

CHAPTER 19

IMPLEMENTATION POLICY

19.1 PUBLIC PARTICIPATION

The Township adopts the following policies relative to public participation in the planning process:

- 19.1.1 The public shall be encouraged to attend Committee of the Whole and Council meetings and be given opportunity to express their opinions relative to any planning matter.
- 19.1.2 News media shall be encouraged to attend and report on planning matters as they appear before the Committee of the Whole and Council.
- 19.1.3 Committee of the Whole shall receive and carefully consider any petition or submission made and dealing with any planning matter.
- 19.1.4 No Official Plan or amendment thereto shall be considered and no Zoning By-law or amendment thereto shall be considered without notification to affected citizens and a public meeting where the issues will be explained and discussed and submissions or comments received.
- 19.1.5 The Committee of the Whole and Council shall consider holding open house and public meetings and informal public meetings in various areas of the municipality when it is deemed appropriate.
- 19.1.6 The Township shall include a statement describing the public involvement and a summary of the discussions and representations made by the public related to Official Plans or amendments when submitting them to Regional Council for approval,

19.2 SITE PLAN CONTROL AREAS

- 19.2.1 The Township will control the substantial development or redevelopment of lands within the planning area through the mechanism of site plan control, as provided for in the Planning Act. Preparation of site plans and site plan control agreements may be required for substantial development or re-development, and shall be registered on title.
Modification No. 116
- 19.2.2 Lands subject to site plan control shall consist of all of the lands contained within the Official Plan of the Township of Woolwich planning area and may be applicable to all types of development or redevelopment, with the exception of the following uses: **Modification No. 117**
 - a) low density residential development containing less than 3 units
 - b) agricultural development, including buildings and structures for farm use and farm-related residences but not including On-Farm Businesses;
- 19.2.3 Drawings showing a site plan, elevations and section views may be required for all residential development containing three or more units.

- 19.2.4 When considering applications for site plan approval, the Township will co-operate with the Regional Municipality of Waterloo, to ensure that the Region has been given sufficient opportunity to require the owner of the land to dedicate the land for road widening purposes on roads that fall within the jurisdiction of the Regional Municipality and to require road access permits and agreements, as may be required by the Region, under the provisions of the Planning Act.

19.3 HOLDING PROVISIONS

The Planning Act provides for Holding Provisions to be used to allow lands to be zoned for specific uses but be delayed from actual development until specific conditions or requirements have been fulfilled. Holding Provisions are implemented in the Zoning By-law through the use of a Holding Symbol (“H”) following a specific zone classification or use within a zone. The imposition of the Holding Provision follows the procedure set out for the passing of any Zoning By-law or amendment thereto, under the Planning Act. Removal of the Holding Symbol occurs after fulfillment of the specific requirements as set out in the amending Zoning By-law. Council, in removing the “H” symbol need only give notice of its intent to pass the By-law.

It is not intended that Holding Provisions be applied to lands unless services are anticipated in the near future or appropriate arrangements have been made to provide services. Holding provisions are only intended to be applied to lands where the Council knows precisely what uses will be developed.

This section of the Official Plan provides for the incorporation of Holding Provisions in the Zoning By-law on a Township-wide and/or site-specific basis.

- 19.3.1 In using Holding Provisions the Township may support the continued processing of pending applications to general areas or specific properties in advance of the fulfillment of specific requirements and conditions as set out in 19.3.2 below. **Modification No. 118**
- 19.3.2 Holding Provisions may be utilized by the Township in those situations where it is necessary or desirable to zone lands for development in advance of the fulfillment of specific requirements and conditions. These may include but are not limited to the provision of water and sewer services, the completion of road extensions and improvements, environmental contamination clean-up, environmental impact analysis, future subdivision of land and school sites.
- 19.3.3 Holding Provisions may be utilized by the Township to facilitate the transfer of servicing capacity between parcels of land to the effect that lands capable of development and having a servicing commitment are held back from development in exchange for allowing development to proceed on lands without a servicing commitment.
- 19.3.4 Holding Provisions may be utilized by the Township to facilitate the transfer of servicing capacity between parcels of land to the effect that lands capable of development and having a servicing commitment are held back from development in exchange for lands having a servicing commitment being allowed to proceed at a higher density.

- 19.3.5 Holding Provisions may be utilized by the Township to implement various Provincial Policy Statements, where such policy statements, when incorporated into the Township's Official Plan and implemented by comprehensive zoning would require the zoning of lands in advance of development or would result in an increase in density or dwelling unit intensification exceeding the present capacity of existing services and/or roads.
- 19.3.6 Holding Provisions shall be applicable to all land use designations in the Official Plan and may be applied through the implementing Zoning By-law to any zoning designation or to a specific land use within a zoning designation. **Modification No. 135q**
- 19.3.7 Holding Provisions may be applied Township-wide; to portions of the Township such as lands within a specific settlement, service catchment area, drainage-shed or service pressure zone; as well as to lands within a particular neighbourhood or on a site-specific basis.
- 19.3.8 The Holding Zoning By-law shall zone the lands for their future intended use and shall identify the lands subject to the Holding Provisions by adding the Holding Symbol "H" to the zoning category or to certain uses within the zoning category indicating that development or redevelopment or use of the lands cannot proceed until the symbol "H" is removed.
- 19.3.9 The Holding Zoning By-law shall identify the interim uses of the lands and any applicable regulations until the Holding Symbol has been removed as well as any applicable regulations.
- 19.3.10 In order to use the Holding Symbol under these policies it shall be required for implementing Zoning By-laws to incorporate the following format to allow clear and precise recognition of:
- a) What conditions must be met before the Holding symbol can be removed;
 - b) What determines that a condition or requirement has been met; and
 - c) Which level of authority (Township, Region, other Public agencies) has the responsibility of providing clearance that the condition or requirement for removing the Holding Provision has been satisfied.
- 19.3.11 The Holding Zoning By-law shall identify the municipal services, road works, environmental contamination clean-up and environmental impact analysis covered by these policies that are under the jurisdictional authority of the Regional Municipality of Waterloo by a letter "R" following the "H". A clearance letter will be required from the Regional Commissioner of Planning, Housing and Community Services prior to the removal of the Holding provision advising that adequate Regional services are available or acceptable arrangements have been made for the above-noted requirements identified to be under Regional jurisdiction and that are subject to the Holding Zoning By-law. **Modification No. 119**

19.4 DEVELOPMENT CHARGES

- 19.4.1 Development Charges will be applied to development within the Township of Woolwich Planning Area in accordance with a Township Development Charges By-law adopted under the provisions of the Development Charges Act. The Township may enter into agreements as provided for under Part III of the Development Charges Act. As a condition of development approvals, the Township map requires this form of agreement for financing of services.

Modification No. 120

19.5 TEMPORARY USES

- 19.5.1 It is the policy of the Township that by-laws may be passed in accordance with the provisions of the Planning Act to authorize the temporary use of land, buildings or structures for a period of time not exceeding three years and to permit such temporary use to be continued thereafter for additional periods of time, not exceeding three years each, as determined by Township Council to:

- a) provide an opportunity for the owner or occupant of land, buildings or structures used for a purpose not otherwise permitted by this Plan to bring the use into conformity with this Plan;
- b) provide Township Council with an opportunity to fully assess whether a use which is unfamiliar to Council and which is not otherwise permitted by this Plan should be considered as a conforming use by site specific amendment to this Plan upon the expiry of the temporary authorization, or should be discontinued;
- c) provide for the temporary use of vacant land for the purposes of a parking lot which is not otherwise permitted by this Plan pending the development of the land;
- d) permit the establishment and use of a garden suite on a property; and
- e) permit any other use which Township Council deems appropriate on a temporary basis provided the proposed use conforms with this Plan.

- 19.5.2 Notwithstanding Policy 19.5.1, the initial by-law authorizing the temporary use of a garden suite may be approved for a period of up to ten years.

- 19.5.3 Where an authorized temporary use is discontinued prior to the expiry of the authorizing by-law, the use will not be resumed.

Modification No. 121

19.6 USE PERMITTED IN ALL DESIGNATIONS

19.6.1 The following uses will be permitted in all designations within the Township except where they are expressly prohibited or precluded by any other policy of this Plan or the Regional Official Policies Plan:

- a) any use for the purpose of the Township, the Region, the Government of Ontario or Government of Canada or any department, agency, board or commission thereof, including Hydro One Networks Inc. and the Waterloo North Hydro Commission;
- b) the facilities, other than administrative offices, sales outlets, studios, garages, depots or yards, of any privately owned public utility, pipeline company or broadcasting company; and
- c) a use accessory to a permitted use.

19.6.2 Uses permitted in all designations will be regulated through the Township Zoning By-law."

Modification No. 122