

## 7.1 General Principles

This Plan establishes a framework for the future orderly development and use of lands by defining areas for specific forms of development. The timing of development will depend, to a large extent, on the rate of population growth and related commercial and industrial development, and, the ability of the Municipality to sustain the necessary financial expenditures. In order to protect the taxpayers of the Village of Fenelon Falls from undue financial hardship, Council shall ensure that the timing, location and nature of new development, particularly residential, is such that the demand for the provision of municipal services and facilities is not excessive in relation to the taxable assessment provided.

Given the size and nature of the Village of Fenelon Falls, the absence of significant development pressure and the location and limited extent of undeveloped lands within the Municipality, it is not considered practical to prioritize the staging of development on an area basis. The staging of new development should, therefore, be encouraged in an orderly manner which provides for the progressive and economic extension of municipal services, utilities, and other municipal facilities

It should further be recognized that, in addition to those costs associated with new development, there are areas of existing development which are presently considered deficient in terms of the level of municipal services and the related facilities provided. Council will, of necessity, have to provide for a balanced approach which allows for new development without prejudicing the needs of the existing developed areas where deficiencies presently exist.

**7.2 Policies**

- a. It is the policy of this Plan that economic and efficient use be made of the municipal infrastructure and related facilities prior to permitting new development which requires major capital works by the Village of Fenelon Falls. Council shall therefore ensure the substantial development of the serviced areas prior to providing for the extension of services into undeveloped areas.
- b. The design and construction of the water supply and distribution system and extensions thereto shall be adequate to provide a reasonable and desirable level of service to all areas either presently developed or proposed for development or redevelopment. New development and/or redevelopment shall only be permitted where the water supply and distribution system is adequate to service such development.
- c. Council shall undertake such improvements as may be necessary to the water supply and distribution system to provide sufficient storage capacity and water pressure in the distribution system and an adequate level of protection in the event of fires or other emergencies.
- d. It shall be the policy of this Plan that the sanitary sewage collection and treatment facilities provided be adequate to serve both the existing and proposed development areas. New development and/or redevelopment shall only be permitted where the sewage collection and treatment facilities are adequate to service such development.
- e. It shall be the policy of this Plan that all new development occurring by registered plan of subdivision shall be serviced by the municipal water supply and distribution and sewage collection and treatment systems. The developer shall be responsible for the installation of such works subject to the approval of the Village and the Ministry of the Environment. It is further intended that once such systems are installed and operating for such period as specified in the agreement that the systems shall be turned over to the Municipality at no cost.

## 7.2 Policies (cont'd.)

- f. Notwithstanding the policies set forth under paragraph (e) hereof to the contrary, Council may provide for minor infilling and/or extensions to residential areas which are substantially developed in the absence of municipal services provided that the proposed development will not result in a potential health hazard or further degradation of the environment. Council may consult with the Ministry of the Environment and local Health Unit in this regard.
- g. Where lands, which are presently undeveloped, cannot be serviced by the present gravity flow system of sanitary trunk sewers, or feasible extensions thereof, development shall be considered premature unless the proponent of the development is prepared to undertake the construction of such services to the satisfaction of and at no cost to the Municipality. Council shall ensure that such extensions are in accordance with the overall servicing concept for the Municipality. Notwithstanding the foregoing, limited infilling may be permitted by consent to a land severance.
- h. No development or redevelopment shall be permitted if such development or redevelopment will have a detrimental effect on the storm water drainage system. Council shall ensure that extensions to the existing storm drainage system are of sufficient capacity to support future anticipated growth in accordance with the land use policies and designations contained in this Plan.
- i. In approving of development proposals Council shall have regard for the overall storm water management plan. No development or redevelopment shall be permitted if it is considered to have a detrimental effect on the storm water drainage system.
- j. Council shall investigate the feasibility of implementing a storm water detention facility and other related works in the upstream portion of the natural watercourse, locally referred to as the Fenelon Creek, to effectively achieve a degree of control and minimize potential for flood damage to downstream properties. No development will be permitted which would interfere with or reduce the drainage characteristics of the water course. Council shall consult with the Kawartha Region Conservation Authority and such other agencies as may be required to determine the most appropriate means of implementation of this policy.

7.2 Policies (cont'd.)

- k. It shall further be the policy of this Plan that where drainage of a subdivision or other development is to be by means of an open water course, the lands necessary for drainage purposes shall not be acceptable as part of the five per cent or other land dedication for parkland purposes. Such water courses shall be wide enough to allow for the drainage channel and related flood plain with adequate space provided for maintenance and tree planting. Wherever possible, such areas shall be integrated with other public open space areas by the provision of pedestrian walkways and bicycle paths.

7.3 GROWTH MANAGEMENT POLICIES

7.3.1 General Principles

- a) It is the policy of this Plan that population and employment growth will be accommodated by –
  - i) directing a significant portion of new growth to the built-up areas of the community through intensification
  - ii) focusing intensification in intensification areas
  - iii) building compact, transit-supportive communities in designated greenfield areas
  - iv) reducing dependence on the automobile through the development of mixed-use, transit-supportive, pedestrian-friendly urban environments
  - v) providing convenient access to intra- and inter-city transit
  - vi) ensuring the availability of sufficient land for employment to accommodate forecasted growth to support the City's economic competitiveness
  - vii) planning and investing for a balance of jobs and housing in communities across the City of Kawartha Lakes to reduce the need

for long distance commuting and to increase the modal share for transit, walking and cycling

- viii) encouraging development of a complete community with a diverse mix of land uses, a range and mix of employment and housing types, high quality public open space and easy access to local stores and services
- ix) directing development to settlement areas, except where necessary for development related to the management or use of resources, resource-based recreational activities, and rural land uses that cannot be located in settlement areas
- x) directing major growth to settlement areas that offer municipal water and wastewater systems and limiting growth in settlement areas that are serviced by other forms of water and wastewater services
- xi) prohibiting the establishment of new settlement areas.

### 7.3.2 Intensification Policies

- a) By the year 2015 and for each year thereafter, a minimum of 40 per cent, or an alternative target approved by the Minister, of all residential development occurring annually within the municipality will be within the built-up area. The ongoing Growth Management Strategy is reviewing existing intensification occurring within the City and intensification opportunity across the City and could conclude an alternative intensification target is warranted. Therefore, this could lead to a request to the Ministry of Energy and Infrastructure Renewal for an alternative intensification target
- b) To promote intensification and achieve the intensification target of the City it is the policy of this plan to:
  - i) encourage intensification generally throughout the built-up area
  - ii) identify intensification areas to support achievement of the intensification target

- iii) recognize the built boundary as delineated by the Ministry of Energy and Infrastructure in April 2008
  - iv) recognize intensification corridors as a key focus for development to accommodate intensification
  - v) identify the appropriate type and scale of development in intensification areas
  - vi) plan for a range and mix of housing, taking into account affordable housing needs
  - vii) encourage the creation of secondary suites throughout the built-up area.
- c) All intensification areas will be planned and designed to:
- i) cumulatively attract a significant portion of population and employment growth
  - ii) provide a diverse and compatible mix of land uses, including residential and employment uses, to support vibrant neighbourhoods
  - iii) provide high quality public open spaces with site design and urban design standards that create attractive and vibrant places
  - iv) support transit, walking and cycling for everyday activities
  - v) generally achieve higher densities than the surrounding areas
  - vi) achieve an appropriate transition of built form to adjacent areas.
- d) Intensification corridors will generally be planned to accommodate local services ,including recreational, cultural and entertainment use. The City of Kawartha Lakes ongoing Growth Management Strategy will identify intensification corridors as the basis for designation. Intensification corridors will be planned to achieve –
- i) increased residential and employment densities that support and ensure the viability of existing and planned transit service levels

- ii) a mix of residential, office, institutional, and commercial development wherever appropriate.

It is recognized the Ministers of the Crown and municipalities will use infrastructure investment and other implementation tools and mechanisms to facilitate intensification.

### 7.3.3 Designated Greenfield Area Policies

- a) New development taking place in designated greenfield areas will be planned designated, zoned and designed in a manner that –
  - i) contributes to creating complete communities
  - ii) creates street configurations, densities, and an urban form that support walking, cycling, and the early integration and sustained viability of transit services
  - iii) provides a diverse mix of land uses, including residential and employment uses, to support vibrant neighbourhoods
  - iv) creates high quality public open spaces with site design and urban design standards that support opportunities for transit, walking and cycling.

New development areas or greenfield areas will be planned to achieve a minimum density target that is not less than 50 resident and jobs combined per hectare, or an alternative density target approved by the Ministry of Energy and Infrastructure Renewal, and phased in a manner to assist with achieving the intensification target for new residential units being constructed in the built up area. The ongoing Growth Management Strategy is reviewing allocation of density across the City and could conclude an alternative density target is warranted. Therefore, this could lead to a request to the Ministry of Energy and Infrastructure Renewal for an alternative density target.

The density target will be measured over the entire new development areas within municipality, excluding the following features where the features are both identified in any applicable official plan or provincial plan, and where the applicable provincial plan or policy statement prohibits development in the features: wetlands, coastal wetlands, woodlands, valley lands, areas of natural and scientific interest, habitat of endangered species and threatened species, wildlife habitat, and fish habitat. The area of the features will be defined in

accordance with the applicable provincial plan or policy statement that prohibits development in the features.

#### 7.3.4 Settlement Area Boundary Expansion Policies

- a) It shall be the policy of this Plan that settlement area boundary expansions may only occur as part of a municipal comprehensive review where it has been demonstrated that –
  - i) sufficient opportunities to accommodate forecasted growth contained in Schedule 3, through intensification and in designated greenfield areas, using the intensification target and density targets, are not available within the regional market area, as determined by the City.
  - ii) the expansion makes available sufficient lands for a time horizon not exceeding 20 years, based on the analysis provided for in the policy above.
  - iii) the timing of the expansion and the phasing of development within the designated greenfield area will not adversely affect the achievement of the intensification target and density targets, and the other policies of this Plan
  - iv) the existing or planned infrastructure required to accommodate the proposed expansion can be provided in a financially and environmentally sustainable manner
  - v) in prime agricultural areas:
    - the lands do not comprise specialty crop areas
    - there are no reasonable alternatives that avoid prime agricultural areas
    - there are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas
  - vi) impacts from expanding settlement areas on agricultural operations which are adjacent or close to the settlement areas are mitigated to the extent feasible

- vii) in determining the most appropriate location for expansions to the boundaries of settlement areas, the policies of Sections 2 (Wise Use and Management of Resources) and 3 (Protecting Public Health and Safety) of the PPS, 2005 are applied
- viii) for expansions of urban settlements to plan to maintain or move significantly towards a minimum of one full-time job per three residents within or in the immediate vicinity of the urban settlement."

### 7.3.5 Protection of Employment Lands

- a) It shall be the policy of this Plan that conversion of lands within employment areas, to non-employment uses, may only be permitted through a municipal comprehensive review where it has been demonstrated that –
  - i) there is a need for the conversion
  - ii) the municipality will meet the employment forecasts allocated to the municipality pursuant to the Growth Plan
  - iii) the conversion will not adversely affect the overall viability of the employment area, and achievement of the intensification target, density targets, and other policies of this Plan
  - iv) there is existing or planned infrastructure to accommodate the proposed conversion
  - v) the lands are not required over the long term for the employment purposes for which they are designated
  - vi) cross-jurisdictional issues have been considered.

For the purposes of this policy, major retail uses are considered non-employment uses. This Policy only applies to employment lands that are not downtown areas or regeneration areas. For those employment areas that are downtown areas or regeneration areas, the policies of the Provincial Policy Statement 2005 continue to apply.

## 8.1 Introduction

This Plan shall be implemented by means of those powers conferred upon the Council of the Corporation of the Village of Fenelon Falls in accordance with the relevant provisions of The Planning Act, The Municipal Act and the various other applicable structures. In particular this Plan shall be implemented by such means as Secondary Plans, Zoning By-laws, Site Plan Control, Maintenance and Occupancy By-laws, Community Improvement Plans, the subdivision of lands, the construction of public works, and the various other measures specifically referred to in the following sections.

## 8.2 Legislation Pursuant To The Municipal Act

It is intended that the Municipality shall continue to review existing legislation pursuant to The Municipal Act governing such uses as trailers and signs and, where necessary, amend existing By-laws or pass new By-laws, as may be required, to ensure such uses are properly regulated and controlled.

## 8.3 Zoning By-laws

### 8.3.1 Amendment To Conform With Plan

It shall be the policy of this Plan that the Council of the Corporation of the Village of Fenelon Falls shall amend forthwith the comprehensive Zoning By-law and such other By-laws as may be necessary to conform with and to give effect to the provisions of this Plan.

### 8.3.2 Lands Designated But Not Required Immediately

Certain areas designated for development, in accordance with the policies of this Plan, will remain undeveloped until municipal services are available and/or the Municipal Council is satisfied that the resulting development will be adequately serviced and will not be premature or place additional financial pressure upon the Municipality to extend such services.

No provision of this Plan shall require the Council of the Corporation of the Village of Fenelon Falls to forthwith zone all lands within the Municipality to permit immediate development for the designated

**8.3.2 Lands Designated But Not Required Immediately (cont'd.)**

use. Rather, where lands are designated but not required immediately for development, the lands shall be zoned within a Development Zone. Such areas shall only be rezoned for their designated use upon compliance with the relevant provisions of this Plan.

**8.3.3 Existing Non-Conforming Uses**

Notwithstanding any other provision of this Plan to the contrary, this Plan is not intended to necessarily prevent the continuation, expansion or enlargement of existing uses which do not conform with the designations or provisions of this Plan. It shall be the policy of this Plan that where an existing land use is not designated in this Official Plan, Council may recognize the use of such land, building or structure for the purpose for which it was legally used at the date of adoption of this Plan and thereby provide for the continuation, expansion or enlargement of such existing use in accordance with the following policies, namely:

- a. It shall be the policy of this Plan to permit the continuation, expansion or enlargement of those uses legally existing as of the date of adoption of this Plan provided that the continuation, expansion or enlargement of any land, building or structure does not result in any adverse effects on the use of adjacent lands or the implementation of the provisions of this Plan.
- b. In considering an application for an amendment to the implementing zoning By-law in accordance with the provisions of Section 34 (10) of The Planning Act, S.O., 1983, as amended, Council shall consider the intent and purpose of this Plan with a view to the feasibility and desirability of municipal acquisition of the lands and the possibility of holding, selling, leasing or redeveloping the property. Consideration should also be given to the possible relocation of the legal non-conforming use to a designated or zoned location where it would be allowed to continue, expand and enlarge adjacent similar and compatible uses in accordance with the intent of this Plan.
- c. It shall further be the policy of this Plan that, where an application for an amendment to the implementing zoning By-law is made in accordance with the provisions of Section 34 (10) of The Planning Act, S.O., 1983, as amended, to allow for the continuation, expansion or enlargement of any land, building or structure for a purpose which legally existed as of the date of adoption

## 8.3.3 Existing Non-Conforming Uses (cont'd.)

of this Plan, but which is not recognized in this Plan or the implementing By-law, Council shall have regard for the following matters prior to enactment of an amendment to the implementing By-law, namely:

- i. that the proposed extension or enlargement of the established use will not adversely affect the implementation of the policies of this Plan and that the general intent and purpose of the Plan are maintained;
  - ii. that the proposed extension or enlargement is in proportion to the size of the use as it existed at the date of enactment of the implementing By-law;
  - iii. that the proposed extension or enlargement is compatible with surrounding uses in terms of noise, vibration, fumes, heat radiation, smoke, dust, odours, or other similar offensive characteristics;
  - iv. that site planning and design are such as to minimize the effect of the proposed extension or enlargement on adjacent conforming uses, and, where necessary, adequate spatial separation, buffer planting, screening and fencing are provided so as to afford adjacent conforming uses a degree of protection from any offensive characteristics;
  - v. that the use will not result in increased traffic volumes through residential areas and that adequate off-street parking and loading facilities are available, provided further that ingress and egress points to and from the site are designed in such a manner as to minimize the danger to both vehicular traffic and pedestrian movements.
- d. It shall be the policy of this Plan that Council notify all property owners within the area affected by an application made in accordance with Section 34(10) of The Planning Act, S.O., 1983, as amended, to solicit their views as to the extension or enlargement of such existing uses.
- e. Council shall not pass an amendment to the implementing zoning By-law to permit the extension or enlargement of any land, building or structure used for any purposes prohibited by the By-law pursuant to the provisions of Section 34(10) of The Planning Act, 1983, as amended,

**8.3.3 Existing Non-Conforming Uses (cont'd.)**

until it is satisfied that such extension or enlargement will not have any adverse effects on adjacent land uses nor the implementation of this Plan.

**8.3.4 Development Holding Provisions**

Council may, in a By-law passed pursuant to the provisions of Section 35 of the Planning Act, S.O. 1983, as amended, zone lands for their intended purpose and further impose a holding provision by use of the Holding Symbol "H" in accordance with the following provisions, namely:

- i. where the lands are designated Residential and a plan of subdivision has received draft plan approval;
- ii. where the lands are designated as Medium Density Residential and a plan of condominium has received draft plan approval or where a proposal has been received which conforms with the intent of this Plan and development is to proceed by means of Site Plan Control;
- iii. where the lands are designated Commercial and are presently undeveloped or are developed for an alternative non-conforming use and may be readily serviced by municipal water supply and sanitary sewage services;
- iv. where the lands are designated as Industrial and are presently undeveloped but may be readily served by public roads, municipal water supply and sanitary sewage services; and,
- v. where the lands are designated Industrial and development is to occur by a registered plan of subdivision which has received draft plan approval.

No development of those lands affected by a holding provision shall be permitted and Council shall not remove the Holding Symbol until such time as the proposed development has been approved by all relevant Municipal, County and Provincial agencies and bodies and the necessary agreements have been registered on title to ensure that all the provisions of this Plan, and, as may be applicable, the conditions of draft plan approval have been complied with. In the interim period until the Holding Provision is removed by Council in accordance with the provisions of this Plan and

8.3.4 Development Holding Provisions (cont'd.)

Section 35(4) of The Planning Act, S.O., 1983, as amended, the uses permitted shall be restricted to those existing as of the date of adoption of this Plan and public uses and utilities.

8.3.5 Increased Height And Density Provisions

Council may, pursuant to the provisions of Section 36 of The Planning Act, S.O., 1983, as amended, pass a by-law which authorizes increases in the height and density of development otherwise permitted by the by-law in return for the provision of such facilities, services or matters set out in the by-laws conditional upon an amendment to this Plan which establishes the provisions relating to authorization of such increases in height and density of development.

Increased height and density provisions shall only be awarded in those situations where the effect is not to preclude the logical development of adjacent undevelopable or underutilized lands and where one or more of the following objectives are fulfilled, namely:

- i. the provision of assisted housing or senior citizen housing facilities in accordance with the identified needs of the community;
- ii. the preservation and restoration of buildings of historic or architectural value which will serve to reinforce and maintain the community structure;
- iii. the application of innovative building designs when applied in conjunction with a comprehensive redevelopment plan for lands within the Main Central Area of the community which provide for the intensification and rationalization of the land use pattern and which serve to reinforce the economic viability of the area; and
- iv. the provision of significant community amenities and recreational facilities which serve the identified needs of the community as a whole.

### 8.3.6 Temporary Use By-laws

Council may, pursuant to the provisions of Section 38 of The Planning Act, S.O., 1983, pass by-laws to permit the temporary use of lands, buildings or structures provided that the following requirements are complied with, namely:

- i. that the use generally conforms with the intent of this Official Plan;
- ii. that the use is compatible with surrounding land uses and activities; and,
- iii. that such temporary uses or activities do not result in a hazardous condition for either vehicular or pedestrian traffic and that the relevant parking area requirements are complied with.

Such a by-law shall define the area to which it applies and prescribe the period of time for which the authorization shall be in effect having regard for the appropriateness of the use and the temporary nature of the use or activity.

### 8.4 Plans Of Subdivision

It shall be the policy of Council to recommend to the Minister, for approval, only those plans of subdivision or condominium which comply with the designations and policies of this Plan and which, to the satisfaction of Council, can be supplied with adequate municipal services and community facilities such as schools, fire protection, water supply, sewage disposal, storm drainage facilities and road maintenance, and which, by reason of such approval, would not adversely affect the financial status of the Municipality.

It shall further be the policy of this Plan that a plan of subdivision or condominium shall not be recommended for draft plan approval until such time as the proponent has undertaken a preliminary engineering feasibility report with respect to the provision of municipal services, the treatment of storm drainage and such other matters as Council may consider necessary in order to adequately assess the proposed development.

**8.5 Consents To Land Severance**

Land development, particularly residential, shall wherever possible, occur by registered plan of subdivision. Where a plan of subdivision is not necessary for the proper and orderly development, a consent to a land severance may be granted by the Land Division Committee pursuant to its powers as set forth under Section 52 of The Planning Act, S.O., 1983, as amended. In addition to the provisions of Section 50(4) of The Planning Act, S.O., 1983, as amended, the Land Division Committee shall have regard for the following criteria and policies in reviewing an application for a consent to a land severance, namely:

- a. A consent to a land severance shall only be considered when the Land Division Committee is satisfied that a plan of subdivision, as referred to under Section 50 of The Planning Act, S.O., 1983, as amended, is not required to ensure the proper and orderly development of the lands. Where the land ownership would be capable and appropriate for division into numerous lots or there are indications that the scale of development is going beyond that for which the consent process is intended, a plan of subdivision shall be required.
- b. Approval of a consent shall only be considered when the Land Division Committee is satisfied that the proposed lot will not have a detrimental effect on the Corporation's financial status. A consent to a land severance should not be granted where the extension of any road or other public facility, or service, as may be required to facilitate the proposed development, is considered to be premature and uneconomical.
- c. A consent shall only be granted where the proposed lot fronts upon an improved public street which is maintained year-round and, which is of a reasonable standard of construction so as to be eligible for subsidy from the Ministry of Transportation and Communications. In this regard a report may be requested by the Land Division Committee from the appropriate agency.
- d. A consent to a land severance shall not be granted where, due to the development of the proposed lot, a traffic hazard would be created or serve to further an existing traffic hazard as a result of limited sight lines, curves or grades.
- e. A consent to a land severance shall generally be given favourable consideration if it has the effect of infilling.

8.5 Consents To Land Severance (cont'd)

- f. Where necessary, dedications for appropriate road widenings or 0.3 metre reserves shall be required as a condition of approval across the frontage or other yards of all proposed lots.
- g. The Land Division Committee may attach any other condition as may be authorized under the provisions of The Planning Act, S.O., 1983, as amended, or any other statute as may be applicable, which may include, but not be limited to the following:
  - i. the payment of levies to the Village of Fenelon Falls to cover the costs of additional municipal services to be provided as may be deemed necessary by Council;
  - ii. the dedication of land to the Village of Fenelon Falls for park purposes, or, as an alternative, the payment of cash-in-lieu of such dedication as may be accepted by the Village; and,
  - iii. the submission of a registered reference plan to the Land Division Committee prior to the consent being finalized.
- h. A consent to a land severance shall only be considered where a sketch plan is submitted which is drawn to scale and which indicates the true dimensions of the lot; the proposed location, height, floor area and dimensions of any building or structure proposed for such lot; the dimensions of any yards, setbacks, landscaped open space; and, the location of all existing buildings or structures adjacent to the lot which is to be severed.
- i. It shall further be the policy of this Plan that a consent to a land severance shall generally be denied where the effect is to create a lot of disproportionate depth and width. For the purposes of this Plan the depth of a lot should generally not be greater than three times the frontage.

8.6 Capital Works And Staging

The extension or development of capital works related to public projects within the Village of Fenelon Falls shall be in conformity with the provisions of this Plan. Council shall consider the preparation and adoption, without the necessity of an amendment to this Plan, of a five year

8.6 Capital Works And Staging (cont'd.)

capital staging improvement program to implement the provisions of this Plan. It is further intended that such a program be reviewed annually as part of the capital budgeting procedure with regard for changing socio-economic conditions throughout the Municipality.

8.7 Maintenance And Occupancy Standards

Council may enact a By-law pursuant to the provisions of Section 31 of The Planning Act, S.O., 1983, as amended, setting forth the minimum standards for the maintenance and occupancy or use of property within the Village of Fenelon Falls and for prohibiting the occupancy or use of such property that does not conform to the standards established thereunder. The By-law shall contain provisions for requiring property, which does not conform, to be repaired and maintained in accordance with the prescribed standards, or for the site to be cleared of all buildings, structures, debris, or refuse and left in a graded and levelled condition.

The Council of the Village of Fenelon Falls shall, upon the enactment of a Property Standards By-law, appoint a Property Standards Officer who shall be responsible for the administration and enforcement of the said By-law.

Regard shall be had for the following matters in the enactment of the Property Standards By-law, namely:

- i. the physical conditions of yards and passageways including the accumulation of debris and rubbish and abandoned and discarded motor vehicles;
- ii. the adequacy of sanitation including facilities for drainage, waste disposal and garbage;
- iii. the physical condition of all buildings or dwellings with particular regard to such matters as structural standards and appearance; adequacy of heat, light and ventilation; condition of stairs, interior walls, ceilings, floors and plumbing facilities and appurtenances; adequacy of electrical services, fire protection; safety and warning devices; and,
- iv. the physical condition of accessory buildings and the property.

**8.8 Site Plan Control**

It is the policy of this Plan that the following lands shall be designated as an area of proposed Site Plan Control in accordance with the provisions of Section 40(2) of The Planning Act, S.O., 1983, as amended, namely:

- i. all lands designated as Environmental Constraint Areas;
- ii. all lands designated as Recreational-Open Space;
- iii. all lands designated as Medium Density Residential;
- iv. all lands designated as Institutional-Community Facility;
- v. all lands designated within the Main Central Area;
- vi. all lands designated within a Commercial classification;
- vii. all lands designated as Industrial; and,
- viii. all lands to be developed for the purposes of a building or structure associated with a public use or utility.

It shall further be the policy of this Plan that Council may require the owner to enter into one or more agreements as a condition to the approval of certain plans and drawings in accordance with the provisions of Section 40(7) of The Planning Act, S.O., 1983, as amended. Notwithstanding the foregoing, Council may, pursuant to the provisions of Section 40(13) of The Planning Act, S.O., 1983, as amended, enact a By-law to define any class or classes of development where development may be undertaken without the approval of plans and drawings as may otherwise be required hereunder.

In accordance with the provisions of Section 4.2.3(c) and 8.5(f) of this Plan, Council may require the dedication of lands for the widening of public streets and roads to provide for a right-of-way width in accordance with the designated functional classification. All public roads and streets under the jurisdiction of the County of Victoria and the Village of Fenelon Falls are roads for which road

8.8 Site Plan Control (cont'd)

widening may be required as a condition to the approval of plans and drawings in accordance with the provisions of Section 40 of The Planning Act.

Where the existing road allowance abutting lands affected by Site Plan Control is less than the right-of-way width for the designated functional classification, the dedication shall consist of one-half of the additional width required in accordance with the functional classification provided that the maximum dedication shall not exceed 5 metres in width across the entire frontage of the property.

8.9 Land Acquisition

The Council of the Corporation of the Village of Fenelon Falls may acquire land to implement any feature of this Plan in accordance with the provisions of The Planning Act, The Municipal Act or any other Act.

8.10 Official Plan Review

It is intended that this Plan will be reviewed from time to time in light of changing conditions and that a general review of the whole Plan shall take place at least once every five years to keep abreast of changes and trends within the Municipality.

8.11 Site Plan Requirements

Where under the provisions of this Plan a site plan is required, the following information shall be supplied by the proponent, namely:

- i. the true dimension of the lot to be built upon, excavated or otherwise to be used occupied;
- ii. plans showing the location, height, floor area and dimensions of all existing and proposed buildings and structures to be developed on the subject lands;

## 8.11 Site Plan Requirements (cont'd.)

- iii. plans showing the relationship of all existing or proposed buildings or structures to adjacent buildings and streets and the location and dimension of any yards, setbacks, landscaped open space, outside storage, off-street parking and loading facilities;
- iv. such contours and elevations as may be required to determine surface drainage patterns and the elevation of the lands and proposed buildings and structures relative to a public street or road; and,
- v. the general location of all services such as water supply, sewage disposal, solid waste collection, communication equipment and utilities.

### 9.1 Definition Of Planning Area

Where in this Plan reference is made to the "planning area", such reference shall mean the whole of the Village of Fenelon Falls.

### 9.2 Boundaries and Alignments

It is intended that the boundaries of the land use designations as delineated on Schedule "A" and the boundaries and alignments of the various components set forth on Schedules "B", "C", and "D", are to be considered as approximate. Such boundaries and alignments are considered absolute only where bounded by roads, railways, watercourses, shoreline areas, transmission lines or other clearly discernible geographic features. Amendments to this Official Plan will not be required in order to make minor adjustments to the approximate land use boundaries or the location of roads or other boundaries provided the general intent of this Plan is maintained.

### 9.3 Area Requirements, Figures and Quantities

It is intended that all figures and quantities be considered as approximate only and not absolute in order to provide for the necessary flexibility in the administration and interpretation of this document. An amendment to this Plan shall not be required for any reasonable variance from any of the proposed figures.

### 9.4 Permitted Uses

The examples of the permitted uses are included in this Plan to illustrate the type, nature and range of uses and activities permitted within each of the respective land use designations. Specific uses shall be defined with the adoption of the zoning By-law.

### 9.5 Accessory Uses, Buildings and Structures

Wherever a use is permitted within a land use designation, it is intended that those accessory uses, buildings and structures normally considered incidental and subordinate to the principal use, building or structure are also permitted.

9.6 Definition of Terms

Wherever a term is used in this Plan and is a term defined in an approved provincial plan, the definition of the term shall be as identified in the approval provincial plan.