appropriate buffers, setbacks and other measures to improve the compatibility of the use;
- adequate services, access and parking are provided;
- natural hazards are addressed; and
- development details may be regulated by site plan control.

9.5. ACCESSORY USES

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

9.6. SITE PLAN CONTROL

The site plan control provisions of section 41 of the Planning Act will be used to:

- maximize compatibility between new and existing development and between different land uses;
- improve the efficiency, safety, and appearance of land uses;
- ensure the provision of services and facilities **including but not limited to water, sanitary, drainage, stormwater management, and parking;**
- **ensure facilities are designed to have regard for accessibility and persons with disabilities;**
- widen County highways for a 30 metre wide road allowance;
- **regulate exterior design of buildings in all designations where deemed necessary;**
- **implement urban design guidelines;**
- **provide functional and attractive on-site amenities such as landscaping and lighting;**
- **secure required easements for services;**
- **direct establishment of sustainable design elements such as trees, plantings, permeable paving materials, recycling receptacles, bicycle storage facilities and electronic vehicle charging stations;**
- implement development agreements; and
- control development in Well Head Protection Areas

All land use designations are proposed site plan control areas, except for lands used primarily for one- and two-unit dwellings. Within proposed site plan control areas, Council may pass by-laws designating all or part of the areas as site plan control areas.

Site Plan Control may be used on all lands within Well Head Protection Areas to control uses, buildings and structures including septic systems for the purpose of drinking water source protection. Well Head Protection Areas are shown on Appendix 11.

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

9.7. HOLDING SYMBOL (H)

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

Removal of the 'H' zoning category will be conditional upon satisfying certain requirements from the Municipality.

9.8. TEMPORARY USE BY-LAWS

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

9.9. INTERIM CONTROL BY-LAWS

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

9.10. WASTE MANAGEMENT

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

The active and closed landfill sites in the municipality are shown on the land use plan. Proposed development within 500 metres of an active or closed landfill site will require a contaminant migration study and impact mitigation study completed by a qualified professional to the satisfaction of the County. The development of new landfills or the expansion of existing landfills will be subject to an archaeological assessment.

9.11. CONFLICT RESOLUTION

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

- planning issues should be fully discussed to ensure a complete exchange of information;
- public participation beyond the requirements of the Planning Act may be beneficial with particularly contentious applications;
- informal processes of conflict resolution will be encouraged under the direction of Council;
- formal conflict resolution, for example the Ontario ~~Municipal Board~~ **Land Tribunal (OLTMB)** can be expensive and leave unresolved issues. The municipality encourages discussion prior to formal hearings.

9.12. ROADS POLICY

Schedule C (Roads Plan) identifies the jurisdiction and status of roads in the Township. Roads will be developed in accordance with this Plan and the Township Roads policy.

9.13. PUBLIC PARTICIPATION

The community-based process used in the preparation of this Plan in 2003 engaged numerous individuals and community groups. The workshops, discussion groups and public meetings allowed a full exchange of ideas, information, and perspectives. Many people indicated that the process was open, inviting, and rewarding.

The consultation process for the 2011 Official Plan Review engaged individuals, community groups and public agencies. Three public open houses with question and answer sessions and a public meeting were held. ***The 2021 Review included an online open house and public meeting in response to public health protocols in place at the time of the review.***

Dialogue on planning and municipal issues will continue to be encouraged among residents, community groups and the municipality. ***Applicants are encouraged to consult with neighbouring property owners in advance of submitting their application.***

Formal discussions on this Plan, such as a five-year review under Section 26 of the Planning Act, will include community-based processes for input where possible.

Amendments to the Plan and the zoning by-law will follow the public notice and public meeting requirements of the Planning Act.

The Township acknowledges its role in the duty to consult with Indigenous communities on planning matters. The County will strive to build co-operative relationships through meaningful engagement with Indigenous communities to facilitate knowledge-sharing in land use processes and inform decision making.

9.14. COMPLETE APPLICATION

At its sole discretion, the Township may require any of the following studies, plans and/or assessments to be submitted as part of a planning application submission prior to that application being considered complete. Required studies/supporting materials shall be determined through the pre-consultation process and studies should not be completed until a Terms of Reference has been reviewed and approved by the Township.

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

1. Agriculture

1. Minimum Distance Separation requirements from existing livestock barns for proposed residential, recreational or other nonfarm development.
2. Minimum Distance Separation requirements from existing residential (farm and nonfarm), recreational or other nonfarm uses for proposed livestock barns.
3. A contaminant migration study and impact mitigation study for development within 500 metres of an open or closed landfill.
4. An archaeological assessment for an application to open a new landfill.
5. An Environmental Site Assessment when required by Provincial legislation.
6. **Agricultural Impact Assessment**
7. **Aggregate Impact Assessment where lot creation or development is proposed within 300m of a existing mineral aggregate operation or known aggregate deposit;**
8. Other locally or provincially required studies.

2. Extractive Resources

1. An aggregate impact study for nonfarm development occurring within 300 metres of an aggregate operation or known aggregate deposit.
2. An impact study for an aggregate operation proposed within 300 metres of a settlement area or existing nonfarm development.
3. **A cumulative impact assessment where an aggregate operation is proposed in proximity to an existing aggregate pit.**
4. **A summary report for all new aggregate operations addressing but not limited to the following:**
 - a. **Planning and land use considerations;**
 - b. **Agricultural classification of the proposed site, using the Canada Land Inventory classes. For the lands being returned to agriculture, the proposed rehabilitation techniques must be identified;**
 - c. **The quality and quantity of aggregate on site;**
 - d. **The main haulage routes and volume of truck traffic to and from the site and necessary entrance permits;**
 - e. **The progressive and final rehabilitation and the suitability of the proposed rehabilitation having regard to the adjacent lands. Where there is a concentration of licensed pits in the area, consideration shall be given to comprehensive rehabilitation. Where below water table extraction is proposed, demonstration of how the quality and quantity of water will be maintained as well as the safety, and potential future uses of the site.**
 - f. **Any existing surface water on and surrounding the site and proposed water diversion, storage and drainage facilities on the site and points of discharge to surface waters; and**
 - g. **Determine the elevation of the established groundwater table within the site.**

5. A traffic impact study.
6. An air, noise or vibration study when required by Provincial guidelines.
7. An archaeological assessment for an application to open a new aggregate pit.
8. **A heritage impact assessment for a new or expanding pit in proximity to a cultural heritage resource;**
9. A hydrogeological study.
10. ~~An Agricultural Impact Assessment using an agricultural systems approach. An Environmental Impact Study for development in or within 50 metres of significant natural features and for development within 120 metres of provincially significant wetlands.~~
11. Other locally or provincially required studies.
12. Natural Environment / Natural Hazard.
 - a. a flood plain and erosion hazard study if in a natural hazard area or an erosion control area as identified by the Conservation Authority.
 - b. an Environmental Impact Study if within or adjacent to a natural environment area. **Adjacent lands are defined as within 120 metres of a Provincially Significant Wetland and within 50 metres of all other natural features.**
 - c. a study demonstrating impacts on threatened and endangered species, if identified by the Ministry of Natural Resources as habitat for threatened or endangered species.
 - d. Other locally or provincially required studies.

3. Settlement Areas

1. a Comprehensive Review if land is being newly designated for urban development or if converting employment lands to non-employment uses.
2. An Environmental Site Assessment when required by Provincial legislation.
3. A traffic impact study.
4. An air, noise or vibration study when required by Provincial guidelines.
5. **A Record of Site Condition.**
6. a commercial market study (or other economic / downtown impact study) if in a commercial area, or proposing to be within a commercial area.
7. A geotechnical report.
8. a heritage impact **assessment** study if within, adjacent, **or in immediate vicinity** of a Heritage Conservation District, ~~or a Designated Heritage Property~~ **or a property which is considered to have cultural heritage value.**
9. Other locally or provincially required studies.

4. Servicing

1. a servicing proposal to demonstrate the proposed connection to existing municipal services
2. a servicing options study for development proposed with private water or private sewage facilities.
3. a hydrological / ground water impact study for development proposed on private sewage services.
4. a stormwater management plan (~~conceptual~~).

All servicing options studies will be done in accordance with Ministry of the Environment guidelines

5. Natural Environment/Rural Hazard

- 1. Environmental Impact Study where there are natural on or within 120 metres of a Provincial Significant Wetland and on or within 50 metres of any other natural area.**
- 2. A floodplain and erosion hazard study if a natural hazard area or erosion control area has been identified.**
- 3. A study demonstrating impacts on Species at Risk if development is proposed in an areas identified as habitat for Species at Risk.**
- 4. Other locally or provincially required studies.**

Other Required Studies

The following studies may be required for a complete application in any land use designation:

- **Land use planning justification report**
- **Master plan**
- **Traffic impact study**
- **Archaeological Assessment**
- **Heritage Impact Assessment**
- **Air, Noise, or Vibration study**
- **Ministry of Environment D Series Guideline Compatibility Study;**
- **Environmental Site Assessment**
- **Record of Site Condition**
- **Minimum Distance Separation requirements**
- **Contaminate migration and impact migration study for development within 500 metres of closed or open landfill**
- **Hydrogeological study and groundwater analysis**
- **Restricted Land Use Permit under the Clean Water Act & Maitland Valley Conservation Authority Sourcewater Protection Plans**
- **Risk Management Study under Sourcewater Protection Plan**
- **Agricultural Impact Assessment using an Agricultural Systems Approach**
- **Streetscape Plan**
- **Urban Design Brief**
- **Tree preservation or replanting plan**

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

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