

**AMENDMENT NUMBER 23**

**TO THE OFFICIAL PLAN**

**OF THE TOWNSHIP OF KING**

**THE HAMLET SECONDARY PLAN**

**INITIATED BY**

**THE TOWNSHIP OF KING**

**TOWNSHIP OF KING**

**1983**

MAYOR

Mr. C. Jessop

COUNCILLORS

Ward 1

Mr. Jack Hayles

Ward 2

Mr. Murray Sheardown

Ward 3

Mr. Jim Connell

Ward 4

Mr. William Foran

Ward 5

Mr. James Morning

Ward 6

Mr. Jack Rupke

CLERK

Mr. C.H. Duncan

AMENDMENT NO. 23  
TO THE OFFICIAL PLAN OF THE  
TOWNSHIP OF KING

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PART I

THE CERTIFICATION

-- “The enacting portion attesting of the Official status of the document.”

**PART I: THE CERTIFICATION**  
**AMENDMENT NO. 23**  
**TO THE OFFICIAL PLAN**  
**OF THE TOWNSHIP OF KING PLANNING AREA**

The attached explanatory text and Schedules “A” through “K” inclusive constituting Amendment No. 23 of the Official Plan of the Township of King Planning Area was adopted by the Corporation of the Township of King by By-law Number 83-102 in accordance with the provisions of The Planning Act and in accordance with the provisions of The Regional Municipality of York Act, 1970 on the 29<sup>th</sup> day of July 1983.

Clarence W. Jessop  
Mayor

C.H. Duncan  
Clerk

**THE CORPORATION OF THE TOWNSHIP OF KING**

**By-law Number 83-102**

**BEING A BY-LAW TO ADOPT AMENDMENT NO. 23  
TO THE OFFICIAL PLAN FOR THE TOWNSHIP OF  
KING PLANNING AREA.**

The Council of the Corporation of the Township of King, in accordance with the provisions of The Planning Act hereby ENACTS AS FOLLOWS:

1. THAT Amendment No. 23 to the Official Plan of the Township of King Planning Area, constituting the attached Schedules "A" through "K" inclusive and explanatory text, is hereby adopted.
2. THAT the Corporation of the Township of King make application to the Minister of Municipal Affairs and Housing for approval of said Amendment No. 23 to the Official Plan of the Township of King Planning Area.
3. THAT the Mayor and Clerk be and they are hereby authorized and empowered to execute the said Amendment No. 23 to the Official Plan on behalf of this Corporation and to affix thereto the Corporate Seal and to make or cause to be made on behalf of this Corporation such application as may be necessary to the Minister of Municipal Affairs and Housing for approval of said Amendment No. 23 to the Official Plan and to execute under the Corporate Seal such documents as may be required for the above purposes.

READ a FIRST time this 29<sup>th</sup> day of July, 1983.

..... Mayor

..... Clerk

READ a SECOND time this 29<sup>th</sup> day of July, 1983.

..... Mayor

..... Clerk

READ a THIRD time and FINALLY PASSED this 29<sup>th</sup> day of July, 1983.

..... Mayor

..... Clerk

## **PART II**

### **THE PREAMBLE**

- “An introduction to the Amendment and a Summary of its Background and Basis.”



**PART II: THE PREAMBLE**

1. **TITLE**

This Amendment shall be known as:

THE HAMLET SECONDARY PLAN  
AMENDMENT NO. 23  
TO THE OFFICIAL PLAN  
OF THE  
TOWNSHIP OF KING  
PLANNING AREA

Being an Amendment to the Official Plan of the Township of King Planning Area.

2. **COMPONENTS OF THIS AMENDMENT**

Only that part of this document entitled “PART III: THE AMENDMENT”, comprising text and attached schedules, constitute Amendment Number 23 to the Official Plan of the Township of King Planning Area.

“PART I: THE CERTIFICATION”, “PART II: THE PREAMBLE” and “PART IV: THE APPENDIX “ do not constitute part of this Amendment.

3. **PURPOSE OF THIS AMENDMENT**

The purpose of this Amendment is to propose a refinement of policy and land use designation at the secondary planning level for the Hamlet Areas.

4. **LOCATION OF THIS AMENDMENT**

The lands affected by this Amendment are shown on Schedules “A”, “B”, “C”, “D”, “E” and “F” (Land Use Plan) to this document. On Schedule “A” the lands are shown in red and on Schedules “B” to “F” inclusive, the lands are delineated by the Study Area Boundary. These lands are generally comprised of:

- (i) Schedule “A” – (Sacred Heart):  
Part of Lots 15 and 16, Concessions IV and V;
- (ii) Schedule “B” – (Ansnorveldt):  
Part of Lots 10 – 15 inclusive, Concessions II and III, Old Survey
- (iii) Schedule “C” – (Kettleby):  
Part of Lots 27 – 29 inclusive, Concession IV;

- (iv) Schedule “D” – (Laskay):  
Part of Lots 2 – 5 inclusive, Concessions V and VI
- (v) Schedule “E” – (Pottageville):  
Part of Lots 25 – 30 inclusive, Concessions VI and VII;
- (vi) Schedule “F” – (Snowball):  
Part of Lots 20 and 21, Concessions II and III..

5. BASIS OF THE AMENDMENT

This Amendment was initiated by Council to provide greater detail in planning for the future growth of the Hamlet Areas. This is provided for by the development and implementation of the Hamlet Plan at the secondary planning level.

The Hamlet Plan is based on the study of the environmental, social and economic factors affecting the areas, from which the policies of the Hamlet Plan were developed.

### PART III

#### THE AMENDMENT

-- “The operative part of this document which amends the original Official Plan.”

### **PART III: THE AMENDMENT**

#### **1. INTRODUCTION**

This part of the document in its entirety entitled “PART III: THE AMENDMENT”, shall constitute “The Hamlet Secondary Plan” being Amendment Number 23 to the Official Plan of the Township of King Planning Area (as amended).

Any reference hereinafter to the “Official Plan” shall refer to the Official Plan of the Township of King Planning Area (as amended).

Any reference hereinafter to the “Hamlet Plan” shall refer to this Amendment Number 23, being the Hamlet Secondary Plan.

Any reference hereinafter to the “Township” shall refer to the Corporation of the Township of King.

Any reference hereinafter to “Council” shall refer to Council of the Corporation of the Township of King.

#### **2. THE PROPOSAL – LAND USE PLAN AND TEXT CHANGES**

- a) The “Land Use Plan”, being Schedule “A” to the Official Plan, and annexed hereto as Schedule “A”, is hereby amended by changing the land use classification of the location outlined in red (Sacred Heart area) from “Hamlet” to “Rural”.
- b) The “Land Use Plan”, being Schedule “A” to the Official Plan, is hereby further amended by deleting the land use designations affecting those lands within the Study Area boundaries as shown on Schedules “B”, “C”, “D”, “E” and “F” hereto (hereinafter referred to as the “Hamlet Areas”) and by replacing such designations with the designations as outlined on Schedules “B” to “F” inclusive hereto, being the “Land Use Plan” for the Hamlets of Ansnorveldt, Kettleby, Laskay, Pottageville and Snowball.
- c) Except as hereinafter otherwise provided, the text portions and policies of Section 3(4), 5, 6 and 7 of the Official Plan shall not apply to the Hamlet Areas identified above and the policies herein contained shall be the policies applicable to these Hamlet Areas.
- d) Schedules “A” to “K” inclusive are hereby declared to form part of this Amendment.

3. IMPLEMENTATON

This Amendment will be implemented by appropriate amendment(s) to the comprehensive Zoning By-law of the Township of King, being By-law 74-53, as amended.

4. INTERPRETATION

The interpretation of the Hamlet Secondary Plan shall be in accordance with the provisions set forth in this Amendment.

**AMENDMENT NO. 23**  
**TO THE OFFICIAL PLAN FOR THE**  
**TOWNSHIP OF KING PLANNING AREA**

This amendment to the Official Plan for the Township of King Planning Area, which has been adopted by the Council of the Corporation of the Township of King, is hereby modified under the provisions of section 17 of the Planning Act, R.S.O. 1980, as follows:

1. Section III, Subsections 3.5, 3.6 and 3.7, page 14, are renumbered as follows:
  - '3.5 renumbered to 3.6'
  - '3.6 renumbered to 3.7'
  - '3.7 renumbered to 3.8'.
2. Section III, page 14, is modified by the addition of a new subsection 3.5 as follows:
  - '3.5 The areas identified as Fill Regulation Area on Schedules 'G' to 'K' inclusive are subject to Fill, Construction and Alteration of Waterways Regulations made under the Conservation Authority's Act. Within these areas, a permit from the appropriate conservation authority may be required to do the following:
    - (i) Place or remove fill;
    - (ii) Undertake new construction;
    - (iii) Renovate or add to an existing building;
    - (iv) Divert, dam, widen, deepen or in any way alter a watercourse.
3. Schedule 'B' Land Use Plan, Ansnorveldt Hamlet Plan is modified by deletion in its entirety, to be replaced with the new Schedule 'B'.
4. Schedule 'F' Land Use Plan, Snowball Hamlet Plan is modified by deletion in its entirety, to be replaced with the new Schedule 'F'.
5. Schedule 'I' Environmental Constraints Legend is modified by the addition of the new category 'Environmentally Significant Area'.

As thus modified, this amendment is hereby approved pursuant to Section 17 of the Planning Act, R.S.O. 1980, SAVE and EXCEPT for the following, which is deferred pursuant to section 14(3) of the Planning Act, R.S.O. 1980.

1. Section 1, subsection 1.1 Purpose and Scope, page 1, paragraph 2, line 3, the figure '2,345'.

2. Section IV, subsection 4.2.1, item (iii) page 16.
3. Those lands outlined in red, identified as Deferral No. 3 on Schedule 'D' Land Use Plan, Laskay Hamlet Plan.

Date: December 24, 2984

L.J. FINCHAM  
Director  
Plans Administration Branch  
Central and Southwest  
Ministry of Municipal Affairs and Housing

**THE  
HAMLET  
SECONDARY PLAN**

**TOWNSHIP OF KING  
PLANNING DEPARTMENT**

**1983**



**THE HAMLET SECONDARY PLAN**

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## SECTION I

### SCOPE AND BASIS OF THE PLAN

#### 1.1 PURPOSE AND SCOPE

The purpose of the Hamlet Plan is to supplement the existing Official Plan by providing greater detail to guide and direct the future growth of the Hamlet Areas, specifically Ansnorveldt, Kettleby, Laskay, Pottageville and Snowball.

The Hamlet Plan is designed to provide a framework for the future development of the Hamlet Areas to the year 2001 and will accommodate a maximum population of approximately 2,345 persons within the areas designated "Hamlet Residential". It is intended that this Hamlet Plan will be of assistance to both private interests and public administrators as it will serve as a framework for decision making in the evaluation of both public and private development proposals.

The Hamlet Plan is a legal document but does not, by itself, control or regulate development of land by private and public interests. The policies contained herein are intended to guide public administrators and public interests in such a way as to ensure the best form of development under the most desirable conditions. The Hamlet Plan will provide a basis for preparing zoning and other by-laws which will implement the land use policies of the Hamlet Plan.

#### 1.2 THE OFFICIAL PLAN OF THE TOWNSHIP OF KING PLANNING AREA

The Official Plan was adopted by Council on August 24, 1970 by By-law 1635 and was approved by the Minister of Municipal Affairs on November 23, 1970, with modification, save and except as it applies to certain lands which were referred to and dealt with by the Ontario Municipal Board.

There have been no amendments to the Official Plan which affect the Hamlet Areas except Amendment Number 10 which designated certain lands as Estate Residential and Open Space as shown on Schedule "E".

The Official Plan is a basic land use plan setting out guidelines for future development in the Township. It does not, however, provide sufficient detail for implementation at a secondary planning level in the Hamlet Areas of the Township. Therefore, the Hamlet Plan has been prepared as an amendment to provide specific policies for the control of future development in the Hamlet Areas.

## SECTION I

### 1.3 HAMLET PLAN REVIEW

It is intended that the Hamlet Plan shall be subject to continuing review by Council and whenever it is found necessary, due to new economic, social or technical development, the Hamlet Plan will be amended. It is intended that Council shall undertake a complete review of the Hamlet Plan within five years of the date of its approval.

### 1.4 BASIC OBJECTIVES OF THE HAMLET PLAN

The Hamlet Plan is intended to guide and direct development within the Hamlet Areas in order to ensure future orderly and acceptable growth. The Hamlet Plan will serve to assist Council in its evaluation of both public and private proposals. The basic objectives of the Hamlet Plan are as follows:

- 1) To maintain and enhance the community structure consistent with historic trends.
- 2) To provide for a limited amount of growth which is compatible with the existing development form.
- 3) To provide an opportunity for a limited amount of non-farm residential development to locate in the Hamlet Areas rather than rural areas of the Township.

## SECTION II

### LAND USE PLAN AND POLICIES

#### 2.1 INTRODUCTION

It is intended that land in the Hamlet Areas shall be developed in accordance with the Land Use Plans, being Schedules “B”, “C”, “D”, “E” and “F” hereto. The Land Use Plans establish, in general terms, the pattern of development by land use classifications which are shown on Schedules “B” to “F” inclusive and described in Subsections 2.4 to 2.12 inclusive of this document.

The Hamlet Areas are divided into the following basic land use classifications:

- (i) Hamlet Residential
- (ii) Estate Residential
- (iii) Hamlet Commercial
- (iv) Restricted Industrial
- (v) Hazard Lands
- (vi) Open Space
- (vii) Institutional
- (viii) Rural
- (ix) Gravel Pit

#### 2.2 GENERAL POLICIES RELATING TO EXISTING USES

The present historical and/or architectural character of the Hamlets shall be complemented and enhanced where infilling or redevelopment occurs in the existing community through the following measures:

- (i) The minimum lot frontages along existing residential streets shall be such that new development will be of a compatible scale with existing uses, subject to any lot having sufficient area, depth and width to meet the requirements of the Medical Officer of Health.
- (ii) Site Plan development and landscaping shall be controlled by the Township to ensure that the general character of the area is preserved.

## SECTION II

- (iii) The implementing Zoning By-law will not permit any significant change of use or performance standard that will aggravate any situation detrimental to adjacent complying uses.

### 2.3 AMENDMENT TO THE LAND USE PLAN, SCHEDULES “B” TO “F” (INCLUSIVE)

An amendment to Schedules “B” to “F” inclusive is required to permit the establishment of areas for uses other than those included in the Land Use Plans, Schedules “B” to “F”. In considering the amendment to the Land Use Plans, Schedules “B” to “F”, with a view of designating additional areas for a particular use, Council shall have regard to the following criteria which are in addition to those specified under any other section of the Hamlet Plan:

- (i) The need for the proposed use;
- (ii) The extent to which the existing areas in the proposed categories are developed, and the nature and adequacy of such existing development;
- (iii) The physical suitability of the land for such proposed use;
- (iv) The location of the area under consideration with respect to:
  - a) The adequacy of the existing and proposed roadway system in relation to the development of such proposed areas;
  - b) The convenience and accessibility of the site for vehicular and pedestrian traffic and the traffic safety in relation thereto;

and

- c) The adequacy of the potable water supply, sewage disposal facilities, and other municipal services in view of the policies contained in the Hamlet Plan and in accordance with the technical reports or recommendations which Council shall request from the Ministry of the Environment, the Medical Office of Health and any other appropriate authority deemed advisable;
- (v) The compatibility of such proposed use with uses in the surrounding area with respect to the possible depreciating effect upon adjoining properties;

## SECTION II

- (vi) The potential effect of the proposed use on the financial position of the Township;
- (vii) The effect of the proposed use on the population level of the Hamlet Areas; and
- (viii) The environmental impact of the proposed development.

### 2.4 HAMLET RESIDENTIAL

Hamlet Residential shall mean the use of lands predominantly for residential dwellings and accessory uses serviced on the basis of private wells and private sewage disposal systems. Other uses which are considered necessary to serve the residential community such as parks, schools, places of worship and limited home occupation uses may also be permitted. Development within the Hamlet Residential designation is subject to compliance with the following criteria:

- (i) Residential lots whether created by registered plan of subdivision or consent, shall have a lot area minimum of not less than 1,900 square metres;
- (ii) Notwithstanding (i) above, lots shall be of a sufficient size to meet the requirements of the Regional Medical Officer of Health in regard to the proper installation and functioning of a private sewage disposal system, including a reserve area for a tile field and any requirements that the Township may have with regard to the provision of sufficient lot area for such things as swimming pools, patios, driveways and other such matters;
- (iii) Prior to final approval by Council, a proposed plan of subdivision for Hamlet Residential development shall be accompanied by:
  - a) A soils report prepared by a professional engineer and a landscape analysis prepared by a professional engineer and/or landscape architect which shall include an analysis of the existing character of the land, such as mapping of the topography, drainage, soil types, existing and proposed vegetation which illustrates the suitability and feasibility of accommodating the proposed development concept; and

## SECTION II

- b) A detailed report prepared by a qualified hydrogeologist certifying that there is sufficient potable water to service the proposed development by private wells without detrimental effects to the surrounding development and that cross contamination will not occur between individual sewage disposal systems and the water supply aquifer;
- (iv) In consideration of development proposals within this designation, Council shall have regard to the past growth and present population of each Hamlet, as well as the demands which such new development may place on existing facilities in the Hamlet. Where deemed necessary, Council shall stipulate the rate at which new development shall occur in the Hamlet through a subdivision or development agreement;
- (v) The creation of new residential lots by consent may occur subject to the following criteria:
  - a) The minimum lot area shall be 1,900 square metres;
  - b) The proposed development shall not adversely affect adjacent wells and private sewage disposal systems;
  - c) Access to the proposed lot(s) shall be in accordance with the policies of the road authority having jurisdiction; and
  - d) Regard shall also be had to the consent policies set out in Section 6.5.2 of the Hamlet Plan;

and

- (vi) Lands designated as “Hamlet Residential” shall be placed in a separate category in the implementing Zoning By-law.

### 2.5 ESTATE RESIDENTIAL

The policies relating to the lands designated Estate Residential shall be the same as the policies contained in the Official Plan, except where additional policies contained in the Hamlet Plan may apply.



## SECTION II

### 2.6 HAMLET COMMERCIAL

Hamlet Commercial shall mean the use of lands predominantly for the sale of goods and services to meet the daily needs of the residents and the traveling public. The uses permitted may include retail stores and businesses for the sale of food, drugs, sundries, personal services, banks, restaurants, offices and a limited amount of residential development, provided that such residences form an integral part of the commercial operation. Institutional uses such as schools, places of worship, libraries and meeting halls may also be permitted. Service shops dealing with small appliances, studios and custom workshops such as crafts and furniture restoration may be permitted if on a limited scale compatible with the character and size of the particular Hamlet.

Development within the Hamlet Commercial designation is subject to compliance with the following criteria:

- (i) Adequate off-street parking, where possible, shall be provided for the convenience of the employees, customers and businesses served. Access points to such parking facilities shall be limited in number and designed in accordance with the policies of the road authority having jurisdiction and in a manner so as to minimize the danger to vehicular and pedestrian traffic;
- (ii) Provisions shall be made to preserve land for buffer planting or screening between commercial uses and adjacent residential uses;
- (iii) Lots shall be of sufficient size to meet the requirements of the Regional Medical Officer of Health in regard to the proper installation and functioning of a private sewage disposal system and any other requirement that the Township may have such as parking areas, loading and delivery areas, buffering and landscaping;
- (iv) Adequate provision shall be made for storage of garbage in a location shielded from public view, where possible;
- (v) No open storage of goods, machinery or material shall be permitted;
- (vi) A Site Plan Development Agreement entered into pursuant to The Planning Act, may be required by the Township as a condition of approval of any development or redevelopment of land, buildings or structures used for Hamlet Commercial purposes;

## SECTION II

- (vii) All Hamlet Commercial development shall be adequately regulated by the Township with provision for such matters as setbacks from property lines, off-street parking, off-street loading and delivery areas, landscaped areas, outside storage, lighting, commercial signing and prohibition of nuisances; and
- (viii) Lands designated as “Hamlet Commercial” shall be placed in a separate category in the implementing Zoning By-law.

### 2.7 RESTRICTED INDUSTRIAL

The policies relating to the lands designated Restricted Industrial shall be the same as the policies contained in the Official Plan except where additional policies contained in the Hamlet Plan may apply and the following policies:

- (i) Lots shall be of sufficient size to meet the requirements of the Regional Medical Officer of Health in regard to the proper installation and functioning of a private sewage disposal system and any other requirements that the Township may have such as parking areas, loading and delivery areas, buffering and landscaping;
- (ii) A Site Plan Development Agreement, entered into pursuant to The Planning Act, may be required by the Township as a condition of approval of any development or redevelopment of land, buildings or structures used for Restricted Industrial purposes; and
- (iii) All Restricted Industrial development shall be adequately regulated by the Township with provision for such matters as setbacks from property lines, off-street parking, landscaped areas, outside storage, lighting, commercial signing and prohibition of nuisances.

### 2.8 HAZARD LANDS

Hazard Lands are those lands which have inherent physical limitations such as susceptibility to flooding and/or erosion, soil instability, steep slopes or other conditions which act as constraints to development. In general, there shall be no encroachment in the form of development on Hazard Lands. Lands so designated shall be used predominantly for conservation, recreation and agriculture. The uses permitted may include parks, conservation areas, outdoor recreation and agriculture on a limited scale.

## SECTION II

Development within the Hazard Lands designation is subject to compliance with the following criteria:

- (i) Where any land designated as Hazard Lands is under private ownership, the Hamlet Plan does not intend that such land shall remain as Hazard Lands indefinitely, nor shall it be construed as implying that such land is free and open to the general public or that the land will be necessarily purchased by the Township or any other public agency. Any application for the redesignation of Hazard Lands for other purposes will be given consideration by Council after taking into account:
  - a) The existing physical hazards;
  - b) The potential impacts of these hazards;
  - c) The proposed methods by which these impacts may be overcome in a manner consistent with accepted engineering techniques and resource management practices; and
  - d) The costs and benefits in monetary, social and biological value in terms of any engineering work(s) and/or resource management practices needed to overcome these impacts;
  
- (ii) Where any land designated as Hazard Lands is under private ownership and is currently developed, the Hazard Lands designation does not mean these uses shall cease or may not be altered or enlarged. However, before any use within the Hazard Lands designation is altered or enlarged, due consideration shall be given to the following matters:
  - a) The existence of any environmental and/or physical hazard;
  - b) The potential impacts of any hazards on the proposed alteration;
  - c) If, in the case of floodplain, the possible negative impact of the alteration on the immediate area, and the areas upstream and downstream of the site; and
  - d) The proposed methods by which the negative impact of a hazard may be minimized or overcome in a manner consistent with accepted engineering techniques and resource management.

## SECTION II

- (iii) There is no obligation by the Township to redesignate or purchase any area designated Hazard Lands if there is an existing or potential hazard that would be difficult or costly to overcome;
- (iv) No erection of buildings or the placement or removal of fill of any kind, whether originating on site or elsewhere, or alteration or channelization of any watercourse shall be permitted in areas designated as Hazard Lands except where the approval of the Township, the appropriate Conservation Authority and the Ministry of Natural Resources has been obtained; and
- (v) Lands designated as “Hazard Lands” shall be placed in a separate category in the implementing Zoning By-law.

### 2.9 OPEN SPACE

The predominant use of lands designated as Open Space shall be for public and private recreational uses, public works and cemeteries. Recreational uses permitted in this designation may include parks, playgrounds, tennis courts, outdoor athletic fields, picnic areas, bowling greens, swimming pools, libraries, community centres and other similar uses. However, recreational uses such as a track for racing animals or vehicles, campgrounds or a golf driving range shall not be permitted.

Lands designated as Open Space shall be developed in compliance with the following criteria:

- (i) Recreational uses developed on lands not owned by a public authority shall be zoned in a separate classification from public recreational uses in the implementing Restricted Area By-law. Development of private recreational uses will be permitted only in areas where the topography, vegetation, soils, water supply and road access are suitable and where the proposed use is compatible with surrounding uses. Also, a Site Plan Development Agreement, entered into pursuant to The Planning Act, may be required by the Township as a condition of approval of any development or redevelopment of land, buildings or structures used for private recreational use. Public authority shall mean any School Board, Public Utility Commission, Transportation Commission, Board of Health, Board of Commissioners of Police, Planning Committee or other Board or Commission or Committee of the Township or the Regional Municipality of York established or exercising any power or authority under any general or special statutes of Ontario with respect to any of the affairs or purposes of the Township or a portion thereof, and includes any

Committee or local authority established by by-law of the Township and any agency of the Province of Ontario or the Government of Canada;

- (ii) Where recreational areas are designed for public use, adequate automobile parking areas, where necessary, shall be provided and designed in such a manner so as to minimize the danger to vehicular and pedestrian traffic; and
- (iii) Lands designated as Open Space shall be placed in a separate category in the implementing Zoning By-law.

## 2.10 INSTITUTIONAL

The predominant use of lands designated as Institutional shall be for public and institutional uses, such as government administration buildings and schools. Uses permitted shall include schools, places of worship, governmental administration buildings, museums, cemeteries, parks and recreational uses. A commercial use may be permitted within an institutional area, but only if it provides a service to the institutional uses within the area in which it is located and does not interfere or conflict with the satisfactory development and operation of the area for the institutional use. Residential uses which, although not part of an institution, are intended to provide accommodation for persons associated with the institutional use may also be permitted, but only if Council is satisfied that there will not be special problems in the provision of services required by the residential use.

All institutional development shall be developed in compliance with the following criteria:

- (i) Lots shall be of sufficient size to meet the requirements of the Regional Medical Officer of Health in regards to the proper installation and functioning of a private sewage disposal system and any requirements that the Township may have with regard to the provision of sufficient areas for such things as parking, buffering and/or screening and landscaped areas;
- (ii) A Site Plan Development Agreement, entered into pursuant to The Planning Act, may be required by the Township as a condition of approval of any development or redevelopment of land, buildings or structures used for Institutional purposes;
- (iii) All Institutional development shall be adequately regulated by the Township with provision for such matters as setbacks from property lines, off-street parking, landscaped areas and buffering requirements; and

## SECTION II

- (iv) Lands designated as Institutional shall be placed in a separate zoning category in the implementing Zoning By-law.

### 2.11 RURAL

The policies relating to the lands designated Rural shall be the same as the policies contained in the Official Plan except where additional policies contained in the Hamlet Plan may apply. In referring to the policies contained in the Official Plan with respect to the implementation of such policies, non-farm residential development shall not be encouraged.

### 2.12 GRAVEL PITS

The policies relating to lands designated Gravel Pit shall be the same as the policies contained in the Official Plan except where additional policies contained in the Hamlet Plan may apply and the following policy:

A Site Plan Development Agreement, entered into pursuant to The Planning Act, may be required as a condition of approval of any development or redevelopment of land, buildings or structures used for Gravel Pit purposes.

### 2.13 PUBLIC UTILITIES

Public Utilities necessary to serve the needs of the community shall be permitted in all areas. Where such uses are within or adjacent to residential lands, such uses shall be screened or made compatible, if possible, with the residential use.

## SECTION III

### ENVIRONMENTAL MANAGEMENT

#### 3.1 GENERAL POLICIES

Those areas identified as Environmental Constraints, as per Schedules “G”, “H”, “I”, “J” and “K” of the Hamlet Plan, are generally those lands which exhibit hazards and/or constraints to development. In some areas, these constraints and/or hazards may be overcome conveniently and inexpensively by engineering methods, resource management practices, adhering to proper site planning guidelines and/or caution in overall development and construction practices.

3.2 The Environmental Constraints identified on Schedules “G” to “K” inclusive shall not be construed as prohibitive to development and the permitted uses in these areas shall remain as per schedules “B” to “F” inclusive, Land Use Plan and explanatory text. However, the Environmental Constraints identified will assist the Township and other appropriate agencies in their review and processing of development proposals. In this light, they will be used with the objective of promoting sound environmental planning.

3.3 The Environmental Constraints as presented reflect one or more of a combination of the following development limitations:

- (i) Areas which are highly susceptible to flooding;
- (ii) Areas which are susceptible to erosion, instability and certain other combinations of conditions which place definite constraints on the possibility of development;
- (iii) Areas which are environmentally sensitive due to the presence of rare or endangered plants and/or fish and wildlife, unique physical features or quality biological and wildlife habitats; and
- (iv) Areas within the Oak Ridges Moraine.

3.4 Council and any agencies determined appropriate shall review all new Development proposals that contain one or more of the Environmental Constraints shown on Schedules “G” to “K” inclusive having particular regard to:

- (i) The impact of the proposed development on the natural and physical characteristics of the site;
- (ii) The degree and type of environmental constraint(s) which exist; and
- (iii) The means whereby the environmental constraint(s) can be overcome to the satisfaction of Council and other agencies having jurisdiction in the area.

### SECTION III

The areas outlined on Schedules “G” to “K” inclusive are intended to promote sound environmental planning within the Hamlet Areas and minimize the impact of development on the physical and ecological characteristics of the particular site as well as its environs.

- 3.5 When submitting a proposed plan of subdivision for approval, the applicant shall be required to submit a report on the proposed use of any areas containing Environmental Constraints, prepared by one or more accredited consultants practicing in the area of the Constraints being addressed. The proposed use should emphasize the retention of these areas in their natural state unless improvements could be demonstrated to be beneficial.
- 3.6 Where a proposed plan of subdivision is adjacent an area identified as an Environmental Constraint, as shown on Schedules “G” to “K” inclusive, Council may require the preparation of any or all of the following:
- (i) A detailed soil conservation and erosion control plan outlining the means whereby erosion, siltation and their effects are to be minimized on the site;
  - (ii) A detailed engineering study, where an open watercourse is involved, outlining the flows generated on the watercourse based on the Regional Design Storm Criteria of the appropriate Conservation Authority;
- and
- (iii) A detailed site plan indicating the extent to which the site will be flooded based on the Regional Design Storm Criteria.
- 3.7 Prior to final approval by Council, a proposed plan of subdivision shall be accompanied by a storm water management study prepared by a professional engineer which shall outline the amount of flow expected from the development, the direction of these flows and any proposed remedial works necessary to control the flows.



## SECTION IV

### DEVELOPMENT POLICIES

The following policies shall apply to all development within the Hamlet Areas.

#### 4.1 SERVICES

- 4.1.1. It shall be a policy of Council with respect to future development by plan of subdivision to enter into agreements with developers as a condition to the approval of the plan whereby such internal and external services as may be deemed necessary by the Council to service such development will be provided by the developer to specifications set from time to time by Council.
- 4.1.2. All new development by way of plans of subdivision within the Hamlet Areas shall be serviced by storm sewer systems. The exact form of the required drainage works shall be determined by Council at the time of the preparation of the agreements for the development.
- 4.1.3. Prior to recommending approval of any proposed plan of subdivision by Council, the developer shall submit preliminary engineering information, including proposed road grades, areas of cut and fill and proposed storm water management, which shall be approved by Council.

#### 4.2 PHASING

- 4.2.1. Residential development will occur over the time frame of the Hamlet Plan at a growth rate which will ensure the maintenance and reinforcement of the community structure consistent with historic trends and the ability of the Township to sustain future residential growth so as to minimize disruption to the existing community structure. Residential development shall be permitted to proceed in accordance with the policies outlined below:
  - (i) In a manner that provides for orderly growth at a rate which is sensitive to the ability of the existing community to absorb new residents;
  - (ii) At a rate which will ensure that sufficient revenue is generated to provide the essential services necessary for the community, without imposing a financial burden on existing residents;

## SECTION IV

(iii) At a rate consistent with demand for residential housing units in the area and having regard to the availability of existing vacant lots;

and

(iv) In progressive stages to avoid the problems created by partially completed subdivisions such as dead-end streets and poor access, services constructed across undeveloped lands, weed control and storm water drainage.

4.2.2. Certain exceptions shall apply to the foregoing policy and nothing in the Hamlet Plan shall prevent the construction of buildings or the purchase of land for the following uses:

(i) Government Ministries;

(ii) Regional Government Departments;

(iii) Municipal Government Departments;

(iv) School Boards and other local Boards;

(v) Public Authorities such as a Conservation Authority; and,

(vi) Public utility undertakings, including the Ontario Hydro, Bell Telephone Company and any company authorized by an Act of Parliament to carry out works in connection with a pipeline.

### 4.3 STANDARDS FOR MAINTENANCE AND OCCUPANCY

4.3.1. It is the intent of the Hamlet Plan to maintain a high standard of housing in the residential areas by a continuing policy of maintenance, preservation, energy conservation and improvement of living standards wherever any substandard conditions are found to exist.

4.3.2. A high standard of housing shall be maintained through such means as are available and the physical deterioration of property, the overcrowding of dwellings and the accumulation of rubbish, lumber, derelict automobiles and other unsightly objects in the yards shall be prevented.

4.3.3. Buildings which are of historical and/or architectural importance may be designated under the Ontario Heritage Act, to preserve these buildings.

## SECTION IV

4.3.4. In order to implement the preceding policies, Council may pass a by-law:

- a) For prescribing standards for the maintenance and occupancy of property within the municipality or within any defined area or areas and for prohibiting the occupancy or use of such property that does not conform with the standards;
- b) For requiring property that does not conform with the standards to be repaired and maintained to conform with the standards or for the site to be cleared of all buildings, structures, debris or refuse and left in a graded and leveled condition;
- c) For prohibiting the removal from any premises of any sign, notice or placard placed thereon pursuant to this section or a by-law passed under the authority of this section;

and

- d) In providing for the making of grants or loans to the registered owners or assessed owners of land to provide assistance for the cost of repairs, or the clearing, grading and leveling of the lands, on such terms and conditions as Council may prescribe in cases where the property does not conform with the standards prescribed by by-law.

### 4.4 CONFLICT OF USES

- 4.4.1. Special restrictions will be required where industrial, commercial, institutional and other uses of land characterized by traffic generation, the use of trucks, handling of goods, noise and fumes, congregations of people or other factors affecting residential amenity, adjoin residential uses. Such special restrictions may include the control of outside storage, parking, loading and unloading.
- 4.4.2. The extension or establishment of agricultural uses, where permitted by the Hamlet Plan that are in proximity to the Hamlet Residential areas shall be restricted to those uses which will have no detrimental effect on those areas and are in accordance with the “Agricultural Code of Practice” issued jointly by the Ministry of Agriculture and Food and the Ministry of the Environment. In addition, new residential development will not be permitted to take place in close proximity to any existing farm operation except in accordance with the “Agricultural Code of Practice”. Existing livestock or other farming operations shall not be required to alter existing operations and procedures as a result of complaints from surrounding residential development.

## SECTION IV

4.4.3. The design of all new residential development in close proximity to highways or arterial roads shall take into consideration and resolve the potential conflict between the residential uses and transportation facilities. The Ministry of the Environment guidelines for noise levels on residential properties shall be adhered to in the design of any proposed plan of subdivision on these lands, or the lands shall not be developed.

### 4.5 BUFFERING

4.5.1. Adequate buffering shall be required between all uses of land where there may be a conflict such that one use will detract from the enjoyment and functioning of the adjoining use. Such buffering may include appropriate combinations of the following:

- (i) Sufficient vegetation in the form of landscaped strips, row of trees and bushes and grassed areas;
- (ii) Screening in the form of perforated or solid walls, fences, trellis work or other appropriate structures; and
- (iii) Separation of uses by providing sufficient distance between them.

### 4.6 TREE PLANTING

4.6.1. The Township shall generally encourage a program of tree planting and tree preservation so that all areas are provided with a sufficient number of trees to maintain a high standard of amenity and appearance.

4.6.2. In all public works, no trees may be destroyed unnecessarily and trees that must be destroyed to affect the works shall be replaced by other trees in sufficient number to enhance the appearance of public works at the time they are completed.

4.6.3. When considering residential development, redevelopment or a plan of subdivision, the Township shall require the subdivider to enter into an agreement whereby:

- (i) Only such trees as directly impede the construction of buildings or services may be destroyed and the subdivider shall replace them in a reasonable amount, by trees of sufficient maturity to enhance the appearance of the subdivision at the time it is completed;

- (ii) Where there are no trees or a limited number of trees in a plan of subdivision, Council may require that one tree for each lot be planted. The location, size and variety of the required trees will be determined at the time that a subdivision agreement is prepared as stipulated in Section 4.1.1 of the Hamlet Plan; and
- (iii) in all Hazard Lands, no trees may be destroyed unnecessarily and trees which are removed shall be replaced in appropriate locations.

#### 4.7 MUNICIPAL CONCERNS

- 4.7.1. Council shall adopt policies to maintain a high standard of appearance of public buildings and other public facilities to the extent that finances permit.
- 4.7.2. All roads, sidewalks, curbs, storm drains, ditches and other public works shall be maintained in good repair so that the maintenance of private property will be thereby encouraged.
- 4.7.3. The position and design of all public signs shall be coordinated so that they form a harmonious part of a continuously improving streetscape.

## SECTION V

### POLICIES AFFECTING NON-CONFORMING USES

#### 5.1 GENERAL

This Hamlet Plan will not limit the authority of Council to pass a by-law permitting the extension or enlargement of any land, building or structure which is being used, at the present time of the passing of such by-law, for a purpose which does not conform with the land use designation of the Hamlet Plan. Such a by-law shall be in conformity with the policies included in this section of the Hamlet Plan.

#### 5.2 POLICIES

- 5.2.1. As a general rule, any land use existing at the date of approval of the Hamlet Plan which does not conform with the land use designation shown on Schedules “B” to “F” inclusive, Land Use Plan, and constituting a legal non-conforming use, should in the long run cease to exist, so that the land effectively may revert to a use in conformity with the intent of the Hamlet Plan and the provisions of the implementing Zoning By-law. In limited cases, however, it may be desirable to permit the extension or enlargement of a legal non-conforming use in order to avoid unnecessary hardship, provided the application is in conformity with the policies of this section of the Hamlet Plan to maintain the general welfare of the community. The following clauses 5.2.2 to 5.2.5 inclusive shall apply in connection with any application made for the extension or enlargement of a legal non-conforming use.
- 5.2.2. Before concurring with any application for the extension or enlargement of a legal non-conforming use, the feasibility of acquiring the property concerned at the time of the application or possibly at some future date of holding, selling, leasing or redeveloping it shall be considered by Council. In this regard, special attention will be given to the possible reestablishment of the use under consideration in a different location where it would be able to perform and produce under improved conditions in accordance with the policies of the Hamlet Plan.
- 5.2.3. If acquisition at this time does not appear to be feasible and if the special merits of the individual case make it desirable to grant permission for the extension or enlargement of the legal non-conforming use, Council may consider the passing of a Zoning By-law amendment. Such a by-law may then be passed without amending the Hamlet Plan if it complies with the policies of the following subsection 5.2.4.

- 5.2.4. Before making any decision on an application for enlargement or extension of a legal non-conforming use, Council shall refer such application to the Planning Committee for a report on the various aspects of the matter for the information of Council. Before passing a by-law for the aforesaid purpose, Council shall be satisfied that those of the requirements which are relevant to each specific application are, or will be fulfilled in order to safeguard the general public interest.
- (i) The proposed extension or enlargement of the established legal non-conforming use shall not unduly aggravate the situation created by the existence of the use, especially in regard to the policies of the Hamlet Plan and the requirements of the Zoning By-law;
  - (ii) The proposed extension or enlargement shall be in appropriate proportion to the size of the legal non-conforming use established prior to the passing of the implementing Zoning By-law;
  - (iii) An application which would affect the boundary between areas of different land use designations in Schedules “B” to “F” inclusive, Land Use Plan, will only be processed under these policies if it can be considered as a “minor adjustment” permitted under Section 7.1(i) of the Hamlet Plan without the need for an amendment. Major variances will, however, require an amendment to the Hamlet Plan;
  - (iv) The characteristics of the existing legal non-conforming use and the proposed extension or enlargement shall be examined with regard to noise, vibration, fumes, smoke, odour, lighting and traffic generating capacity. No amendment to the Zoning By-law shall be made if one or more of such nuisance factors will be created or increased so as to add significantly to the incompatibility of the use with the surrounding areas;
  - (v) The neighbouring conforming use will be protected where necessary by means of a Site Plan Development Agreement for the provision of areas for landscaping, buffering or screening, appropriate setbacks for buildings and structures, devices and measures to reduce nuisances and, where necessary, be regulated for alleviating adverse effects caused by outside storage, lighting, advertising and signs. Such provisions and regulations shall be applied to the proposed extension or enlargement and where feasible shall also be extended to the established use in order to improve its compatibility with the surrounding area;

## SECTION V

- (vi) That the traffic and parking conditions in the vicinity will not be adversely affected by the granting of the application and traffic hazards will be kept to a minimum by appropriate design of entrance and exit points to and from the site, and improvement of sighting conditions particularly near intersections;
  - (vii) That adequate provisions have been or will be made for off-street parking and loading facilities;
  - (viii) That the water supply and sewage disposal facilities and necessary municipal services, such as roads, are adequate; and
  - (ix) That in cases where the established legal non-conforming use seriously affects the integrity of the surrounding area, Council shall consider the possibility of ameliorating such conditions, especially when public health and welfare are directly affected.
- 5.2.5. Council shall not support any application to amend the Zoning By-law or to the Committee of Adjustment to permit the extension or enlargement of a legal non-conforming use unless such application complies with the policies outlined above.



## SECTION VI

### IMPLEMENTATION

#### 6.1 GENERAL

Council shall implement the Hamlet Plan by utilizing the powers conferred upon it by The Planning Act, The Municipal Act and any other statute that may be applicable. In particular, the Hamlet Plan shall be implemented by means of the following measures and procedures.

#### 6.2 POLICIES

It is intended that the Hamlet Plan shall be implemented by the appropriate amendments to the Zoning By-law. However, all lands within the Hamlet Areas may not be zoned in accordance with the uses permitted by the designations of the Hamlet Plan immediately by the Zoning By-law. Certain areas designated for a specific land use in the Hamlet Plan may be zoned under a holding development or similar type of category in order to delay their development for the designated use until they appear to be ready for such development and until the standards appropriate to the designated use can be satisfied. Under a holding development or similar type of category, the uses permitted may include agricultural uses, providing such uses conform to Sections 2.11 and 4.4 of the Hamlet Plan or the lands may be zoned for their existing use with restrictions limiting enlargement. When Council approves an application for any development or redevelopment which is in accordance with the designations and policies of the Hamlet Plan, Council shall pass the necessary implementing By-law.

By-laws may be passed, subject to the policies of Section V of this Hamlet Plan, to amend the Zoning By-law and to permit the extension and enlargement of existing uses of any land, building or structures which do not conform with the land use classification of the Hamlet Plan and of the Zoning By-law.

#### 6.3 BUILDING BY-LAW

Council may review the Building Code Act and regulations made thereunder from time to time and enact a Building By-law to be used to maintain control over the erection, demolition and moving of structures to ensure the health and safety of the general public.

#### 6.4 REGIONAL LAND DIVISION COMMITTEE AND COMMITTEE OF ADJUSTMENT

The Regional Land Division Committee and the Committee of Adjustment for the Township of King or any Committee, agency or body exercising similar powers, shall be guided by the general intent and purpose of this Hamlet Plan and the

## SECTION VI

implementing Zoning By-law in making decisions on applications pursuant to the provisions of The Planning Act.

### 6.5 SUBDIVISION CONTROL

#### 6.5.1. Draft Plan of Subdivision

It shall be the policy of Council to recommend to the approving authority for approval on such terms and conditions as Council deems appropriate, a draft plan of subdivision, if such draft plan of subdivision is in conformity with the hamlet Plan, is considered necessary in the public interest, is not deemed premature, can be provided with adequate utilities and services as required by the Hamlet Plan, and is unlikely to affect adversely the economy or financial position of the Township if such subdivision is approved and developed.

#### 6.5.2. Consents Policy

Consents will generally be discouraged and will only be granted on land when it is clearly not necessary in the public interest that development proceed by a plan of subdivision and where no more than three new residential lots will be created. If a plan of subdivision is not deemed necessary, regard shall be had to other policies of the Official Plan, the Hamlet Plan, to the matters set out in The Planning Act with specific reference to the matters set out in Section 50(4) of The Planning Act, and to the following criteria when considering an application for consent:

(i) Financial Implications

Approval of the conveyance and the proposed development of the lot being created, or of the remaining parcel, should not be unduly detrimental to the financial status of the Township;

(ii) Adjacent Uses

Regard should be had to the compatibility of the proposed use with uses in adjacent areas and the effect of such use on the surrounding area and the policies set out under "Conflict of Uses" in Section 4.4 of the Hamlet Plan;

## SECTION VI

(iii) Access

Consents should be granted only when the land fronts on an existing public road which is of a reasonable standard of construction. Direct access from major roads should be restricted, and residential lots should, where possible, have access only from internal or minor roads. In no case should a consent be granted for lands adjacent to a road from which access is to be obtained where a traffic hazard would be created because of limited sight lines on curves or grades;

(iv) Services

All proposed uses shall have a private well and a private sewage disposal facility that is in accordance with the requirements of the Local Health Unit. The size of any parcel to be created by such consent should be appropriate for the use proposed for such parcel having regard to the public utilities available and the soil and drainage conditions of the land; and,

(v) Zoning By-law

In no case should any parcel be created which does not conform with the provisions of the Zoning By-law of the Township.

## SECTION VII

### INTERPRETATION

#### 7.1 LAND USE AND ROADS

- (i) It is intended that the boundaries of the land use designations shown on Schedules “A” to “E” inclusive of the Hamlet Plan shall be considered as general only, except in the case of roads, and other definite physical barriers, and are not intended to define the exact limits of such areas. Minor adjustments may be made in these boundaries for the purpose of any Zoning By-law without necessitating an amendment to the Hamlet Plan. Other than such minor adjustments, no areas or zones, except as provided in the Hamlet Plan, shall be created that do not conform.
- (ii) It is intended that all figures and quantities herein shall be considered as approximate only and not absolute. Amendments to the Hamlet Plan will not be required for any reasonable variance from any of the figures or quantities stated in the Hamlet Plan.

#### 7.2 ACCESSORY AND HOME OCCUPATION USES

- 7.2.1. Wherever a use is permitted in a land use designation, it is intended that uses, buildings or structures normally incidental, accessory and essential to that use will also be permitted.
- 7.2.2. Home Occupation uses shall be permitted as accessory uses in conjunction with permanent residential development and shall be strictly controlled (according to the implementing Zoning By-law) in order to ensure that they are compatible with surrounding uses. Home Occupation uses shall be permitted within a designated residential area provided that:
  - (i) The principle use of the dwelling shall be as a residence;
  - (ii) No operation shall upset the character of the area by way of noise, odour, storage of goods and materials, traffic or parking problems;
  - (iii) Stringent restrictions on signs shall prevail;
  - (iv) Stringent restrictions on engaging outside help shall prevail; and,
  - (v) The scale of operation must remain small and subordinate to residential uses and that if operations are to expand, the use of the residence for commercial purpose must be abandoned and the operation transferred to a more appropriate area.

## SECTION VII

### 7.3 AMENDMENT PROCEDURE

Except for amendments initiated by Council to expand the scope of the Hamlet Plan, it is not intended to amend this Hamlet Plan unless substantial evidence can be presented which will justify such an amendment.

Council recognizes, however, that any unexpected or unusual growth or event might create a need for modification and adjustment of the planning program and amendments may be made to the Hamlet Plan accordingly.