

(b) GENERAL CONSENT POLICIES:

(i) Land Use Compatibility

The land use designations and policies of this Plan shall be utilized to ensure compatibility between the type of development proposed for the severed and retained portion of the subject land, and the land uses, both existing and future, in the surrounding area.

The Council may require the Applicant to complete certain studies and analysis in order to justify the suitability of the proposed development. Work determined as necessary by the studies and analysis shall form part of the conditions for approval and be implemented prior to construction.

Each development shall be evaluated in relation to information from the Ministry of Northern Development and Mines and the Ministry of Natural Resources as to the need to protect the resource value of land and to ensure appropriate separation distances from such resources. Resource locations identified by the Ministry of Natural Resources are shown on Schedule A, with the exception of the Bear Management Areas which are shown on Schedule B. For the Ministry of Northern Development and Mines, aggregate resource areas are shown on Schedule B. Mineral deposit occurrences have not been mapped on either Schedule.

Where development is proposed in the vicinity of a waterbody, Council shall utilize information available from the Ministry of Natural Resources and the Ministry of the Environment as to the waterbody's ability to support development and other environmentally sensitive issues. Prior to new development receiving approval, a Lake Development Capacity Study shall be prepared by the Municipality to determine the capacity of the lake. ~~This Study may then be utilized to evaluate future development.~~

Where development is proposed in the vicinity of a highway or railway line, or where any stationary noise exceeds ~~usual~~ ambient background levels, Council shall require that a study be completed by, and at the expense of, the Applicant, for review and implementation. The study shall examine the potential impact of noise.

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NO. 4.1 UNDER
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THE PLANNING ACT

In particular, each proposed development shall be evaluated in relation to minimum separation distances contained in the Ministry of the Environment Noise Guidelines, as well as, Ministry Guidelines D-1, D-2, D-3, D-4 and D-6. D-Series Guidelines deal with aggregate and non-aggregate resources; sensitive land uses; highways, railways and airports; industrial facilities; waste disposal sites; and sewage treatment facilities. Separation distances shall be incorporated in implementing Zoning By-laws.

(ii) Development Patterns

All land to be severed shall have frontage on and abut an improved roadway and the adjacent roadway shall be capable of carrying additional traffic generated by the approval.

Proposed consents shall be modified, or denied to avoid areas of environmental sensitivity or hazardous conditions in order to protect or enhance the natural environment. Approvals shall be limited in the rural area of the Township to preserve the rural nature of the area. However, where the consent is approved, the development pattern to be established by the consent shall mesh with existing development and road patterns on adjacent land.

To avoid the creation of landlocked parcels, no consent to sever land shall be approved which will result in the severed or retained parcel of land being landlocked, unless such landlocked parcels are to be consolidated with an abutting property which abuts and has access to an improved road in accordance with Section 3(3) of this Plan.

An application shall not be approved which prevents access to undeveloped land adjacent to the proposed site. Rights-of-way shall be required where land would become landlocked or have difficulty obtaining access because of the approval. The rights-of-way shall be developed to municipal standards and dedicated as a public road by the Applicant.

Direct access to an improved road under Provincial jurisdiction shall be discouraged where an alternative access to an improved road under municipal jurisdiction is available. Where alternative access is not

available, Council shall ensure that any approval will be conditional upon the issuance of an entrance permit by the Ministry of Transportation.

Where access to an improved road under municipal jurisdiction is required, Council shall confirm that the road in question is an improved road and that an entrance permit will be issued as a condition of approval.

Applicants shall pre-consult with the Municipality, or where required, the Ministry of Transportation, to ensure they are prepared to issue an access permit prior to granting provisional consent for the application.

Where the Ministry is being consulted, development proposals must meet the policies and guidelines of the Ministry of Transportation for access and will be subject to the Ministry's Permit Control for all buildings and structures, and land uses. In rural areas, an entrance permit may only be considered for properties with a minimum frontage of 366 metres, provided the Ministry's safety requirements are met.

(iii) Provision of Services

The Council shall ensure both the severed and retained portions of the subject property will be provided with all necessary services and amenities in accordance with the relevant policies of Section 3 of this Plan.

Prior to approving a land severance on private services where the property contains an existing building, Council shall require confirmation from the local Health Unit, or Ministry of the Environment, that the existing sewage disposal facility is functioning properly. However, if, in the opinion of the Health Unit or Ministry, such facility is not properly functioning, Council shall, as a condition for approval, require the improvement or replacement of the malfunctioning facility to the satisfaction of the appropriate authority.

(iv) Site Conditions

The Council shall ensure that a proposed land severance can be developed in accordance with the relevant policies of Section 5(2) of this Plan. In

particular, if any part of the land to be severed is located in an area where a constraint area may exist, Council shall review the proposal in accordance with the policies of Section 5(2)(a) of this Plan.

Proposed severances shall avoid areas of environmental sensitivity or hazardous conditions in order to protect or enhance the natural environment and to protect people and/or property from potential hazards.

These policies shall apply to both the severed and retained portions of the subject property, but need not, in appropriate situations, apply to portions which are to be consolidated with an abutting property, or are to be preserved and/or enhanced as an environmental or conservation area.

(v) Zoning

Where a parcel proposed to be severed, or in those cases where the parcel proposed to be retained and are approved by exceptions, do not conform to the implementing zoning by-law, the severance approval shall be conditional upon a zoning change. The Council shall be assured that the general intent and purpose of the comprehensive Zoning By-law are maintained, notwithstanding, an amendment thereto.

(vi) Exceptions

Notwithstanding any other policy herein, a consent for land severance can be granted for the following purposes without affecting the number of consents permitted from a land holding described in Section 4(1)(a):

- to correct lot boundaries;
- to clear title;
- to provide easements or rights-of-way, provided no new building lots are created as a result of the easements;

- to convey additional land to an adjacent lot, provided the conveyance does not lead to the creation of an undersized retained parcel of land, or irregularly shaped lots for either the retained parcel or the parcel to which the land is to be added; and
- to separate buildings or structures in existence prior to 15 May 1984.

(c) CONSENTS IN TOWNSITE DESIGNATIONS:

(i) Non-Residential

For lands designated Townsite on Schedule A hereto, preference will be given to non-residential consent for land severances which:

- would not prejudice the future orderly development of adjacent lands;
- reinforce in-depth development and facilitates future in-depth development by providing rights-of-way for access to vacant lands;
- would be in compliance with the general location policies, particularly those of Section 6(3)(d) of this Plan; and
- infill those areas identified, particularly in Section 6(3)(d), which are already substantially developed, without creating land use conflicts with adjacent properties.

(ii) Residential

For lands designated Townsite on Schedule A hereto, preference will be given to residential consents for land severances which:

- infill residential areas, which are already substantially developed, and which would not create a land use conflict with adjacent properties;

- will abut an existing, developed residential lot, subject to Section 6(3)(d) of the Plan, and not extend the present service area;
- would not prejudice the future orderly development of adjacent lands; and
- reinforce in-depth development and facilitates future in-depth development by providing rights-of-way for access to vacant lands.

(d) CONSENTS IN RURAL DESIGNATIONS:

(i) Non-Residential

For lands designated Rural on Schedule A hereto, preference will be given to non-residential consents for land severance where:

- both the severed and retained portions are to be used for agriculture or agriculturally related uses;
- a separate site is required for an industrial use provided such development is for an operation servicing the needs of the local population or economy;
- a separate site is required for a natural resource related industrial operation, provided such development is directed to land where the resource is located;
- the site is directed to those lands exhibiting low resource potential when use of the site is not proposed to be resource related;
- an on-going agricultural operation will be strengthened;
- the site is kept to a minimum lot size for the purpose of the use proposed; and
- the approval will not prejudice the future orderly development of adjacent land.

(ii) Residential

For lands designated Rural on Schedule A hereto, preference will be given to residential consents for land severance where:

- directed to those areas where the land exhibits low resource potential;
- the site will not adversely limit an on-going agricultural operation;
- the site is kept to a minimum lot size for the purpose of the proposed use; and
- the approval will not prejudice the future orderly development of adjacent land.

(e) CONSENTS IN ENVIRONMENTAL PROTECTION DESIGNATIONS:

Once land is designated Environmental Protection, no consents for land severance shall be granted, unless the proposed use is for public purposes or in accordance with Section 4(2)(b)(iv) herein.

(f) CONSENTS IN SENSITIVE DESIGNATIONS:

Once land is designated Sensitive, no consents for land severance shall be granted, unless the proposed use is for public purposes or in accordance with Section 4(2)(b)(vi) herein.