



Town of
East Gwillimbury

One vision
One spirit

CONSOLIDATED
OFFICIAL PLAN
2031



One Plan

Official Plan 2010 as Approved
By the Ontario Municipal Board
October 2018 Consolidation

Town of East Gwillimbury Official Plan
Ontario Municipal Board File PL110659
October 2018 Consolidation

The Town of East Gwillimbury's Official Plan was adopted by Town Council on June 28, 2010. Following adoption, the Plan was submitted to the Regional Municipality of York for approval. Prior to Regional approval, the Official Plan was appealed to the Ontario Municipal Board (OMB) under Section 17(40) of the Planning Act.

The Town of East Gwillimbury Official Plan (2010) has been approved by the OMB effective on the following dates:

- March 27, 2013, and amended on April 23, 2013;
- July 18, 2013;
- October 4, 2013;
- March 5, 2014;
- April 28, 2014;
- May 28, 2014;
- July 17, 2014

This Official Plan package contains:

- a) The Modified Town of East Gwillimbury Official Plan – 2010
October 2018 Office Consolidation

The October 2018 Consolidation package includes the following Amendments:

- OPA 1-2015 – South Sharon [Green Lane Corridor]
- OPA 2-2016 – 3 and 5 Sharon Boulevard [Sharon]
- OPA 3-2018 – Source Water Protection [Town-wide]
- OPA 4-2018 – Green Lane Secondary Plan [Green Lane Corridor]
- OPA 5-2018 – Sharon Corners [Sharon]

Note: Where sections/policies are highlighted in yellow, this indicates that these policies remain under appeal and are not currently in effect. Where sections/policies of this Plan are not in effect, portions of the Town's existing plans, as outlined below, still apply:

- a) Rural Official Plan #95, as amended by the Oak Ridges Moraine conformity Amendment #116
- b) Holland Landing/River Drive Park (OPA #60) as amended
- c) Queensville (OPA's #89 and #115) as amended
- d) Sharon (OPA #122) as amended
- e) Mount Albert (OPA #72) as amended
- f) Green Lane West (OPA #110) as amended.

This package is for information purposes only. For accurate reference, the original documents and Amendments should be consulted. OMB exhibits and decisions, the approved copy of the Official Plan and any Amendments may be required for legal purposes and can be obtained from the Development Services Department at the Town Office located at 19000 Leslie Street in Sharon.

TABLE OF CONTENTS

1.0 PREAMBLE TO THE OFFICIAL PLAN

1.1	Context and Purpose of the Official Plan.....	1
1.2	Basis of the Official Plan.....	2
1.3	One Town, One Vision.....	2
1.4	Background Studies and Supporting Documents.....	4
1.5	How to Read This Plan.....	4

2.0 SUSTAINABILITY

2.1	Environmental Sustainability.....	5
2.2	Economic Sustainability.....	6
2.3	Social Sustainability.....	9
2.4	Toward a Sustainable Community.....	11

3.0 COMMUNITY BUILDING

3.1	Forecasting Growth.....	18
3.2	Urban Area Structure.....	18
3.2.1	Employment Areas.....	19
3.2.2	Community Areas.....	20
3.2.3	Centres and Corridors.....	21
3.3	Urban and Public Realm Design.....	34
3.3.1	Public Realm.....	35
3.3.2	Gateways, Edges and Landmarks.....	36
3.3.3	Urban Design Policies for Institutional, Commercial and Industrial Development.....	37
3.3.4	Community Design.....	39
3.4	Staging and Phasing of Growth.....	40
3.4.1	General Phasing and Staging Policies.....	41
3.4.2	Growth in the Near-Term and to the Planning Horizon.....	42
3.4.3	Specific Phasing Policies.....	44
3.4.4	Balancing Employment and Residential Growth.....	46
3.4.5	Settlement Area Boundary Expansions.....	46
3.5	Intensification.....	47

4.0 LAND USE POLICIES

4.1	Environmental Protection Area.....	51
4.2	Employment Area Designations.....	52
4.2.1	General Policies.....	52
4.2.2	General Employment Areas.....	53
4.2.3	Prestige Employment Areas.....	54
4.2.4	Rural Industrial Areas.....	55
4.3	Commercial and Mixed Use Designations.....	55
4.3.1	General Policies.....	55
4.3.2	Queensville Centre.....	56
4.3.3	Village Core Areas.....	57
4.3.4	Commercial Mixed Use.....	60
4.3.5	Residential Mixed Use.....	62
4.3.6	Community Commercial.....	64
4.3.7	Neighbourhood Commercial.....	65
4.3.8	Application for Additional Commercial Uses.....	65
4.4	Residential Land Use Designations.....	66
4.4.1	General Policies.....	67
4.4.2	Low Density Residential.....	70
4.4.3	Medium Density Residential.....	71
4.4.4	High Density Residential.....	71
4.4.5	Estate Residential.....	73
4.5	Institutional Land Uses.....	72
4.6	Education Facilities.....	77
4.7	Post-Secondary Institution.....	79
4.8	Parks and Open Space.....	80
4.9	Recreation Area.....	86
4.10	Agricultural/Long Term Growth Area.....	89
4.11	Greenbelt Plan Area (Protected Countryside).....	89
4.11.1	General Policies.....	89
4.11.2	Prime Agricultural and Holland Marsh Specialty Crop Area.....	93
4.11.3	Rural Area.....	94
4.11.4	Greenbelt Settlement Areas.....	95

4.12	Oak Ridges Moraine (ORM)	96
4.12.1	General Policies.....	97
4.12.2	ORM Natural Core Area.....	98
4.12.3	ORM Natural Linkage Area.....	99
4.12.4	ORM Countryside Area.....	100
4.12.5	Landform Conservation Areas.....	101
4.13	Aggregate Extraction and Resource Areas	102
4.14	Waste Disposal Sites	110
4.15	Land Uses Permitted in All Land Use Designations	112
4.16	General Policies for Specifics Uses	114
4.16.1	Day Care Centres.....	114
4.16.2	Cemeteries.....	115
4.16.3	Places of Worship.....	116
4.16.4	Adult Entertainment Uses.....	119
4.16.5	Automobile Service Stations.....	120
5.0	PROTECTING THE ENVIRONMENT	
5.1	General Policies	121
5.2	Core Area	124
5.3	Supporting Area	127
5.4	Restoration, Enhancement and Securement	128
5.5	Natural Heritage Evaluation	132
5.6	Oak Ridges Moraine Natural Heritage System	133
5.7	Natural Heritage System in the Greenbelt and Lake Simcoe Protection Plan	137
5.7.1	General Policies.....	137
5.7.2	Greenbelt NHS.....	138
5.7.3	Lake Simcoe Protection Plan.....	140
5.8	Hazard Lands	143
5.9	Contaminated Lands	146
5.10	Watershed and Subwatershed Planning	147
6.0	PROTECTING OUR HERITAGE	
6.1	Heritage Advisory Committee	149
6.2	Built Heritage	150

6.3	Heritage Conservation Districts.....	153
6.4	Cultural Heritage Landscapes.....	156
6.5	Areas of Cultural Heritage Character.....	156
6.6	Heritage Cemeteries.....	157
6.7	Archaeological Resources.....	158

7.0 SUSTAINABLE INFRASTRUCTURE

7.1	General Infrastructure Policies.....	161
7.2	Transportation.....	163
7.2.1	Transportation Demand Management (TDM).....	163
7.2.2	Community Linkages and Active Transportation....	164
7.2.3	Transit.....	166
7.2.4	Roads.....	167
7.2.4.1	General Policies.....	167
7.2.4.2	Provincial Highways.....	172
7.2.4.3	Regional Arterial Roads.....	173
7.2.4.4	Collector Roads.....	174
7.2.5	Railways.....	176
7.2.6	Airports and Aircraft Landing Strips.....	177
7.3	Water and Wastewater Servicing.....	177
7.3.1	General Policies.....	178
7.3.2	Municipal Water.....	179
7.3.3	Municipal Sewage Services.....	179
7.3.4	Mount Albert Servicing.....	180
7.3.5	Private Servicing.....	180
7.4	Stormwater Management.....	183
7.5	Wellhead Protection Quantity Areas, Significant Groundwater Recharge Areas and Areas of High Aquifer Vulnerability.....	187
7.6	Wellhead Protection.....	191
7.7	Energy Production and Related Infrastructure.....	196
7.7.1	District Energy.....	196
7.7.2	Renewable Energy Systems.....	197
7.7.3	Electric Power Generation Facilities.....	198

7.8	Telecommunications, Utility and Technology Infrastructure.....	199
7.9	Waste Management and Diversion.....	201
8.0	IMPLEMENTATION	
8.1	Complete Application and Pre-Consultation.....	203
8.2	Development Approval Process.....	205
8.3	Pre-Servicing Requirements.....	210
8.4	Additional Studies Required and Peer Review.....	212
8.5	Zoning By-laws.....	213
8.6	Conditions of Zoning.....	213
8.7	Interim Control By-law.....	214
8.8	Temporary Use By-law.....	214
8.9	Holding Zones.....	214
8.10	Site Plan Control.....	215
8.11	Plans of Subdivision, Consents and Part Lot Control.....	217
8.12	Development Permit System.....	222
8.13	Development Agreements.....	224
8.14	Community Improvement.....	226
8.15	Density Bonus By-law or Density Transfers.....	227
8.16	Land Dedication and Acquisition.....	228
8.17	Cash In Lieu of On-Site Parking.....	229
8.18	Fill and Site Alteration.....	229
8.19	Public Works.....	230
8.20	Official Plan Review.....	231
8.21	Amendments to this Plan.....	232
8.22	Monitoring, Reporting and Measuring Progress of the Plan.....	233
9.0	INTERPRETATION	
9.1	General Policies.....	235
9.2	Transition and Non-Conforming Uses.....	237
9.3	Definitions.....	242
9.4	Special Provisions and Exceptions.....	257

APPENDICES

- Appendix 1 – Long Range Planning & Vision for the Future of the Town
- Appendix 2 – Background Studies and Supporting Documents
- Appendix 3 – Leslie Street Design Concepts
- Appendix 4– Natural Heritage Evaluation Terms of Reference
- Appendix 5 – Schedule 3 (Severely Toxic Contaminants) to Regulation 347 of the Revised Regulations of Ontario, 199

SCHEDULES

- Schedule A – Town Structure
 - Schedule A-1 – Urban Structure
- Schedule B – Urban Planning Area Land Use Plan
 - Schedule B-1 – Holland Landing Land Use Plan
 - Schedule B-2 – Queensville Land Use Plan
 - Schedule B-3 – Sharon Land Use Plan
 - Schedule B-5 – Green Lane Corridor Land Use Plan
- Schedule C – Rural Planning Area Land Use Plan
 - Schedule C-1 – Mount Albert Land Use Plan
- Schedule D – Natural Heritage System
 - Schedule D-1 – Natural Heritage System in the Urban Planning Area NHS
 - Schedule D-2 – Oak Ridges Moraine Natural Heritage System
- Schedule E – Transportation Network
 - Schedule E-1 – Cycling Network
- Schedule F – Parks, Trails and Community Facilities
 - Schedule F-1 – Parks, Trails and Community Facilities in the Urban Planning Area
- Schedule G – Resource Management Plan
 - Schedule G-1 – Wellhead Protection Significant Threat Areas
- Schedule H – Landform Conservation Areas
- Schedule I – Areas of High Aquifer Vulnerability
- Schedule J – Wellhead Protection Quantity Area (WHPA-Q)
- Schedule K – Significant Groundwater Recharge Areas
- Schedule L – Highly Vulnerable Aquifers

1 PREAMBLE

1.1 CONTEXT AND PURPOSE OF THE OFFICIAL PLAN

The Town of East Gwillimbury has attracted human habitation from the time of man's first entrance into Ontario. It is believed that aboriginal hunting bands first arrived in the area approximately 11,000 years ago. Originally a First Nations hunting, gathering and foraging society, the Town evolved into an agricultural based economy.

The Town of East Gwillimbury was established in 1850 and is evolving from what was a mainly rural community to a thriving urban area surrounded by a large rural area. Hamlets and villages have grown to support the rural area and today, approximately 23,000 residents' call East Gwillimbury home. The communities of Holland Landing, River Drive Park, Sharon, Queensville, and Mount Albert each developed with its own rich history, unique charms and character. Located between Toronto and Ontario cottage country, the Town offers its residents a balanced lifestyle. Farms, forests, countryside and recreational areas, as well as a variety of employment opportunities in nearby urban areas add to the Town's unique offerings.

The Town of East Gwillimbury will grow to a resident population of 86,500 and jobs will grow to over 34,000. The Town will transition from the historic 'community of communities' to a connected urban area, surrounded by protected countryside. The challenge for the Town is to ensure this transition takes place in a manner that preserves the history, unique character and charm of the original villages, while ensuring residential and employment growth is properly paced to ensure concurrent delivery of the necessary infrastructure and supporting services.

The purpose of this Official Plan is to provide direction and a policy framework for managing growth and land use decisions over the planning period to 2031. The policy framework ensures appropriate growth toward a sustainable community. Collectively, the policies of this Plan set a vision for East Gwillimbury in 2031 and guide the achievement of that vision over time. This Plan also provides for long term protection of the Town's environmental areas, cultural *heritage features*, historic community identity and rural countryside.

1.2 BASIS OF THE OFFICIAL PLAN

Aside from the Town's strategic objective to establish a forward thinking, comprehensive lasting vision for the Town based on a standardized and consistent set of policies, this Plan is also driven by the need to conform to Provincial planning documents and legislation. These include the Provincial Policy Statement (2005), the Provincial Growth Plan "Places to Grow", the Lake Simcoe Protection Plan, Green Energy & Economy Act and Greenbelt Plan, amongst others. In addition, this Plan is structured to conform to the Region of York Official Plan, as well as the Region's comprehensive infrastructure master plans and Planning for Tomorrow.

1.2.1. Strategic Plan

In 2005, Council adopted the Town's first Strategic Plan outlining Council's vision for the future. The 5 pillars of the Strategic Plan are:

- i) Protecting and Enhancing the Natural Environment
- ii) Providing and Advocating for Quality Programs and Services to the Community
- iii) Investing in Municipal Infrastructure
- iv) Managing Growth to Ensure a Sustainable Community
- v) Supporting a Municipal Organization Focused on Excellence

1.2.2. *Thinking Green!* Strategy

The Town's *Thinking Green!* Strategy represents an Integrated Community Sustainability Plan for the Town, organized under four distinct areas of policy development:

- i) Municipal Operations
- ii) Sustainable Development
- iii) Energy Conservation
- iv) Protection of the Natural Environment.

The Town's vision for a sustainable community is outlined in Section 2 of this Plan and provides the foundation and guiding objectives for the policy framework of this Plan.

1.3 ONE TOWN, ONE VISION

The overall guiding vision for the Town is based on the following objectives:

- i) To promote community *development* in a manner that is respectful of the environment and sustainable for present and future generations;

- ii) To create cohesive, vibrant, connected urban neighbourhoods which are sensitive to the Town's rich cultural heritage and history;
- iii) To ensure a high quality of life for the present and future residents of the community with respect to security, health, safety, jobs, convenience and general economic welfare;
- iv) To foster a vibrant agricultural and rural community through support for farming, appropriate *secondary uses* within the countryside and rural recreational uses including eco-tourism.

The vision is to develop a complete, healthy and sustainable community that will provide opportunities for residents at all life stages to live, work, play and learn. *Development* will be planned to ensure that growth does not place an undue financial burden on the Town and its residents.

The long-term vision for the future of the Town extends beyond the 2031 horizon of this Plan. This approach builds on the longer range infrastructure Master Plans that support the policies of this Plan and help to describe a future vision for the structure of the Town. Appendix 1 describes the long-term vision for the Town and while not an operational part of this Plan, the concept helps provide additional context regarding how the Town is expected to evolve beyond 2031. The long-term vision for the Town is supported by the following key elements:

- i) The Protected Countryside, which includes the Oak Ridges Moraine and Greenbelt Plan representing approximately 75% of the Town's land area;
- ii) Permanent protection of a connected Natural Heritage System and environmental corridors throughout the Town;
- iii) Protection of planned and future employment areas and strategic economic corridors along the Highway 404 and Highway 400-404 Link;
- iv) Recognition of the various historic settlement areas consisting of villages and hamlets in both the Urban and Rural areas of the Town;
- v) A series of pedestrian and transit-oriented *Centres* and *Corridors*, providing focal points for the highest intensity of urban land uses and activities with strong connections to the historical *Settlement Areas* of the Town.

The Rural Planning Area of the Town is defined by the Greenbelt Plan and Oak Ridges Moraine Conservation Plan as areas where urban *development* will not occur, with the exception of the Greenbelt *Settlement Area* of Mount Albert. The Town will support the agricultural industry and rural economy, while preserving the history and heritage of existing hamlets.

The Urban Planning Area will develop into a connected and integrated series of urban areas each with their own distinct character and rich heritage. This area will become a vibrant centre of business, retail, entertainment, culture, institutional activities, and housing. A series of mixed-use, pedestrian and transit-oriented *Centres* and *Corridors* will be established, providing easy access to facilities and services for the Town's residents and businesses. Local facilities and amenities such as schools, libraries, parks and shopping are planned to be within close proximity to residential neighbourhoods, where citizens can walk or cycle to meet their daily needs.

1.4 BACKGROUND STUDIES AND SUPPORTING DOCUMENTS

This Official Plan is based on a detailed review process that commenced in 2006 and included detailed analysis of the physical, economic, social and environmental conditions of the community. Supporting background documents also include long-term infrastructure studies and sustainable *development* research and a comprehensive Community Energy Plan. A list of the background documents and studies that formed the basis and underlying support for the policies of this Plan can be found in Appendix 2.

1.5 HOW TO READ THIS PLAN

This Plan is divided into nine parts, which detail the objectives, policies, definitions and attached schedules that constitute the Town of East Gwillimbury Official Plan. Italicised terms contained in this Plan are included in the definitions section of this Plan (Section 9.3) or refer to specific land use designations or structural elements (outlined in Sections 4 and 3 respectively), which may not necessarily be defined in Section 9.3.

Section 1 is intended for information and background only and does not form part of the operable Plan. Tables, graphics and text located in the side margins of this document, and the Appendices are intended to be illustrative and although not an operable part of this Plan, may be used to inform the basis for policy and assist with determining conformity.

The Town and Urban Structure shown on Schedules A and A-1, with the associated policies under Section 3 of this Plan provide a framework and direction for the specific land use designations on Schedules B and C with the associated land use policies under Section 4. The structural components described in Section 3 of this Plan represent the vision and the intended planned function for different areas. The structural components shall be used to inform and define more specific land use designations for specific areas.

In This Plan:

- 1 *Preamble*
- 2 *Sustainability*
- 3 *Community Building*
- 4 *Land Use Policies*
- 5 *Protecting the Environment*
- 6 *Protecting Our Heritage*
- 7 *Sustainable Infrastructure*
- 8 *Implementation*
- 9 *Interpretation*

2 SUSTAINABILITY

The Town has adopted a sustainability approach to planning its future. This means finding ways to meet our needs today without making it difficult for future generations to meet their own needs.

The policies of this Plan are founded on the premise that a sustainable community is composed of the following three elements:

- i) Environmental: a connected system of environmental features that support a healthy ecosystem;
- ii) Economic: a strong, diversified and resilient economy that provides a variety of opportunities for commerce and industry, while providing a stable and healthy fiscal position for the Town to provide services and programs;
- iii) Social: vibrant and diverse *settlement areas* and historically distinct communities that are designed to meet the needs of all residents.

These three elements are used as a foundation for specific policies in this Plan. The integrated approach of this Plan means that sustainability elements will be applied comprehensively in all aspects of land use and *development* decisions, as well as municipal programs and policy development.

In this Section:

- 2.1 Environmental Sustainability
- 2.2 Economic Sustainability
- 2.3 Social Sustainability
- 2.4 Toward a Sustainable Community



2.1 ENVIRONMENTAL SUSTAINABILITY

The Town has a number of defining environmental and topographical features that contribute to our rich natural heritage. These features include the Oak Ridges Moraine, East Holland River, Holland Marsh and large forests and *wetland* areas. The protection of these features is a key underlying principle in this Plan based on an 'environment-first' approach.

This Plan contains policies that recognize the character of the Town's green spaces, water resources, and terrestrial landscape as resources that all contribute to the liveability, health and beauty of the Town. These resources, together with the buffer areas that protect them, are identified as the Town's Natural Heritage System (NHS) and will be subject to the specific policies under Section 5 of this Plan.

The policies of this Plan also recognize the relationship between the built environment and the natural environment. The Town promotes innovative and aggressive sustainable *development* policies and practices to protect the natural environment and help reduce greenhouse gas emissions. These include good urban design, energy conservation and efficiency as part of the community *development* review process.

"Sustainability is development that meets the needs of the present without compromising the ability of future generations to meet their own needs"

World Commission on the Environment and Development

The built environment of communities in Canada represent close to 50% of national greenhouse gas emissions. These contributions stem from not only the energy use and impact from heating and cooling buildings, but the overall impacts of urbanization in terms of resource use.

Energy conservation and the encouragement of innovative energy supply alternatives are key components of the Town's vision for sustainable *development* and a fundamental objective of the Town's Community Energy Plan. The policies of the Plan are designed to ensure the implementation of the Town's Community Energy Plan.

Objectives

- i) Protect and enhance *significant* natural heritage, hydrologic and landform features, and functions;
- ii) Minimize the Town's ecological footprint and the impacts of growth by ensuring all new *development* is based on the principles of sustainable *development*;
- iii) Establish a connected Natural Heritage System throughout the Town through restoration and *securement* initiatives;
- iv) Promote the use of leading edge sustainable *development* and energy conservation policies designed to reduce greenhouse gas (GHG) emissions.

More detailed policies for protecting the Natural Heritage System are outlined in Section 5.

2.2 ECONOMIC SUSTAINABILITY

A sustainable economic future for the Town will be made possible by achieving employment targets, while ensuring a stable and sound fiscal position for the Town to support programs and services for residents.

Objectives

- i) Protect strategic lands for long term employment uses and prevent conversion of employment areas to other uses;
- ii) Pursue a ratio of one job for every two residents to achieve a balanced live/work relationship in the community;
- iii) Establish a post-secondary institution for the Town and regional population;
- iv) Promote and enhance the Town's village cores as centres for local commerce;
- v) Protect agricultural and rural lands and the associated rural economy, including agri-businesses, value-added agricultural products and local food production;
- vi) Expand and promote the tourism industry with an emphasis on rural recreation, eco-tourism and other attractions in the Town;

- vii) Achieve a sound fiscal position for the Town through the collection of Development Charges and other financial tools to ensure that growth pays for *complete community* growth;
- viii) Require a mix of residential and employment generating uses, including offices, around major transit station areas and key development areas.

Policies

- 2.2.1 Develop an Economic Development Strategy to promote employment growth and provide local job opportunities.
- 2.2.2 Enhance and protect the Town's long term fiscal position through increased non-residential tax assessment.
- 2.2.3 Ensure *Employment Areas* are serviced with leading edge telecommunication services to attract knowledge-based industries and to support the technological advancement and growth of existing businesses.
- 2.2.4 Develop downtown revitalization strategies for existing *Village Core Areas* with a funding strategy to finance capital programs.
- 2.2.5 Link residential and employment *development* to ensure a balanced community.
- 2.2.6 Pursue the *development* of the *Post-Secondary Institution* lands in Queensville, including the preparation of a marketing and partnership strategy.
- 2.2.7 Protect all employment areas. These lands are identified based on their proximity to existing or planned 400-series highways.
- 2.2.8 Promote the East Holland River as a cultural heritage destination, including the lock and canal system and Nokiidaa Trail.
- 2.2.9 Promote eco-tourism through the *development* of trail systems and other recreational opportunities through partnerships, including the Region of York and the Oak Ridges Moraine Trail Association (ORMTA).
- 2.2.10 A mix of uses, including residential, commercial and office uses are required at *Major Local Centres* with a priority for office development in a portion of the *Major Local Centre* at 2nd Concession and Green Lane.

Financial Planning to Ensure Growth Pays for Complete Community Growth

The implementation of this Plan must be achieved in a fiscally responsible manner. It is essential that long term financial management strategies be implemented and that the financial implications of growth and *development* are examined and monitored on an ongoing basis.

The Town's Development Charges By-law provides for the services, roads and other facilities under Town jurisdiction that are required to serve the *development* contemplated by this Plan.

Objectives

- (i) Protect the fiscal sustainability of the Town by balancing public service standards, service demands, and growth in assessment within local tax rates and user charges;
- (ii) Utilize financial mechanisms, including Development Charges and Community Capital Contributions, to ensure that growth pays for *complete community* growth and that only improvements to existing programs and services will be funded by adjustments to the existing municipal tax base and user rates;
- (iii) Ensure the provision of acceptable levels of public services in a cost-effective manner, considering initial capital, operation and long term replacement costs;
- (iv) Consider innovative infrastructure financing tools, including public/private partnerships and developer front-end financing to provide community facilities and infrastructure;
- (v) Ensure a balance between the demand for *development* and associated capital facilities and other municipally funded activities;
- (vi) The Town's Development Charges By-law may consider the application of a flexible rate structure as a tool to promote *development* within the Town's employment corridors; and may include incentives, such as reduced Development Charges for innovative sustainable *development*.

Policies

2.2.11 A funding mechanism in addition to the standard Development Charge (such as Community Capital Contributions) shall be utilized to supplement the Development Charges Act.

2.2.12 The Town shall monitor the fiscal impacts of *development* on:

- i) Community service levels;
- ii) User fees and Development Charges;
- iii) Tax levy burden per household;
- iv) The Town's net financial position, including debt and reserves;
- v) Infrastructure levels and standards.

2.2.13 Before any *development* proceeds, all agreements must be in place, including financial agreements and *development* agreements, to provide for the servicing and community infrastructure required to accommodate growth.

More detailed policies regarding *development* agreement are outlined in Section 8.13.

2.3 SOCIAL SUSTAINABILITY

Social sustainability addresses basic needs for housing, education, health care, employment, food, safety, security and cultural and recreational opportunities. The policies of this Plan are designed to improve the quality of life for its residents through the development of healthy communities and the provision of necessary human services and programs.

Individual needs vary with age, income, ability, skills, background and interests. As communities change and grow, there is additional pressure to provide for these needs and ensure communities remain healthy and that a high quality of life is maintained.

The provision of human services comes from several agencies including the Province (hospitals and health care facilities), school boards (education), and the Region of York (transit, health and social services, housing, ambulance and emergency medical and police services). The Town is responsible for fire services, libraries, community facilities, parks, and recreational amenities. In addition, human services are provided by other private sector or public-subsidized institutions, such as private schools, places of worship and post-secondary educational facilities. Coordination among all human service providers is important.

Objectives

- i) Ensure the Town's cultural features and rich heritage are preserved for future generations;
- ii) Ensure the *development* and provision of human services through coordinated effort with service providers and other levels of government;
- iii) Promote the provision of social services that assist individuals to contribute to their own well-being and to the well-being of the community as a whole;
- iv) Develop and maintain safe and secure neighbourhoods;
- v) Ensure the provision of institutional and recreational uses (such as schools, community centres, parks, and trails) within the early stages of growth;

- vi) Provide housing opportunities, including affordable housing, that offer a range of dwelling types, densities, tenure, and cost to meet the diverse needs of people from various social, cultural and economic backgrounds, including persons with disabilities.

Policies

- 2.3.1 Provide human and social services within the Town's responsibility that help establish a complete community where people of all ages, backgrounds and capabilities can meet their needs throughout the various stages of their lives.
- 2.3.2 Work with the Region of York and other social service providers, such as the United Way, to ensure social service facilities and programs are provided.
- 2.3.3 Provide leadership in coordinating the efforts of other agencies responsible for human services in the Town, including the Provincial government, Region of York, and School Boards.
- 2.3.4 Review and monitor *development* in consultation with social service and health care providers to ensure the provision of social services and local health care and hospital services, in keeping with provincial infrastructure plans for hospitals, as well as associated social infrastructure needed to support such growth is coordinated with growth.
- 2.3.5 Direct major human services to *Major Local Centres* and *Regional Corridors*.
- 2.3.6 Require all *development* applications and the design of municipal sites and facilities to incorporate the consideration of Crime Prevention through Environmental Design (CPTED) principles.
- 2.3.7 Incorporate appropriate accessibility measures as part of the review of *development* applications and preparation of Urban Design Guidelines in accordance with the Accessibility for Ontarians with Disabilities Act and the Town's Accessibility Standards.
- 2.3.8 Support and encourage the integration and planning of human services with land use, infrastructure and fiscal planning.
- 2.3.9 Encourage the co-location or campusing of human services with other uses, such as recreational, public buildings and arts and cultural facilities.

DID YOU KNOW

The average Canadian will, in his/her lifetime:

- use 120,000,000 litres of water
- consume the equivalent of 600,000 cubic metres of natural gas, 1,100,000 kg of coal or 575,000 litres of crude oil
- travel 700,000 km in motor vehicles which is equivalent to traveling around the world at the equator 17.5 times
- generate 40,000 kg of garbage

Sustainability Within a Generation (2004)

2.3.10 Within the Green Lane Secondary Plan Area shown on Schedule B-5:

- a) units with two or more bedrooms in medium and high density residential uses are encouraged;
- b) construction of *secondary suites*, including in accessory laneway buildings, and building design that allows for the addition of *secondary suites* is encouraged;
- c) construction of units with more basic amenities, materials, details etc., is encouraged to keep the housing costs low;
- d) the construction of rental units with two or more bedrooms in a range of unit types is encouraged; and,
- e) dwellings should be designed to accommodate and support all ages and accessibility. Design solutions may include internal features, such as doorway and hallway widths, as well as smaller, single level, or grade-related units that can support aging in place.

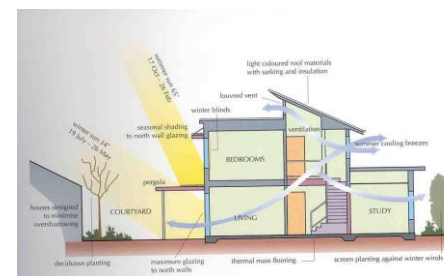
2.4 TOWARD A SUSTAINABLE COMMUNITY

In order to ensure a sustainable community, the objectives of the three theme areas (social, economic and environmental) and related policies of this Plan need to be applied in a holistic, comprehensive and balanced manner.

Measuring and evaluating these objectives is critical and will be undertaken through specific monitoring outlined in the Implementation Section of the Plan. In addition, the Town will develop an Evaluation System to measure specific sustainable *development* requirements for *development* proposals and applications.

Objectives

- i) Reduce the per-capita consumption of energy, water, land and other non-renewable resources;
- ii) Promote a compact urban form and develop an energy-efficient mix of land uses to provide liveable, healthy communities;
- iii) Develop policies and programs designed to achieve a target reduction of two-thirds of greenhouse gas emissions per capita by 2031;
- iv) Promote cost-effective energy conservation, energy distribution and alternative energy supply sources and other approaches that result in significantly lower levels of per-capita energy use and associated greenhouse gas emissions;



Passive Solar Home
Chandra, Shailja. 2008. *The Newington Master Plan*.

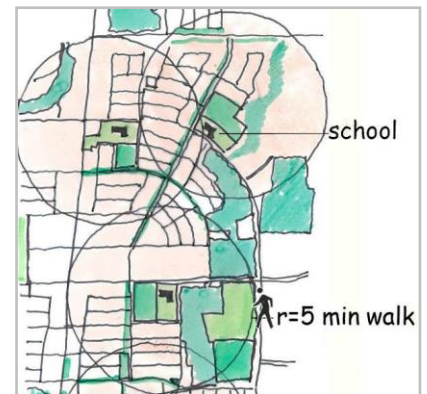
- v) Maximize opportunities for the use of active transportation and energy efficient modes of travel and reduce energy consumption for motor vehicles within the Town;
- vi) Encourage efficient site planning design and construction techniques that minimize space heating and cooling energy consumption;
- vii) Promote a reduction in energy consumption in all sectors by encouraging the upgrading/retrofitting of existing buildings and facilities.

Policies

- 2.4.1 The Town shall develop Thinking Green Development Standards, in consultation with the development industry, to ensure the sustainability goals and policies of this Plan are addressed through *development* applications.
- 2.4.2 The Thinking Green Development Standards will be considered in formulating a basis under which the Town will evaluate and prioritize *development* approvals in accordance with the phasing policies in Section 3.4.1, including the assignment of servicing allocation and the approval of *development* applications under the Planning Act.
- 2.4.3 All *development* shall address the minimum standards necessary to satisfy the applicable elements outlined in the Thinking Green Development Standards to the satisfaction of the Town.
- 2.4.4 For *development* applications that have received all required Planning Act approvals prior to Council's approval of the Thinking Green Development Standards (TGDS), the application of the TGDS is not required prior to construction.
- 2.4.5 *Development* applications that have been submitted prior to Council's approval of the Thinking Green Development Standards (TGDS), but for which all required Planning Act approvals have not been received, shall consider all applicable elements of the TGDS. Prior to the consideration of any such *development* application by Council for approval, a Sustainable Development report shall be prepared and submitted to the Town addressing how the application performs against the SDES.

2.4.6 The Town's Thinking Green Development Standards shall be comprised of elements that contribute to sustainable community design and *development* and may include, but not be limited to, the following:

- i) Minimum standards for energy efficient building design to achieve reduced energy consumption and demand;
- ii) Standards for community design to apply active transportation principles, reduce vehicle trips, enhance walkability and encourage use of public transit through a compact urban form;
- iii) Standards designed to achieve diverse and mixed-use communities with a range of housing types, proximity to services, public facilities, parks, environmental areas, and supporting uses;
- iv) Minimum standards for water conservation in all buildings, and landscaping and maintenance;
- v) Green building material requirements to promote durability and reduce the heat island effect;
- vi) Requirements for *Dark Sky compliant* practices for exterior lighting;
- vii) Requirements for waste reduction, reuse and recycling in the construction process;
- viii) Requirements for the application of stormwater management at the site level to maximize infiltration and reduce phosphorus loading in the Lake Simcoe watershed, where it has been proven that site level stormwater management systems are more environmentally beneficial to Lake Simcoe than centralized systems;
- ix) Recommendations and standards for the installation of on-site renewable energy generation and energy recovery, where practicable.

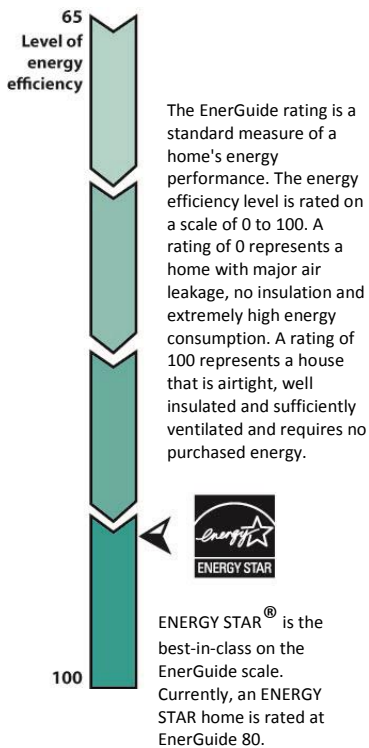


Plan illustrating 5 minute walking distance to schools

2.4.7 Site Plan Control as referenced under Section 8.10, is one of the various tools the Town may use to achieve the objectives of this Plan and implement the Thinking Green Development Standards, particularly as it relates to exterior design and site layout in accordance with the provisions of Section 41 of the Planning Act.



EnerGuide and Energy Star®



The Model National Energy Code for Buildings (MNECB) establishes minimum requirements for energy efficiency in new buildings. The MNECB applies to all buildings, other than houses of three storeys or less, and to additions of more than 10 m² to such buildings. The document includes detailed information on building envelope, lighting, electrical power, and heating, ventilating and air conditioning systems, which can offer major energy savings.

- 2.4.8 The Thinking Green Development Standards shall be reviewed and revised periodically in consultation with the development industry, to respond to technology advancement, design innovation, and any regulatory changes. Such revisions shall not require an amendment to this Plan.
- 2.4.9 The Town will promote and encourage the use of recognized and accredited third-party verified green building certification programs for all new *development*, including LEED®, Greenhouse®, and Energy Star®.
- 2.4.10 The Town shall implement the Town's Thinking Green Development Standards or target LEED® Silver certification, or enhanced alternative for all new municipal buildings and projects.
- 2.4.11 The Town shall encourage the following energy efficiency standards for all new buildings requiring approvals under the Planning Act:
- i) Grade-related (3 storeys or less) residential buildings achieve a minimum performance level that is equal to a rating of 83 or more when evaluated in accordance with Natural Resources Canada's EnerGuide for New Houses: Administrative and Technical Procedures;
 - ii) Mid- and high-rise (4 storeys or greater) residential and non-residential buildings be designed to achieve 40% greater energy efficiency than the Model National Energy Code for Buildings, 1997;
 - iii) Industrial buildings (not including industrial processes) be designed to achieve 25% greater energy efficiency than the Model National Energy Code for Buildings, 1997.
- 2.4.12 The Town shall continue to work with the development community to achieve 10% greater water efficiency than the Ontario Building Code for all new buildings.
- 2.4.13 *Development* shall be designed to maximize solar gains and be constructed in a manner that facilitates future solar installations (ie. solar ready).
- 2.4.14 The Town shall restrict the use of potable water for outdoor watering.
- 2.4.15 New buildings are encouraged to include renewable energy sources and be designed to support net zero energy systems. Partnerships and pilot projects supporting net zero *development* are encouraged.
- 2.4.16 The Town requires a green infrastructure approach to *development*, including the use of Low Impact Development (LIDs) techniques, to improve stormwater infiltration.

- 2.4.17 Within the Green Lane Secondary Plan Area shown on Schedule B-5, the use of large, land intensive stormwater management ponds shall be minimized and shall only be used if LID options are not appropriate in the area or are not able to accommodate all of the anticipated stormwater flows.
- 2.4.18 The Town encourages protection of the existing tree canopy and measures that support increased tree canopy.
- 2.4.19 New and reconstructed buildings with internal parking shall contain electric vehicle charging stations or be pre-wired to allow for future incorporation of electric vehicle charging stations.
- 2.4.20 The Town shall require the installation of rainwater harvesting and re-circulation/re-use systems for all new residential buildings for outdoor irrigation and outdoor water use.
- 2.4.21 A Sustainability Assessment Report shall be required prior to *development* approval, addressing the goals and recommendations of the Community Energy Plan. Such report shall consider, but not be limited to, the following:
- i) passive solar gain;
 - ii) renewable forms of energy;
 - iii) the net impact on the natural environment.
- 2.4.22 The Town will encourage the effective use and conservation of energy through the upgrading and retrofitting of existing buildings and explore the *development* of an Energy Audit program, including energy performance labelling requirements and home efficiency disclosures at the time of transaction.
- 2.4.23 In order to assist with the energy performance improvements of existing buildings, the Town may explore the use of Local Improvement Charges, Community Improvement Plans and other financing mechanisms to assist with the financing of upgrades or retrofits.
- 2.4.24 In the interest of providing assistance to the development industry in terms of addressing the sustainable development policies of the Plan and the requirements of the Town's Thinking Green Development Standards (TGDS), the Town will explore possible incentives programs designed to reward sustainable community design and development. Such incentives may include priority consideration for development approvals, funding support through available government programs, and other reasonable measures designed to offset additional development costs associated with the Town's sustainable development requirements.

2.4.25 Around the East Gwillimbury GO Station, road design, layout, and connectivity and building placement should be designed to allow for and promote multiple transportation options.

3 COMMUNITY BUILDING

This Plan includes direction and policies to manage the Town's significant growth to 2031. Within the 2031 *planning horizon*, the Town is forecasted to grow to approximately 86,500 people and 34,400 jobs. Schedule A outlines the overall structure of the Town, while *Settlement Areas* to accommodate growth are identified on Schedule A-1. Schedule A-1 also outlines the 2031 Urban Structure for the Town. This structure represents a new, sustainable direction for growth in this Town, through establishment of a series of Community Areas and Employment Areas, linked by Corridors and supported by well-defined Centres. Schedule A-1 and the policies contained in this Section will guide planning decision-making and lead East Gwillimbury toward a vibrant and liveable town.

The growth management strategy of this Plan is based on the following objectives:

- i) Manage growth through effective phasing policies to guide the Town's long term urban structure;
- ii) Enhance quality of life by promoting a mix of uses and providing opportunities within the Town to live, work, play and learn;
- iii) Locate the most intense built form and variety of activity in *Centres* and *Corridors* to promote transit and a mix of uses, with an initial focus of development within Centres;
- iv) Ensure balanced growth by requiring employment and other non-residential uses to be provided concurrently with residential growth;
- v) Support residents' everyday needs by providing retail and commercial uses within the commercial core of the Queensville Centre and Village Core Areas (Local Centres);
- vi) Require excellence in the design of the built environment through strong urban design policies and guidelines;
- vii) Promote sustainable forms of growth by requiring *development* proponents to provide sustainability assessments that address the sustainability policies and objectives of this Plan including the application of the Town's Thinking Green Development Standards.

In this Section:

3.1 Forecasting Growth

3.2 Urban Area Structure

*3.3 Urban & Public Realm
Design*

*3.4 Staging and Phasing of
Growth*

3.5 Intensification

3.1 FORECASTING GROWTH

The population and employment forecasts contained in this Plan are intended to be used for planning and managing growth in the Town. The forecasts have been used to identify *Settlement Area* boundaries, to determine future infrastructure requirements and to estimate the need for community facilities and services to be delivered by the Town.

The policies of this Section, as well as Tables 3.1 and 3.2 demonstrate growth forecasts as provided by the Region of York under the Growth Plan for the Greater Golden Horseshoe.

Table 3.1 Population Growth Forecasts

	2009	2016	2021	2026	2031
Urban Area	13,600	23,700	36,200	54,400	74,500
Mount Albert	3,400	5,000	5,900	5,900	5,900
Rural Area	6,000	6,000	6,000	6,000	6,000
Total	23,000	34,700	48,100	66,300	86,500

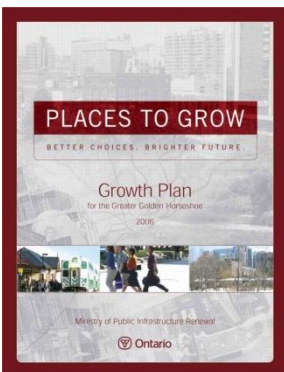
Table 3.2 Employment Growth Forecasts

	2009	2016	2021	2026	2031
Urban Area	3,470	7,900	14,825	22,650	30,170
Mount Albert	530	700	875	1,050	1,230
Rural Area	3,000	3,000	3,000	3,000	3,000
Total	7,000	11,600	18,700	26,700	34,400

The population and employment growth forecasts should be used as the basis for all Master Plans and Environmental Assessments that occur in the Town.

3.2 URBAN AREA STRUCTURE

The Urban Area Structure outlined on Schedule A-1 is defined by a *Settlement Area* boundary which identifies areas intended to accommodate the Town's growth needs to 2031. The *Settlement Area* includes existing approved Secondary Plan Areas of Holland Landing, Queensville, Sharon, Green Lane and Mount Albert together with new Secondary Plan Area B-4. Specific land uses and designations for these Secondary Plan Areas are identified on Schedules B-1, B-2, B-3, B-5 and C-1 and are subject to the land use policies under Section 4 of this Plan.



In preparing the forecasts, consideration was given to the Growth Plan for the Greater Golden Horseshoe, the York Region Official Plan and Regional Growth Management Exercise - Planning for Tomorrow.

This Plan provides an Urban Structure (as shown on Schedule A-1) and an approach to growth management policies that:

- i) identifies and protects the Natural Heritage System (Section 5);
- ii) identifies an Urban Planning Area which includes *Community Areas*, *Employment Areas* and *Agricultural/Long Term Growth Areas* and lands subject to Special Provisions and Exceptions as per Section 9.4 and ensures properly sized infrastructure to accommodate growth over the long term;
- iii) ensures protection of agricultural, rural and natural resource areas by focusing *development* in the Urban Area;
- iv) establishes a *Settlement Area* boundary where the majority of the projected population and employment growth will occur within the *planning horizon* of this Plan;
- v) establishes *Community* and *Employment Areas* to generally direct location of land uses in the *Settlement Area*;
- vi) establishes *Centres* and *Corridors* to focus mixed-use *development* and provide compact, pedestrian and transit-oriented *development* in areas that can be serviced by transit;
- vii) establishes an *Active Transportation/Community Trail Linkage* system (shown on Schedule F-1) to provide non-road based mobility between communities and throughout the Urban Planning Area;
- viii) identifies a network of transportation, public works and community facilities to service anticipated growth.

The Urban Structure for the Town is classified into three main areas, as shown on Schedules A and A-1:

- i) Centres and Corridors;
- ii) Community Areas;
- iii) Employment Areas.

This approach to land use planning provides a clear vision and direction to guide municipal land use decisions over the *planning horizon*. It is intended that these policy areas be used as the basis for the preparation of more detailed land use planning studies in the *Settlement Area*, and in the designation of land uses in accordance with Section 4 of this Plan.

3.2.1 Employment Areas

Employment Areas shown on Schedule A-1 identify land for business and economic activities including manufacturing, warehousing, office, *ancillary uses* and other employment uses identified by the Town as strategic to advancing economic competitiveness and vitality. *Employment Areas* are not appropriate locations for *major retail* uses.

As noted in Section 2.2, *Employment Areas* are critical to the Town's achievement of a balance of residential and employment growth by providing for substantial growth in jobs in accordance with the employment population forecasts outlined in Table 3.2.

For *Employment Areas* to thrive they require an adequate supply of zoned and serviced land (particularly for extensive users) and certainty that the function of the area will not be diluted by the location of inappropriate neighbouring businesses and other uses.

3.2.1.1 The land use designations detailed in Section 4 that make up Employment Areas include:

- *General Employment*;
- *Prestige Employment*.

3.2.1.2 Development on fully servicing employment lands shall be compact and achieve an average minimum density of 40 jobs per hectare in the developable area.

3.2.1.3 Uses not permitted within Employment Areas include residential, major retail and non-ancillary uses.

3.2.1.4 The conversion of employment lands to non-employment land uses (including major retail) is not permitted. For the purposes of this policy, employment lands are those identified as Employment Area on Schedule A-1, including General and Prestige Employment land uses.

3.2.1.5 Notwithstanding 3.2.1.4, the conversion of employment lands to non-employment land uses may be considered as part of a municipal comprehensive review, in accordance with Section 8.20.3 and 8.20.4.

3.2.2 Community Areas

Community Areas shown on Schedule A-1 identify land for people to live, shop, learn, and obtain services, such as shopping, health care, worship. These areas are also intended to be the primary location of population related jobs, such as offices, personal services, retail stores and other similar uses.

Community Areas are where people live and conduct all the activities of everyday life.

An effectively planned *Community Area* fosters a sense of belonging and includes a variety of housing sizes, types and densities as well as other uses that contribute to the creation of:

- i) vibrant, identifiable, liveable and walkable neighbourhoods;
- ii) a built environment that provides opportunities for residents to meet their daily needs;

- iii) pedestrian movement that is sustainable and prioritizes people over cars.

The *Community Areas* shown on Schedule A-1 are further defined with detailed land use designations in Section 4 and as established through future Secondary Plan processes and amendments to this Plan.

3.2.3 Centres and Corridors

Centres and *Corridors* contribute to an urban structure where major streets, community cores, and intersections become focal points for activity and built form in the community. They will be planned to accommodate the highest densities and broadest mix of uses in the Town. It is intended that *Centres* and *Corridors* will provide for the majority of medium and high density housing and become a focal point for residents' to meet weekly needs such as employment, education, community level recreation and parks, human services, entertainment, shopping, personal services and worship. Additional *Centres* and *Corridors* may be identified through Secondary Plan processes.



Commercial Nodes accessible
within a 5 minute walk

The policies of this Plan shall:

- i) Recognize that each *Centre* and *Corridor* will have different functions and forms;
- ii) Plan *Centres* as community focal points that draw a mix of uses and activities supporting transit and provide transit connections to the rest of the region;
- iii) Plan *Corridors* to accommodate new housing and *population-related employment* in a transit-supportive built form that encourages pedestrian movement and active transportation, with a mix of uses on site where possible;
- iv) Recognize that some *Centres* and *Corridors* reflect the culture and history of the Town;
- v) Plan for the evolution of *Centres* and *Corridors* over time. Where the full scale and *density* of these areas may not be achieved in the initial stages of the *planning horizon*, short term decisions shall ensure the long-term urban design and sustainability vision is not undermined;
- vi) Provide for commercial uses in accordance with the retail hierarchy established by this Plan and the planned function of commercial areas.

3.2.3.1 General Policies

- i) It is recognized that mixed use *development* and the achievement of projected densities may take place through phases over time. Where such phased *development* is proposed, site planning shall illustrate the final *development* concept vision and demonstrate how this phasing and *intensification* will occur. Initial phases shall be consistent with the 2031 vision, shall be structured and designed to enable the required flexibility for achieving the planned vision and *density* for the area over time and not hinder the achievement of that vision. The initial phases of development within *Centres* and along *Corridors* may consist of such uses as retail, office or residential. For greater clarity, phasing, form and densities will be dealt with more specifically as part of the Secondary Plan process.
- ii) The Town may identify certain areas or strategic sites within the *Centres and Corridors* where *development* will be reserved for projects that deliver higher densities and mixed uses.

Deferral #3

iii) *Regional Corridors* and the Major Local Centre at 2nd Concession and Green Lane are the preferred location for *major office*.

- iv) Where a *Centre* overlaps a *Corridor*, the *Centre* policies outlined in Section 3.2.3.2 shall take precedence.

3.2.3.2 Centres

Centres offer a range of housing opportunities where people can live close to their work and easily get to amenities with a reduced reliance on the automobile. *Centres* are places with excellent transit access that provide the most intense and dynamic mix of land uses in the *Settlement Area*. While each *Centre* will be planned to have a different function and accommodate different scales of growth, it is generally intended that all *Centres* develop to provide a mix of people and jobs.

Two types of *Centres* are identified on Schedule A-1:

- *Major Local Centres*;
 - *Local Centres*.
- i) *Centres* should be planned to create an urban pedestrian and transit-oriented environment and provide a mix of both residential and *population-related employment* opportunities.
 - ii) *Centres* will be planned to accommodate a mix of uses. These uses may be accommodated vertically, with offices or residential dwellings above shops or community facilities facing public streetscapes or open spaces, or through a diversity of uses within the site.

- iii) To support their role as central focal areas, *Centres* shall be designed with good pedestrian, transit and vehicular access. A high level of connectivity in the street and sidewalk system of these areas shall be provided to improve active transportation.
- iv) The location and design of internal roadways and site planning within *Centres* shall incorporate transit facilities, such as transit stops and transit shelters.
- v) The highest *density* and building massing and heights should be focused at the core of each *Centre* and at street intersections. At the periphery of each *Centre*, *density* and building massing and heights shall be designed to provide an appropriate transition to existing or planned adjacent uses.
- vi) Uses that are specifically prohibited within *Centres* include: service stations, gas bars, car washes, and other uses that are associated with vehicle maintenance or service. Self storage and similar warehousing uses for the general public are also prohibited.
- vii) Drive through facilities may be permitted within the *Centres* designation. Where drive-through facilities are not permitted in the zoning by-law, a zoning by-law amendment will be required through which the applicant will demonstrate that the proposed drive-through facility:
 - (a) does not preclude the planned function and intensification for a site;
 - (b) does not adversely affect pedestrianization and transit supportiveness;
 - (c) is in conformity with the Urban and Public Realm Design policies in Section 3.3; and
 - (d) adheres to high standards of urban planning and design in that it:
 - i) conforms with the Town's Urban Design Guidelines;
 - ii) does not adversely affect the character of the existing and planned streetscapes;
 - iii) contributes to attractive streetscapes, views and sightlines; and
 - iv) does not compromise the safe and efficient movement of pedestrians and cyclists.
- viii) Underground or structured parking is encouraged as a means for achieving ultimate densities phased over time.

3.2.3.2.1 Major Local Centres

Three *Major Local Centres* are identified on Schedules A-1 and B-5. Each is intended to be a primary gathering place that incorporates the highest densities of housing and concentrations of *population-related employment* opportunities that serve the larger community. *Major Local Centres* shall be centred on the locations identified on Schedule A-1.

Parking shall be located to reduce visibility from the street, preferably in a structured or underground format, where appropriate.

Site planning that utilizes sloping topography within the Centre to efficiently integrate structured or below grade parking is strongly encouraged.

Key Development Areas outlined in the York Region Official Plan are implemented through the *Major Local Centre* policies.



i) Yonge Street and Green Lane Centre

The Yonge Street and Green Lane *Centre* shown schematically on Schedule A-1 and more precisely on Schedule B-5 is intended to continue as a major focus of region-serving commercial development that is planned to intensify with a greater mixture of residential and population-related employment uses to promote increased pedestrian and transit-orientation. This *Centre* is not intended to undermine the commercial development of the

Queensville Centre or *Village Core Areas*, which are intended to develop with commercial uses that facilitate community building in those areas.

- a) Lands in the Yonge Street and Green Lane *Major Local Centre* will be developed in accordance with the land use policies outlined in Section 4 and may be designated:
 - *Commercial mixed use;*
 - *Residential mixed use; and/or,*
 - *Medium and high density residential.*
- b) *Development* within this *Centre* shall be planned to achieve a *Floor Space Index (FSI)* goal of 1.5 at full build-out and shall appropriately address the built form and uses contemplated by this Plan. The *Centre* may achieve a density of 2.5 FSI through *intensification*.

Uses

- c) Mixed use buildings are required; but new single use retail, commercial and residential uses may also be permitted if planned in conjunction with a permitted mixed use building and provided they are co-ordinated within the same site in a manner that achieves the urban design requirements of this section.
- d) The northwest corner of Yonge Street and Green Lane shall be planned for and reserved for a mixed use building.
- e) Where *major retail* uses are contemplated, the primary building form should be planned in combination with mixed use and/or multi-storey buildings.
- f) At grade retail and service commercial uses are required in buildings located in the *Pedestrian Oriented Retail Priority Area*. No at grade residential uses are permitted in this area except for residential lobbies.
- g) The existing commercial development on the east side of Yonge Street is envisioned to intensify with mixed use *development* over the life of this plan. Higher density mixed use *development* is encouraged and will be facilitated abutting the Yonge Street and Green Lane intersection and along Green Lane.

Building Location

- h) Buildings should be developed along the street edge, particularly along Yonge Street, Green Lane and in the *Pedestrian Oriented Retail Priority Areas* in accordance with build-to lines that are established in the urban design guidelines and zoning by-law.

Pedestrian Oriented Retail Priority Area

- i) In the *Pedestrian Oriented Retail Priority Area* shown on Schedule B-5, primary building entrances shall face the street and fenestration and active windows are encouraged. Minimum requirements for ground floor fenestration shall be set out in the urban design guidelines and the zoning by-law.
- j) Multi-storey buildings are required along the *Pedestrian Oriented Retail Priority Area* and along Yonge Street to address differences in grade with second storey entrances facing the *Pedestrian Oriented Retail Priority Area* and at grade entrances facing internal parking lots. The urban design guidelines shall demonstrate such design solutions.

Pedestrian Oriented Streets

- k) Along the *Pedestrian Oriented Streets* on Yonge Street and Green Lane, shown on Schedule B-5, buildings shall be located up to the municipal sidewalk with building entrances facing the street and with build-to lines established in the urban design guidelines and zoning by-law.

Height and Transition

- l) The minimum building height shall be 3 storeys (approximately 9 metres) for buildings facing Yonge Street and Green Lane and 2 storeys (approximately 6 metres) within the *Pedestrian Oriented Retail Priority Area*.
- m) Building heights shall be a minimum of 6 storeys (approximately 18 metres) and a maximum of 20 storeys (approximately 61 metres) at the intersection of Green Lane and Yonge Street.
- n) A transition to lower density residential areas abutting the *Major Local Centre* shall be provided by providing a stepping down of heights, except for those fronting on Green Lane.
- o) For buildings above 6 storeys (approximately 18 metres), podiums should be incorporated in the base of the buildings with tower elements set back from the podium.

Urban Design Guidelines

- p) To ensure *development* proposed in this *Major Local Centre* delivers the vision for this *Centre* as articulated in this Plan, detailed urban design guidelines shall be prepared and approved by Council. The guidelines will provide for the following:
- a. parking, pedestrian and cyclist connectivity, landscaping and relationship of buildings to the street, in order to reinforce and promote a safe and comfortable public realm and pedestrian-friendly streetscape for all ages and abilities;
 - b. setbacks from the street, primary entrances, fenestration, build-to line requirement, outdoor amenity space, such as patios or urban squares, provision of outdoor furniture and architectural design, within the *Pedestrian Oriented Retail Priority Area*, in order to create an environment that invites pedestrian traffic and promotes pedestrian comfort;
 - c. setbacks to the street, entrances, fenestration and detailing and build-to line requirements, along pedestrian-oriented streets, in order to create an environment that emphasises the pedestrian realm; and

- d. step backs, angular planes, building separation, maximum floorplate sizes, shadow study requirements, and podium and tower requirements (including height), for mid-rise and taller buildings, as a means to achieve a transition of heights, particularly to adjacent lower density designations abutting the *Major Local Centre*.

Affordability

- q) A minimum of 35% of the units developed in Yonge Street and Green Lane *Major Local Centre* will meet the definition of *affordable*. Applicants shall demonstrate, to the satisfaction of the Town, how each *development* application contributes to the 35% target of *affordable* housing in the *Major Local Centre*.

Public Art

- r) The inclusion of public art is encouraged in all significant private sector developments in the Yonge Street and Green Lane *Major Local Centre*, and 1% of the capital budget of all major Regional and Local municipal buildings in this *Centre* is to be dedicated to public art.

Phasing

- s) In addition to the Phasing Plan, it is recognized that development within the Green Lane Secondary Plan Area will develop incrementally over many years, however, the first phase of development within the Yonge Street and Green Lane *Major Local Centre* shall include the following minimum threshold requirements:
 - a. Within the *Commercial Mixed Use* designation on the west side of Yonge Street, a minimum of 50% of the floor space in the first phase shall comprise of residential and/or office *development* in a mixed use format, with retail commercial space equating to no more than 50% of the total floor space constructed in the first phase of *development*. The Town may use a holding provision and other zoning provisions to achieve this mix in the first phase.
 - b. Within the *Commercial Mixed Use* designation on the east side of Yonge Street, for any additional floor space beyond approved Site Plan approvals, a minimum of 50% of the floor space shall comprise of residential and/or office *development* in a mixed use format, with retail commercial space equating to no more than 50% of the total floor space constructed in the first phase of *development*. The Town may use a holding provision and other zoning provisions to achieve this mix.

ii) 2nd Concession and Green Lane Centre

The land uses at 2nd Concession and Green Lane are intended to promote higher density mixed use, including office development to support transit and GO station infrastructure. Retail uses will primarily provide support for uses within the *Centre*. The 2nd Concession and Green Lane *Major Local Centre* is shown schematically on Schedule A-1 and more precisely on Schedule B-5.



The area in the vicinity of 2nd Concession and Green Lane has several defining components that contribute to its identification as a *Major Local Centre*. These include the GO Transit station, planned bus rapid transit along Green Lane, the presence of the East Holland River and associated open space system connecting to the Holland Landing and Sharon communities. Mixed-use higher *density*, transit-oriented *development*, institutional and office uses are promoted in this *Centre* to support the use of YRT/Viva and GO Transit.

- a) Lands in the 2nd Concession and Green Lane Major Local Centre will be developed in accordance with the land uses policies outlined in Section 4 and may be designated:
 - Residential mixed use;
 - Commercial mixed use;
 - Medium and high density residential; and/or,
 - Appropriately to accommodate *major office uses*.
- b) *Development* within this *Centre* shall support an overall long term *Floor Space Index* (FSI) target of 2.5 for *developable areas*.
- c) A minimum of 35% of the units developed in the Green Lane and 2nd Concession *Major Local Centre* will meet the definition of *affordable*. Applicants shall demonstrate, to the satisfaction of the Town, how each *development* application contributes to the 35% target of *affordable* housing in the *Major Local Centre*.

Uses

- d) Office uses shall be developed within the *Office Priority Area* identified on Schedule B-5 in accordance with the requirements of section 4.3.5.
- e) At grade retail and service commercial uses are required in buildings located in the *Pedestrian Oriented Retail Priority Area*. No at grade residential uses are permitted in this area except for residential lobbies.
- f) Underground and/or structure parking is required in order to achieve the target density of 2.5 FSI.

- g) Adjacent to the GO station, alternative parking standards, including consideration of shared parking, shall be considered through supporting transportation studies.
- h) Large scale, at-grade parking areas are not permitted. Underground parking and structured parking shall be considered in lieu of at-grade parking.

Building Location

- i) Buildings shall be developed along the street edge, particularly along 2nd Concession, Green Lane and in *Pedestrian Oriented Retail Priority Areas* in accordance with build-to lines that are established in the urban design guidelines and zoning by-law.

Pedestrian Oriented Retail Priority Area

- j) In the *Pedestrian Oriented Retail Priority Area* shown on Schedule B-5, primary entrances shall face the street and fenestration and active windows are encouraged. Minimum requirements for ground floor fenestration shall be set out in the urban design guidelines and the zoning by-law.

Pedestrian Oriented Streets

- k) Along the *Pedestrian Oriented Streets* on 2nd Concession and Green Lane, shown on Schedule B-5, buildings shall be located up to the municipal sidewalk with building entrances facing the street and with build-to lines established in the urban design guidelines and zoning by-law.

Connectivity

- l) Pedestrian and cyclist connectivity to the GO Station shall be prioritised in site design and the orientation of the local street network on nearby properties.

Height and Transition

- m) Building heights, minimum of 6 storeys (approximately 18 metres) and up to 20 storeys (approximately 61 metres) shall be required at the intersection, transitioning downwards to heights of 4 to 6 storeys (approximately 12 to 18 metres) along Green Lane and 2nd Concession Road.
- n) The minimum building height in all other areas shall be 2 storeys (approximately 6 metres).
- o) A transition to lower density residential areas abutting the *Major Local Centre* shall be provided by providing a stepping down of heights.

- p) For buildings above 6 storeys (approximately 18 metres), podiums should be incorporated in the base of the buildings with tower elements set back from the podium.

Urban Design Guidelines

- q) To ensure *development* proposed in this *Major Local Centre* delivers the vision for this *Centre* as articulated in this Plan, detailed urban design guidelines shall be prepared and approved by Council. The guidelines will provide for the following:
- a. parking, pedestrian and cyclist connectivity, landscaping and relationship of buildings to the street to reinforce and promote a safe and comfortable public realm and pedestrian-friendly streetscape for all ages and abilities;
 - b. setbacks from the street, primary entrances, fenestration, build-to line requirement, outdoor amenity space, such as patios or urban squares, provision of outdoor furniture and architectural design, within the *Pedestrian Oriented Retail Priority Areas*, in order to create an environment that invited pedestrian movement;
 - c. setback to the street, entrances, fenestration and detailing and build-to line requirements, along pedestrian-oriented streets, in order to create an environment that emphasises the pedestrian realm;
 - d. step backs, angular planes, building separation, maximum floorplate sizes, shadow study requirements, and podium and tower requirements (including height), for mid-rise and taller buildings, as means to achieve a transition of heights, particularly to adjacent lower density designations abutting the *Major Local Centre*; and
 - e. protection of views to the open space system associated with the East Holland River, active transportation connections, streetscape, building and landscape design, adjacent to the Holland River, in order to respect the character and public realm of the river and surrounding open space lands.

Public Art

- r) The inclusion of public art is encouraged in all significant private sector *developments* in the 2nd Concession and Green Lane *Major Local Centre*, and 1% of the capital budget of all major Regional and Local municipal buildings in this *Centre* is to be dedicated to public art.

Phasing

- s) In addition to the Phasing Plan, it is recognized that development within the Green Lane Secondary Plan Area will develop incrementally over many years, however, the first phase of development within the 2nd Concession and Green Lane *Major Local Centre* shall include the following minimum threshold requirement:
- a. A minimum of 50% of the total floor space in the first phase shall be comprised of residential units. Of the non-residential component in the first phase, a minimum of 50 percent shall be designed for and occupied by office uses. The first phase shall comprise a minimum of 250 residential units. The Town may use a holding provision and other zoning provisions to achieve this mix in the first phase.

iii) Queensville Centre

Detailed land use permissions and development policies for the *Queensville Centre* are included in Section 4.3.2.

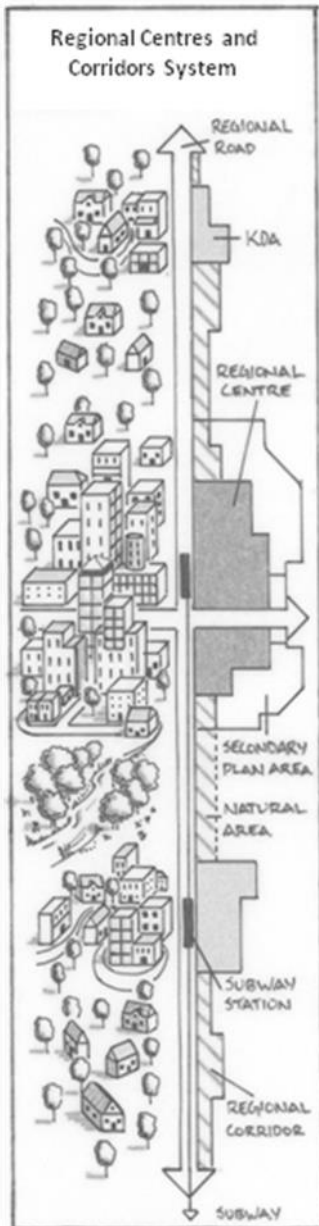
3.2.3.2.2 Local Centres

Three *Local Centres* are identified on Schedule A-1 to recognize and support the traditional mainstreet areas in the communities of Holland Landing, Sharon and Mount Albert.

Local Centres function in the same manner as *Major Local Centres* but on a smaller scale, serving adjacent neighbourhoods. These areas are intended to be the prime focus of commercial activity within the communities of Holland Landing, Sharon and Mount Albert.

Local Centres will be developed as compact, mixed use areas with street-related retail and commercial uses combined with residential and office uses on upper storeys with a focus on public realm.

Detailed land use permissions and development policies are included in the *Village Core Area* land use designation of Section 4.4.



3.2.3.3 Corridors

Corridors identified on Schedule A-1 within the *Settlement Area* will link the *Centres* and *Community Areas* within the Urban Planning Area. *Corridors* will support a wide range of uses to create an animated and vibrant streetscape and public realm that encourages pedestrian movement. It is generally intended that *Corridors* will vary in intensity along their length, accommodating the highest levels of height and density near *Centres* or at key intersections.

Two types of corridors are identified on Schedule A-1:

- *Regional Corridor*
- *Local Corridor*

- a) Along all *Corridors*, development shall be designed to support an urban, mixed use character that is pedestrian-oriented and supports transit use.
- b) Transit facilities and active transportation routes (including resting and recreation places) should be incorporated into *Corridors*.
- c) Buildings shall be located close to the street edge and address the street and public sidewalk wherever possible. *Backlotting* will not be permitted. Innovative block patterns should ensure buildings face the street and provide attractive views, combined with high quality landscaping.

i) **Regional Corridor**

Regional Corridors include Yonge Street and Green Lane and will develop into hubs of commerce, business and entertainment activities. The Green Lane corridor will evolve into a *Regional Corridor* over time and accommodate higher intensity uses and higher densities that benefit from proximity to planned rapid transit service. The Green Lane corridor is planned to be approximately 80-100 metres from both edges of the adjacent Green Lane road right-of-way, generally identified on Schedule A-1.

- a) Built form within the Green Lane *Regional Corridor* shall be planned to achieve an average *Floor Space Index (FSI)* between 1.0 and 1.5 at full build-out, with a maximum building height of 30 metres (12 storeys).

- b) Land in a *Regional Corridor* may be developed in accordance with the land use policies outlined in Section 4 and may be designated:
- *Residential mixed use;*
 - *Medium and high density residential;*
 - *Institutional;*
 - *Parks and open space, and/or;*
 - Appropriately to accommodate *major office* uses.
- c) *Community Commercial* uses may be permitted within a *Regional Corridor*, subject to the approval of an amendment to this Plan that demonstrates through a market study, planning analysis and transportation study that the use is warranted; that it will not impact the planned transportation and transit function of Green Lane; and that the proposal will not undermine the planned function of the commercial areas within the *Major and Local Centres*.
- d) Government, educational, institutional, cultural and entertainment uses shall be located and designed to support the *Regional Corridors* of this Plan.
- e) To ensure development proposed in *Regional Corridors* deliver the vision as articulated in this Plan, detailed urban design guidelines shall be prepared and adopted by Council. The guidelines will ensure that:
- Buildings of higher densities and mixed uses are focused around intersections to create pockets of vibrant street activity and to provide a sense of community structure and orientation.
 - Between intersections, building forms may transition to medium density building types.

These wider streets are subject to a high level of streetscape design, including trees planted in boulevards and central medians, to create a distinctive and attractive community edge, and to provide a pedestrian-scaled proportion to the right-of-way.
 - Along Green Lane, the landscaped setbacks promote a green parkway boulevard for the corridor. From Yonge Street to 2nd Concession Road, a streetscape section shall include a central transit corridor in accordance with the Region of York's approved Environmental Assessment (EA) for bus rapid transit.

ii) Local Corridor

Local Corridors function in the same manner as *Regional Corridors* but on a smaller scale. *Local Corridors*, as identified on Schedule A-1, are planned to be approximately 30-50 metres from both edges of the adjacent road right-of-way.

- a) *Built form* within a *Local Corridor* shall be planned to achieve an average *Floor Space Index* (FSI) of 0.65 at full build-out, with a maximum building height of four storeys.
- b) Lands in a *Local Corridor* may be developed in accordance with the land use policies outlined in Section 4 and may be designated:
 - *Residential mixed use*;
 - *Medium density residential*;
 - *Neighbourhood Commercial*;
 - *Institutional*; and/or,
 - *Parks and open Space*.
- c) Such uses may be provided through an amendment to this Plan and shall consider land use compatibility and buffering to adjacent lands.
- d) *Neighbourhood Commercial* uses and *Residential Mixed Uses* with a significant commercial floor area component may be permitted within a *Local Corridor* subject to an amendment to this Plan, provided the application can demonstrate that the use is warranted and the proposal will not undermine the planned function of the commercial areas within the *Queensville Centre* or *Village Core Areas*. The Town may require that a market study and planning analysis be completed to the satisfaction of Council.

3.3 URBAN AND PUBLIC REALM DESIGN

Excellence in urban and public realm design is key to delivery of the vision of the Town, as articulated through this Plan. This section includes general urban design policies. Recognizing the importance of design in community building, the Town will prepare Urban Design and Public Realm Design Guidelines covering a wide range of land uses and geographic areas, including but not limited to: *Centres, Corridors, Commercial and Residential Mixed Use Areas, Employment Areas*, open spaces and transit-oriented development adjacent to rapid transit service.

- i) Town-wide Urban Design Guidelines and Engineering Design Criteria will be approved by Council based on the policies of this Plan.
- ii) Urban Design Guidelines will be also prepared and approved by Council at the Community Design Plan stage.
- iii) The Town shall require that all Urban Design Guidelines address the Region of York's Transit Oriented Development Guidelines.

The following policies are intended to guide urban design and public realm design, in the absence of the completion of detailed Design Guidelines as noted above. These policies will also guide the development of future detailed guidelines.

3.3.1 Public Realm

The character and walkability of urban areas is largely dependent upon design. Public realm includes public (and publicly accessible private) spaces between buildings, streets, sidewalks, squares, lanes, parks and open spaces. Streetscapes are the most consistently visible elements of the public realm. Streetscapes can express the image of the community, reinforce the street network and enhance the use and visual appeal of public space.

- 3.3.1.1 Streetscapes shall be designed to promote safety and ease of use of multiple means of transportation, including vehicular, pedestrian, bicycle and transit. Functional design and widths of streets shall conform to Section 7 of this Plan.
- 3.3.1.2 Streetscape design shall integrate and coordinate a variety of elements to create visually attractive public spaces and a sense of place. These include appropriate right-of-way width to accommodate landscaping, street trees, decorative paving, lighting, street furniture, signage and special corner treatments.
- 3.3.1.3 Within Centres and Corridors, streetscapes shall be designed to create an attractive pedestrian environment through wide sidewalks and opportunities for seasonal displays and/or seating.
- 3.3.1.4 Streetscapes at major intersections and Centres should be developed with special community features, tree planting and paving to identify these areas as focal locations.
- 3.3.1.5 Street tree planting shall be included in the design of all streetscapes to contribute to a high quality of landscaping and promote pedestrian comfort. Tree planting should be continuous and the species, placement and frequency of street trees should be appropriate for the type of street.
- 3.3.1.6 Sidewalks shall be located to provide uninterrupted pedestrian movement to transit stops, commercial centres and all community amenities, and shall have regard for the space between the building and the roadway in non-residential areas.

- 3.3.1.7 Design and selection of street lighting, signage and streetscape furniture should be coordinated and should support the character of the local community.

3.3.2 Gateways, Edges and Landmarks

The following policies apply to the urban design of public streetscape elements and buildings in Community and Town Gateways as identified on Schedule E-1. Town and Community Gateways provide opportunities for enhanced urban design at key entry points that will promote a sense of place of the distinctive areas of East Gwillimbury.

Community Gateways occur at major entry points to neighbourhoods and Town Gateways are found at significant entry points into the Town's historical *settlement areas*.

- 3.3.2.1 Design of key gateways to the Town shall recognize this function through landscaping and building architecture that emphasizes their corner condition and prominent views.
- 3.3.2.2 The Town shall utilize the Region of York Municipal Streetscape Partnership Policy to leverage capital improvements of Regional roads at gateway locations that incorporate design elements consistent with this Section.
- 3.3.2.3 Along major arterial roads, where the Natural Heritage System abuts and forms a naturalized edge, development should preserve this frontage and afford long-range views to the natural environment features.
- 3.3.2.4 Community institutions and significant natural features should be utilized as landmarks. The street network and views should be developed to facilitate their evaluation as cultural, social and recreational focal areas.
- 3.3.2.5 Streetscape elements and features, including built features, signage, special paving, lighting and banners, are encouraged in the design of gateway and landmark locations to enhance their individual character.
- 3.3.2.6 The inclusion of public art in urban squares, parks and pedestrian spaces at gateways is encouraged as a method of reinforcing the focal nature of these spaces.
- 3.3.2.7 Development shall take advantage of views and frontage along the East Holland River, with public connections to the open space system, such as "river walks" and other public uses. Building design shall have entrances and windows facing the river or facing streetscapes adjacent to open space along the river.

3.3.3 Urban Design Policies for Institutional, Commercial, and Industrial Development

Institutional, commercial and industrial buildings are key elements of community building as some of the most prominent building forms in any community. These buildings should be designed and sited to support the vision of East Gwillimbury in 2031 as articulated through this Plan.

Built Form

- 3.3.3.1 Development in Major Local Centres shall provide an urban street frontage. Sites should be planned to create a generally continuous building edge along the majority of the streetscape, with entrances addressing the public sidewalk.
- 3.3.3.2 Development shall be located close to the primary street frontage with entrances, entrance features and glazing facing the public realm to reinforce the streetscape. In general, buildings shall occupy major amounts of the street frontage wherever feasible.
- 3.3.3.3 Buildings within Prestige Employment areas and which are located with prominent visibility from major arterial roads, highways and their intersections should be designed to establish a distinct, attractive, prestigious business image, characterized by a high quality of architectural design.
- 3.3.3.4 Buildings shall exhibit a high level of exterior design. The character, scale, appearance and design features of buildings and their sustainable design shall contribute to achievement of the policies of this Plan.
- 3.3.3.5 In General Employment areas some buildings may have smaller office and public entrance components in relation to larger storage areas. Care shall be taken to design and locate office and entrance components to address the street with well-defined massing and increased areas of glazing.

Site Plan

- 3.3.3.6 Sites and buildings shall be designed so that major entrances, major public areas of buildings and office components front onto the adjacent street.
- 3.3.3.7 The facades of buildings that face existing residential areas, or are visible within prominent vistas from publicly-accessible natural areas or public open spaces, shall incorporate a high standard of exterior design. The character, scale, appearance and design features of the buildings and their sustainable design should prevent views of blank walls from adjacent uses.

- 3.3.3.8 Direct pedestrian connections from building main entrances to public sidewalks, transit areas and other amenities shall be required.
- 3.3.3.9 The development of ground-related street retail within mixed use buildings shall be encouraged to promote active streetscapes. Where other uses (such as residential, office or institutional) occur at grade, their design should convey activity at the street level through glazed entrances and windows to public functions and private spaces, where appropriate.
- 3.3.3.10 Exterior design shall create visual interest and building identity through details such as fenestration, changes in wall planes, projecting elements, roof elements and overhangs, and change in materials to prevent large uninterrupted wall surfaces and appearance of buildings as unarticulated “boxes”.
- 3.3.3.11 Site planning and building design shall promote pedestrian comfort and shall be based upon street-related, pedestrian-scaled building design both internally and to perimeter streets. This will promote convenient and safe pedestrian movement both to the site and within it.
- 3.3.3.12 Quality urban design shall be achieved through the provision of wide sidewalks to accommodate increased pedestrian and commercial activity, the provision of places to sit, the use of diverse paving and high quality landscape materials, and the provision of street furnishings and pedestrian scaled lighting.
- 3.3.3.13 Lighting of commercial areas shall be designed as an integral component of the overall site design. It should provide safe illumination for pedestrians and motorists and be used strategically to provide a distinct site identity. Illumination of streetscapes, parking lots, building accents and signage should be designed together, to create focus and emphasis on site features. Commercial sites shall not be over illuminated and shall utilize dark sky compliant lighting.
- 3.3.3.14 Pedestrian-scaled lighting will be required throughout commercial sites. Buildings, landscape features and signage should be emphasized with accent lighting.
- 3.3.3.15 The range of signage shall be coordinated, to create an attractive and uncluttered site image.
- 3.3.3.16 Outdoor storage of goods shall be located to the rear and sides of buildings and screened with walls or architectural screens that coordinate with building architecture. Such screening may be supplemented with landscaping.

Parking and Loading Areas

- 3.3.3.17 Parking areas shall be designed with internal landscaped strips and islands to increase the urban canopy. Low Impact Development measures, such as pervious paving and bioswales, shall be incorporated to minimize stormwater runoff and reduce heat island effect.
- 3.3.3.18 For Employment Areas, parking shall generally be located at the rear and sides of buildings.
- 3.3.3.19 In Commercial and Mixed Use areas, parking shall be located interior to the block or at the rear of buildings wherever possible. Limited parking between the street edge and building may be explored through on-street parking in appropriate locations.
- 3.3.3.20 Service and loading areas shall be located away from street frontages to minimize views from adjacent streets. Location to the rear or sides of buildings is preferable wherever possible. Such service areas may require screening with walls and landscaping that is compatible with the adjacent building design.
- 3.3.3.21 The Town shall encourage shared driveways and parking areas within Employment Areas.

3.3.4 Community Design

Community Design speaks to the layout of streets and block, park locations, block size, house forms and all elements that contribute to the character of a community. Detailed community design shall be undertaken as part of the Community Design Plan process outlined in Section 8.2.2 of this Plan and subject to the following:

- 3.3.4.1 Compatible housing forms and appropriate transitions shall be developed at the edge of existing residential communities and abutting the Natural Heritage System.
- 3.3.4.2 Blocks shall be developed to create a gradient or transition of higher densities to lower densities.
- 3.3.4.3 Residential streetscapes shall have a diverse character by encouraging a mix of housing sizes, types and lot widths along streets and within blocks.
- 3.3.4.4 Utility infrastructure should be clustered or grouped wherever possible to minimize its visual impact. Where feasible, such infrastructure should be buried within road allowances.
- 3.3.4.5 The use of cul-de-sacs should be minimized when designing the internal local road network, except in instances where environmental features or previous development patterns prevent through streets.

- 3.3.4.6 To create visually interesting and attractive streetscapes, architectural design guidelines should be prepared to incorporate features and details such as varied roof and cornice lines, front porches, bay windows, other window projections and detailing, and corner elements.
- 3.3.4.7 The visual presence of garages shall be minimized by prohibiting garages from projecting beyond the front wall of the house face. A variety of parking strategies should be explored for Low Density Residential housing, including attached garages, attached recessed side yard garages, rear yard garages, and laneway-access garages.
- 3.3.4.8 The proportion of the garage door in the overall house façade width shall be limited to prevent predominance of garages within the streetscape.
- 3.3.4.9 The street network shall be designed on the basis of a modified grid pattern, wherever feasible, to provide for ease of movement within the community, encourage walkability, and reduce vehicle trips and be transit supportive.

3.4 STAGING AND PHASING OF GROWTH

The overall principle for the phasing policies of this Plan generally provides for development within those areas of the *Settlement Area* boundary for which Planning Act approvals have been issued prior to the approval of this Plan as part of the initial phases. Such approvals include Secondary Plans, Community Design Plans, Draft Plans of Subdivision, and Zoning By-laws. In addition, phasing at any stage of development over the *planning horizon* of this Plan shall include employment and non-residential development where permitted.

Growth and development in the community of Mount Albert shall not be subject to specific phasing policies of this Section, but shall comply with the other specific and general policies of this Plan.

Goals

- i) Ensure proper phasing and staging of growth concurrent with the delivery of infrastructure and services required to support growth;
- ii) Ensure that growth occurs in a staged and well planned manner and provides for the creation of a *complete community*;
- iii) Ensure utilities, transportation and servicing infrastructure and community facilities are provided concurrently with development in a fiscally responsible manner;
- iv) Ensure an acceptable balance between residential and non-residential growth to promote a more liveable community with opportunities for local employment and non-residential assessment to support Town services and programs.

3.4.1 General Phasing and Staging Policies

The following criteria shall collectively be used as the basis for determining lands that will be given development approval priority:

- i) Sustainability: development proposals that exceed the Town's sustainability criteria and demonstrate leading-edge innovation that exceeds the minimum requirements of the Town's *Thinking Green Development Standards*;
- ii) Employment Growth: *development* proposals that significantly move the Town towards a ratio of 1 job for every 2 people in accordance with the employment linkage policies of this Plan;
- iii) Financial Sustainability: *development* proposals that improve the overall net tax base shall be given priority. Development phasing shall be evaluated in relation to the overall growth rate that can be supported by the Town without decreasing service standards or imposing undue increases in taxation;
- iv) Adding to Existing Built-Up Areas: lands that involve innovative projects and contribute to the logical extension of and integration with existing *Built-up Areas*, particularly those lands that will expedite the provision of community infrastructure to provide for a balanced community;
- v) Piped Services (Sewer and Water): lands that can demonstrate no negative financial impacts (to the Town and the Region of York) associated with the provision of piped services in the context of the Town's overall Urban Structure;
- vi) Transportation Services (Roads and Transit): lands that can provide the delivery of new roads and transit services to achieve key components of the Town's Urban Structure;
- vii) Parkland and Community Services: lands that can satisfy the Town's requirements and standards with respect to the provision of parkland, trails and community services;
- viii) A Balance of Housing: development proposals that provide a range of housing types, including *affordable* housing and seniors housing;
- ix) Education Requirements: development proposals that will maintain or help to achieve acceptable levels of school service, including primary, secondary and post-secondary levels of schooling in the Town;
- x) Community Building: development proposals that promote mixed use, pedestrian and transit-oriented development within the communities, including the *Queensville Centre* and the *Village Core Areas* of Holland Landing, Sharon, Green Lane and Mount Albert, to promote a sense of place, vibrant street activity and to provide warranted goods and services in a location and format that is supportive of transit.

3.4.2 Growth in the Near-Term and to the Planning Horizon

Development shall be aligned to the provision of municipal infrastructure and community services. In accordance with proposed Regional sanitary sewer servicing schemes, there will be two main stages of growth in the Town:

- i) Near-Term (to 2016)
- ii) *Planning Horizon* (2031)

Near-Term Growth (to 2016)

- 3.4.2.1 Growth within the near-term consists of approximately +5,500 residential units and +/-4,500 jobs to be distributed within the Settlement Area (excluding Mount Albert).
- 3.4.2.2 Near-term growth is subject to increases in servicing allocation from the Region of York in consideration of the Town and Region's water conservation programs and the requirements of the Town's Thinking Green Development Standards, as it relates to water conservation.
- 3.4.2.3 Near term growth will be distributed amongst the Secondary Plan Areas of Holland Landing, Queensville, Sharon and Green Lane.
- 3.4.2.4 Prior to the final approval of development applications, the Town and the Region of York shall be satisfied with respect to detailed phasing and staging of development. The phasing plans shall be geographically specific both amongst and within the Secondary Plan Areas addressing the policies and criteria under Section 3.4.1.
- 3.4.2.5 Development in the Settlement Area will be phased in order to provide for the development of complete communities in consideration of the general phasing criteria under 3.4.1, the municipal services and facilities outlined in the Town's Development Charges By-law and the provision of other essential services, such as utilities and communications/telecommunications.
- 3.4.2.6 The Town shall encourage landowners and development interests within existing Secondary Plan Areas to modify and evaluate existing approvals in the context of the overall objectives of this Plan and the policy requirements for the creation of complete communities.
- 3.4.2.7 The Town shall retain a servicing allocation reserve to assign to projects and development applications which significantly advance the goals and objectives of this Plan as determined by Council.
- 3.4.2.8 Within the near-term, Council shall give priority consideration for allocation to development proposals that address the criteria in Section 3.4.1.

Growth to the Planning Horizon (2031)

- 3.4.2.9 Prior to or concurrent with the completion of the Environmental Assessment for the Upper York Sewage Solution by the Region of York, and prior to the approval of additional residential development, Council shall undertake a comprehensive review of the Town's Economic Development Strategy in the context of achieved employment and non-residential development during the near-term growth period to evaluate the achievement of the objectives outlined in 3.4.4.1 and the fiscal position of the Town and future employment growth projections. This review may take place as part of a municipal comprehensive review of this Plan.
- 3.4.2.10 Upon completion of the Upper York Sewage Solution, the Town may grant servicing allocation, as provided by the Region of York, within the Settlement Area boundary to facilitate:
- i) the build-out of the communities of Holland Landing - River Drive Park, Queensville, and Sharon, and/or;
 - ii) the continued development of employment lands along the Highway 404 corridor, and/or;
 - iii) development within the Green Lane Secondary Plan Area, with higher intensity uses within key *Centres* and *Corridors*, and/or;
 - iv) completion of key servicing and transportation infrastructure, including the proposed east-west collector road north of Green Lane and the proposed north-south collector road west of Leslie Street and a central park facility.
- 3.4.2.11 The phasing and staging of growth for the planning horizon shall address the policies and criteria under Section 3.4.1 to the satisfaction of the Town, as well as meet the requirements of the Region of York.
- 3.4.2.12 Within the Green Lane Secondary Plan Area identified on Schedule B-5, each phase of development shall be substantially complete (ie. generally 75% of residential land area which is available for development be built) before a subsequent phase may be registered, to ensure the orderly development of land.

Employment Lands Phasing

- 3.4.2.13 Development in the Employment Areas along the Highway 404 corridor will be subject to Council's approval of a phasing plan based on the following criteria:
- i) the lands can be serviced by water and wastewater and other essential services, such as communications/telecommunications;
 - ii) facilitate the delivery of employment uses;

- iii) assist the Town in delivering and operating community facilities;
- iv) provide for large-scale employment uses of benefit to the Town through a public-private partnership;
- v) incorporate sustainable development practices and innovative energy solutions, such as district energy;
- vi) the fiscal policies in Section 4.5 of the Region of York Official Plan;
- vii) York Region's 10-Year Capital Plan;
- viii) the Town and York Region's Water and Wastewater Master Plans; and,
- ix) the Town's and York Region's Transportation Master Plans.

3.4.3 Specific Phasing Policies

Holland Landing Secondary Plan Area

- 3.4.3.1 In consideration of existing approved development applications and revisions to previously approved Draft Plans, the Town shall work with the Holland Landing Developer Group to encourage and facilitate modifications to such plans to more closely reflect the community building and sustainable development policies of this plan. In this regard, community and neighbourhood support uses such as Convenience Commercial, Community-Scale Institutional and a wider range of housing mix and density shall be considered as part of the Town's review of any modifications to the draft plans of subdivision.

Sharon Secondary Plan Area

- 3.4.3.2 In order to provide for the planned north/south collector road between Mount Albert Road and Doane Road and east of Leslie Street, as shown on Schedule E, development proposed for the northeast portion of the Secondary Plan Area shall not preclude options for the location and alignment of the proposed Collector Road and shall consider the following:
- i) An interface of community employment uses along the east side of the proposed north/south collector;
 - ii) A broader range and mix of land uses for the community;
 - iii) Provision for additional employment population growth and non-residential assessment;
 - iv) Provision for an appropriate buffer between Highway 404 and the residential development in the Sharon community;
 - v) The final location and alignment of this road shall be determined through the Class Environmental Assessment process.

Queensville Secondary Plan Area

3.4.3.3 The preparation and approval of a Phasing Plan is required prior to any further approvals of implementing zoning by-laws, plans of subdivision, site plans or any other development approvals in the community of Queensville as defined on Schedule B-2 of this Plan. The Phasing Plan requires a development sequence which ensures the balanced provision of employment lands, and community infrastructure, including community facilities, along with the development of residential neighbourhoods. The following general planning requirements will guide this implementation:

- i) The community of Queensville will have a functional and identifiable focal point, designated *Queensville Centre*, which will be developed comprehensively in conjunction with the overall growth of the Secondary Plan Area;
- ii) The community of Queensville will be a balanced community, which will be reflected in a growth sequence that relates growth within residential neighbourhoods, the commercial sector, employment lands and community facility requirements to ensure that all the necessary components of a community are available to the residents and employees of Queensville as anticipated by the approved Phasing Plan and policies of this Plan;
- iii) Council shall ensure timely development of industrial and commercial areas, including the *Queensville Centre* planned for this community with the goal of achieving an acceptable assessment balance.

Green Lane Secondary Plan Area

3.4.3.4 Approval of *development* shall be in accordance with the approved Phasing Plan set out in the set out in the Green Lane Master Environmental Servicing Plan (MESP), and conditions of draft plan approval shall identify the infrastructure works that are required prior to registration in accordance with the Phasing Plan.

3.4.4 Balancing Employment and residential Growth

It is recognized that a complete and sustainable community includes (among other things) opportunities for residents to live and work in close proximity. This Plan encourages the development of employment and non-residential lands concurrent with residential growth in order to provide local job opportunities for residents. A balance of employment and residential growth will reduce commutes and travel times and provide the associated benefits in terms of quality of life, and greenhouse gas emissions reductions associated with commuting. In addition, the resulting assessment revenue generated from non-residential development will assist with the fiscal position of the Town to provide programs and services to the residential population.

In order to provide for a balance between the development of employment lands and residential growth, the following employment phasing policies apply to all stages of growth in the *Settlement Area*.

- 3.4.4.1 Subject to the policies of this Section, it is the policy of this Plan that prior to the release of any residential Subdivision Plan for registration or prior to entering into a site plan control agreement for medium and high density residential development, the landowner/developer must enter into an agreement with the Town, outlining their commitment to the goal of balancing employment and residential growth per the policies of Sections 2.2.10 and 3.4.4 of this Plan.
- 3.4.4.2 Prior to the approval of additional residential growth beyond the near-term growth period, the Town will complete the review outlined in 3.4.2.9.

3.4.5 Settlement Area Boundary Expansions

- 3.4.5.1 Settlement Area boundary expansions shall only be initiated as part of a municipal comprehensive review that is consistent with the policies of Section 2.2.8 of Places to Grow: Growth Plan for the Greater Golden Horseshoe and the following:
- i) the Town and Region of York's growth forecasts support the expansion;
 - ii) the phasing policies and criteria outlined in Section 3.4.1 are addressed to the satisfaction of Council;
 - iii) the role of the lands proposed for expansion is appropriate in the context of the urban structure of the Town and Region of York;
 - iv) the Natural Heritage System is protected and integrated into the proposed expansion;

- v) the proposed amendment is large enough (eg. a concession block) with clear and identifiable boundaries, such as streets, major natural features, rail or major utility corridors;
- vi) the proposed expansion is contiguous to an existing *Settlement Area* and demonstrates accessibility to municipal infrastructure;
- vii) the proposed expansion is directed to lands outside of the Greenbelt Protected Countryside and does not expand into the *Holland Marsh Specialty Crop Area*;
- viii) the Town shall protect, through the *Agricultural/Long Term Growth Area* designation, for the opportunity for new *Community Areas* and new *Employment Areas* within such lands that could be considered through any future *municipal comprehensive review*;
- ix) any proposed expansion of the Mount Albert community may only be considered as part of the Greenbelt Plan review, subject to policy 3.4.2.5 in the Greenbelt Plan;
- x) all other policies of this plan.

3.4.5.2 Settlement Area Boundary adjustments may be considered within the 2031 Community Area growth forecasts, outlined in Tables 3.1 and 3.2, following finalization of infrastructure and environmental exclusions and any adjustments for densities and phasing of development through the Secondary Plan processes for Secondary Plan Study Area B-4 and B-5 identified on Schedule B.

3.5 INTENSIFICATION

Intensification is generally encouraged in the *Settlement Area* as a means of building a strong community that makes efficient use of existing and planned infrastructure. *Intensification* should occur through the development of a property, site or area to a higher *density* than currently exists. This can be accomplished through redevelopment, development of vacant/underutilized sites, infill, and the expansion or conversion of existing buildings.

Residential and *population-related employment* growth through *intensification* is planned to occur primarily in *intensification* areas, which are the *Centres* and *Corridors* of this Plan that fall within the *built boundary*, as shown on Schedule A-1. Employment land growth through *intensification* is generally encouraged in all *Employment Areas*.

Objectives

- i) Conserve land resources by optimizing opportunities for infill, *intensification*, revitalization and mix of uses;

- ii) Intensify residential and *population-related employment* growth in *Centres and Corridors*;
- iii) Protect and enhance the character of existing communities through an appropriate transition of *built form* and densities.

Policies

- 3.5.1 Growth through *intensification* in *Community Areas* shall provide a diverse and compatible mix of land uses, including residential and *population-related employment* uses.
- 3.5.2 Table 3.3 illustrates the minimum targets for *intensification* that are planned to be achieved for the period 2006 to 2031 within the *built boundary* shown on Schedule A-1.

Table 3.3 *Intensification Targets*

Secondary Plan Area	Residential (units)	<i>Population-Related Employment</i> (jobs)	Employment (jobs)
Holland Landing	390	100	150
Sharon	170		
Queensville	320		
Mount Albert	150	180	50
Other Areas			300
TOTAL	1,030	290	500

- 3.5.3 Infill and intensification is encouraged within the *built boundary*, particularly within *Village Core Areas, Low Density Residential and Medium Density Residential* land use designations and along *Local Corridors*. An *accessory apartment* or *secondary suite* is also permitted in the *Low Density Residential* designation.
- 3.5.4 Where an application proposes to intensify the level of development through local infill, the following shall be addressed by the proponent to the satisfaction of the Town:
- i) Availability of all publicly and privately provided services and infrastructure, such as but not limited to: water, sewer, roads, utilities, parkland, and community facilities including schools and libraries;
 - ii) Scale of proposed buildings with respect to existing or approved buildings on neighbouring properties;
 - iii) The level of traffic generated by the proposed use and any proposed transportation demand management measures to be incorporated;
 - iv) The urban and architectural design of the proposed development;

- v) The level of sustainability of the project based on standards described in this Plan;
- vi) The level to which the proposed development assists in the Town's balanced growth approach as outlined in this Plan.

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4 LAND USE POLICIES

This Section contains policies and outlines uses that may be permitted in the various land use designations found on Schedules B through C-1 for both the Urban and the Rural Planning Areas of the Town.

4.1 ENVIRONMENTAL PROTECTION AREA

The *Environmental Protection Area* designation as shown on Schedules B through C-1 is further defined through the Town's two level Natural Heritage System (outlined in Section 5), as shown on Schedules D and D-1 for the areas outside of the Oak Ridges Moraine. *Key natural heritage features* and *key hydrologic features* within the Oak Ridges Moraine, as shown on Schedule D-2, comprise the Natural Heritage System within the Oak Ridges Moraine.

4.1.1 Land designated *Environmental Protection Area* may be zoned to permit:

- i) existing legally established uses, including *agricultural uses*;
- ii) forest, wildlife and fisheries management;
- iii) stewardship, conservation, restoration and remediation undertakings;
- iv) non-intensive recreation uses by a public authority, such as pedestrian trails and nature viewing;
- v) watershed management and flood and erosion control projects carried out or supervised by a public authority.

4.1.2 Legally existing buildings, structures and uses within *Environmental Protection Areas* are permitted and may be replaced if destroyed by natural causes. Such structures and uses may be also expanded or enlarged subject to the submission of a *Natural Heritage Evaluation* (NHE) and Site Plan approval.

4.1.3 Refinements, adjustments or the correction of mapping errors based on an approved *Natural Heritage Evaluation* (NHE) will not require an amendment to this Plan. The adjoining land use designation(s) shall be deemed to apply to the lands removed from *Environmental Protection Area* designation.

4.1.4 *Development* and *site alteration* shall be prohibited in Core Areas and where a *Natural Heritage Evaluation* (NHE) indicates that development would have a net negative impact to Supporting Areas. *Development* and *site alteration* shall avoid Supporting Area features; however, if this is unavoidable, adequate compensation through restoration and/or enhancement shall be provided for the loss or impact to the Supporting Area features.

In this Section:

- 4.1 *Environmental Protection Area*
- 4.2 *Employment Area Designations*
- 4.3 *Commercial and Mixed Use Designations*
- 4.4 *Residential Land Use Designations*
- 4.5 *Institutional Area*
- 4.6 *Educational Facilities*
- 4.7 *Post-Secondary Institution*
- 4.8 *Parks and Open Space*
- 4.9 *Recreation Area*
- 4.10 *Agricultural/Long Term Growth Area*
- 4.11 *Greenbelt Protected Countryside*
- 4.12 *Oak Ridges Moraine*
- 4.13 *Aggregate Extraction & Resource Area*
- 4.14 *Waste Disposal Sites*
- 4.15 *Land Uses Permitted in all Land Use Designations*
- 4.16 *General Policies for Specific Uses*

4.2 EMPLOYMENT AREA DESIGNATIONS

4.2.1 GENERAL POLICIES

- 4.2.1.1 Development on fully serviced employment lands shall be compact and achieve an average minimum *density* of 40 jobs per hectare in the *developable area*.
- 4.2.1.2 *Prestige Employment* uses shall be encouraged to locate at major highway interchanges to recognize these areas as gateways into the community.
- 4.2.1.3 A limited amount of *ancillary uses* may be permitted in *Employment Areas* provided they are designed to primarily serve the businesses in the *Employment Area* and that *ancillary uses* collectively do not exceed 20% of total employment in the *Employment Area* of the applicable Secondary Plan Area.
- 4.2.1.4 Proposals for *ancillary uses* must demonstrate that the planned function of *Employment Areas, Centres* and *Corridors* is not undermined.
- 4.2.1.5 The Town shall determine the location, amount and size of *ancillary uses* in *Employment Areas* that is commensurate with the planned function, size and scale of the overall *Employment Area*, to be finalized through the Secondary Plan process.
- 4.2.1.6 Uses not permitted within *Employment Areas* include residential, *major retail* and non-*ancillary uses*.
- 4.2.1.7 As part of the design and development of *Employment Areas*, specific areas and sites shall be incorporated into the *development* to provide opportunities for smaller-scale industrial uses in the form of industrial condominiums or similar forms of development which specifically cater to the needs of small business ventures.
- 4.2.1.8 The Town will conduct a 5 year review of employment land as part of a municipal comprehensive review to accommodate employment intensification.

4.2.2 GENERAL EMPLOYMENT AREA

Planned Function

The purpose of this designation is to provide locations in the Town for a broad range of employment land uses, including industrial, manufacturing, assembly, distribution and service industrial uses. These areas will become the focus of commerce in the Town, provide jobs for residents and contribute toward the overall economic sustainability of the Town.

Permitted Uses

4.2.2.1 Land designated *General Employment* may be zoned to permit:

- i) Industrial uses, such as assembling, manufacturing, fabricating, processing, warehousing, distribution, storage, repair activities, utilities, transportation, service trades and construction;
- ii) Office uses including research and development;
- iii) *Ancillary uses* in accordance with Section 4.2.1;
- iv) Accessory uses such as sales outlets, and offices that are collectively no larger than ten percent (10%) of the total floor space of the primary employment uses to which they are incidental; and located on the same lot;
- v) *Adult entertainment parlours* and *body rub parlours* may be permitted in accordance with Section 4.16.4 of this Plan, on those lands located in the Bales Drive subdivision (Part of Lots 1 and 2, Concession 4) and at Leslie Street and Green Lane (Part of Lot 5, Concession 3).

4.2.2.2 Limited outside storage of goods and materials may be permitted on lands designated *General Employment* subject to the following provisions:

- i) The owner shall be required to submit site plans for review and approvals of the Council and any relevant agencies, and enter into a site plan agreement as required by the Town;
- ii) Outside storage areas shall be completely surrounded by appropriate fencing, walls or landscaped screening approved by Council during the site plan process;
- iii) Outside storage is only permitted as an *accessory use* to the permitted industrial uses operating within an existing building on the property;
- iv) Outside storage shall consist of no more than twenty-five percent (25%) of the lot area designated *General Employment*

and cannot exceed the total ground floor area of the main building on the site;

- v) No outside storage shall be located in any front yard, nor any closer than 20 metres to any street line;
- vi) If a lot has a frontage of less than 60 metres, no part of any outside storage shall be located in the side yard;
- vii) If a lot upon which outside storage is permitted abuts a use within a *Residential* or *Institutional Area*, the owner of the *General Employment* lot may be required to provide appropriate screening along such adjoining lot line, in a manner approved by Council during the site plan process;
- viii) No materials in the outside storage areas (other than machinery and equipment) shall exceed 6 metres in height;
- ix) The outside storage of any goods or materials which are obnoxious, including derelict or scrap motor vehicles or machinery and used appliances or equipment shall not be permitted;
- x) All materials in an outside storage area shall be placed and stored on an impermeable surface, in a manner approved by Council during the Site Plan approval process. Materials shall be placed to prevent adverse impact on site drainage and stormwater management facilities.

4.2.3 PRESTIGE EMPLOYMENT AREA

Planned Function

The purpose of this designation is to provide locations in the Town for prestige employment uses that require good access and high visibility along major transportation routes.

Permitted Uses

4.2.3.1 Land designated *Prestige Employment* may be zoned to permit:

- i) Office uses, including research and development;
- ii) Industrial uses contained in wholly enclosed buildings;
- iii) Hotels, conference and convention centres;
- iv) *Ancillary uses* in accordance with Section 4.2.1;
- v) Accessory uses such as sales outlets, and offices that are collectively no larger than ten percent (10%) of the total floor space of the primary employment uses to which they are incidental; and located on the same lot.

4.2.3.2 Outdoor storage of goods in *Prestige Employment* is not permitted.

4.2.4 RURAL INDUSTRIAL AREA

Lands designated *Rural Industrial Area* on Schedule C shall be subject to the *General Employment* policies in Section 4.2.2. No new lands shall be designated *Rural Industrial Area*.

Existing industrial uses and activities within the Bales Drive *Employment Area* shall be recognized and such uses may continue to expand in accordance with the policies for the *General Employment* land use designation as per Section 4.2.2 of this Plan.

4.3 COMMERCIAL AND MIXED USE DESIGNATIONS

4.3.1 GENERAL POLICIES

The designation of lands for commercial uses is critical to creating a *complete community* and to providing pedestrian activity and support a mix of uses. Commercial development also contributes to a diversified tax base for the Town.

The hierarchy of commercial designations and the planned function of each will provide a decision-making framework that is intended to distribute commercial functions and locations to best meet the needs of residents, visitors and businesses in convenient locations and to support the Urban Structure identified on Schedule A-1.

This Plan recognizes a range of commercial activity that is differentiated by its planned function and individual location. It establishes seven categories of commercial use in the following commercial hierarchy:

- i) Queensville Centre;
- ii) Village Core Areas;
- iii) Commercial Mixed Use;
- iv) Community Commercial;
- v) Neighbourhood Commercial;
- vi) Residential Mixed Use.

4.3.2 QUEENSVILLE CENTRE

The following policies apply to lands designated *Queensville Centre* within the Queensville Secondary Plan area, shown on Schedule B-2.

Planned Function

Lands designated *Queensville Centre* on Schedule B-2 are intended to become the primary commercial focus for the community of Queensville and to represent the community's *Centre* identified within the Town's Urban Structure on Schedule A-1.

Permitted Uses

4.3.2.1 Land designated *Queensville Centre* may be zoned to permit:

- i) *Commercial Mixed Use*, including *department stores*;
- ii) *Community Commercial uses*;
- iii) *Medium density residential uses*;
- iv) *Open Space uses*;
- v) *Institutional uses*.

4.3.2.2 A range of residential uses, in keeping with the *Major Local Centre* policies, may also be developed at an average *density* of 37 units per gross residential hectare. Residential uses shall be developed in conjunction with commercial facilities. A maximum of 75 per cent of the gross floor area of any building may be used for residential purposes.

4.3.2.3 The maximum height of buildings shall be 6 storeys, except for ornamental structures, such as clock towers, which may be higher.

4.3.2.4 A minimum of 10 per cent of the lands within the *Queensville Centre* designation shall be devoted to landscaping, open space and parkland, and Council will encourage the provision of a centralized *Community Park*.

4.3.2.5 A Community Design Plan shall be prepared and approved by Council for the *Queensville Centre*.

4.3.3 VILLAGE CORE AREAS

Planned Function

Village Core Areas, shown on Schedules B-1, B-3 and C-1, are historic mainstreet areas associated with the communities of Holland Landing, Sharon and Mount Albert that are intended to grow and provide greater *density* and a broader mix of uses to support the local community at densities which are supportive of transit. The planned function of *Village Core Areas* is to serve as a hub of activity and the centre of each community, providing the widest range of goods and services warranted by that community in a pedestrian-focused setting.

Permitted Uses

- 4.3.3.1 Land designated *Village Core Area* may be zoned to permit a wide range of uses, including retail stores, personal service shops, restaurants, business and professional offices, medical clinics, mixed uses, residential units or apartments within commercial buildings, as well as institutional uses and open space.
- 4.3.3.2 Applications for new development within the *Village Core Areas* shall satisfy the applicable policies of this Plan and the following criteria:
- i) not exceed a height of four storeys;
 - ii) not exceed a *Floor Space Index* of 0.75 for non-residential development;
 - iii) not exceed a *density* of 32 units per net hectare for residential development; and,
 - iv) demonstrate that the development is integrated with adjacent lands wherever feasible with respect to parking, landscaping, and pedestrian and vehicular circulation systems.

Prohibited Uses

- 4.3.3.3 Uses that are not permitted within *Village Core Areas* shall include outdoor storage, service stations, gas bars, car washes, self storage and generally any use that is primarily automobile oriented.

General Policies

- 4.3.3.4 Development or redevelopment, including *intensification* in areas designated *Village Core Area* shall preserve, complement and enhance the historical and/or architectural character of these areas. Among the specific requirements are the following:
- i) the sensitive location, limited extent and effective buffering of parking facilities so as not to detract from historic streetscapes and adjacent buildings and uses;

- ii) the consistency of setbacks and continuity of character, in order to maintain and restore pedestrian-oriented streetscapes and the encouragement of pedestrian activity by providing linkages between the *Village Core Area* and adjacent areas of residential or other development; and
 - iii) compliance with the heritage policies of Section 6 of this Plan.
- 4.3.3.5 Development within *Village Core Areas* shall satisfy the following criteria:
- i) Traditional mainstreet areas shall be revitalized and preserved to reinforce the character of the mainstreet;
 - ii) Cultural heritage resources shall be conserved and where possible, enhanced;
 - iii) Transit facilities should be easily accessible to pedestrians;
 - iv) The surrounding areas should relate to and be efficiently connected with *Village Core Areas* through the integration of bicycle and pedestrian trail systems;
 - v) All utilities shall be provided underground, where feasible.
- 4.3.3.6 Parking shall be located interior to the block or at the rear of buildings within *Village Core Areas*. Limited on-street parking may be explored in appropriate areas.
- 4.3.3.7 The Town shall encourage water and wastewater services, communications/telecommunications and other necessary infrastructure to be provided in *Village Core Areas* during the initial phase of growth to facilitate redevelopment and *intensification*.
- 4.3.3.8 The Town may designate car-free zones or pedestrian streets within *Village Core Areas* to encourage pedestrian-friendly environments.
- 4.3.3.9 In *Village Core Areas* sidewalks should be wide enough to allow for pedestrian passage, retail displays, street furniture, landscaping, patios and outdoor dining where appropriate and subject to related planning approvals.
- 4.3.3.10 The Town may incorporate a provision in the Zoning By-law for lower parking standards or accept cash in lieu of parking in the *Village Core Areas* to encourage development.
- 4.3.3.11 The Town shall work with York Region Transit and VIVA to expand transit services within *Village Core Areas*.
- 4.3.3.12 The Town may utilize Tax Increment Financing to promote private sector improvements to existing buildings and revitalize existing *Village Core Areas*.

- 4.3.3.13 The Town may establish Business Improvement Areas in *Village Core Areas* to help promote and support local businesses in these areas.
- 4.3.3.14 The Town shall encourage coordination, by local business persons or owners, of such things as signs, building facades, lighting, street furniture, landscaping and general maintenance.
- 4.3.3.15 The design concepts in Appendix 3 to this Plan are intended to provide general guidance to the public and private sectors in considering the redevelopment and future use of the lands in the *Village Core Areas*.
- 4.3.3.16 Drive through facilities may be permitted within Village Core Areas, subject to demonstration that the proposed drive through facility:
- i) conforms with the Town's Urban Design Guidelines and the Town's Urban and Public Realm Design policies in Section 3.3;
 - ii) does not adversely affect the character of the existing and planned streetscapes;
 - iii) contributes to attractive streetscapes, views and sightlines; and
 - iv) does not compromise the safe and efficient movement of pedestrians and cyclists.

Sharon Village Core Area

The following policies apply to lands designated *Village Core Area* within the Sharon Secondary Plan area, as shown on Schedule B-3.

- 4.3.3.17 Notwithstanding 4.3.3.16, drive through facilities are prohibited within the *Village Core Area* in Sharon.
- 4.3.3.18 Development within the *Village Core Area* in Sharon (as shown on Schedule B-3) shall recognize the unique nature of this area and provide for the protection and enhancement of its historical and architectural features. The preservation and adaptive reuse of existing buildings in a manner compatible with the heritage character of the community shall be encouraged.
- 4.3.3.19 The Town shall establish a Civic Square in the area surrounding the Civic Centre as a community focal point and vibrant central gathering place for residents.
- 4.3.3.20 Development surrounding the Civic Square should reinforce and support the Civic Square district in order to enhance the vitality of the area.

- 4.3.3.21 The Town shall explore opportunities for development which build on the heritage character of the area and enhance the Sharon Temple as a historical and cultural focal point.
- 4.3.3.22 *Development* of permitted uses within existing buildings or minor modifications to existing buildings shall be encouraged and shall generally be permitted without an amendment to the Zoning By-law once the by-law is amended to bring it into conformity with this Plan and provided that adequate services and parking are available.
- 4.3.3.23 New development shall be designed in keeping with the character of surrounding development and shall be evaluated based on submission of the following information:
- i) detailed site and landscape concept plans that include information on how the development will be integrated with the surrounding portions of the *Village Core Area* and,
 - ii) perspective drawings of the proposed buildings.
- 4.3.3.24 The Town shall work with appropriate stakeholders to develop a comprehensive and integrated urban design plan for the long term development of the Civic Square and shall secure funding through government and non-government sources to ensure the implementation and development of the Civic Square.

4.3.4 COMMERCIAL MIXED USE

Planned Function

Commercial Mixed Use Areas will be developed in *Major Local Centres*. These areas will provide suitable locations for commercial uses serving a wide trade area, including the entire Town. Uses permitted in these areas should not be of a scale and function that is more appropriate for the *Queensville Centre* or *Village Core Areas*. *Commercial Mixed Use Areas* are intended to include offices and higher *density* forms of residential development that will support the policies of this Plan and planned transit on adjacent roads.

Permitted Uses

- 4.3.4.1 Land designated *Commercial Mixed Use Area* may be zoned to permit:
- i) A wide variety of retail and service commercial uses, including *major retail*;
 - ii) Financial institutions and services;
 - iii) Offices;
 - iv) Entertainment uses;

- v) Recreation and community facilities;
- vi) Restaurants;
- vii) Hotel and convention centres;
- viii) *Medium and high density residential uses*;
- ix) Post-secondary educational uses;

4.3.4.2 *Commercial Mixed Use Areas*, including retail, service commercial and *major retail* uses, shall be planned to accommodate a mix of uses at densities supporting transit in accordance with the Region of York's Transit Oriented Development Guidelines. These uses may be accommodated within mixed use buildings or through a diversity of uses within the site.

4.3.4.3 A market impact analysis, completed by qualified professionals, shall be required to support any application for *Commercial Mixed Use* designation that includes *major retail* and must address the following matters to the satisfaction of the Town:

- i) transportation requirements and improvements required by the proposal, and impact on the operation or intended function of roads in the vicinity;
- ii) market impact on existing and planned commercial facilities or designations, with particular regard to any impact on the timing, size or planned function of the *Queensville Centre* and *Village Core Areas*;
- iii) ability to support planned levels of transit and to provide for pedestrian and cycling access to the site and within the proposal;
- iv) means of meeting the intended mixture of uses and *density* within the *Centre* or *Corridor* (if appropriate), in conformity with the policies of this Plan.

4.3.4.4 In the *Major Local Centre* at Green Lane and Yonge Street, the area designated as *Commercial Mixed Use* on the west side of Yonge Street should be planned to accommodate a minimum of 500 residential units at full build out. Applications for draft plan and/or site plan approval shall illustrate how the minimum number of units can be accommodated as the area is developed.

4.3.4.5 In the *Major Local Centre* at Green Lane and Yonge Street, the area designated as *Commercial Mixed Use* on the east side of Yonge Street should be planned to accommodate a minimum of 500 residential units through intensification of the existing commercial development.

4.3.5 RESIDENTIAL MIXED USE

Planned Function

Residential Mixed Use Areas are intended to provide a mix of residential, *population-related employment*, recreation and entertainment uses. The intent is that these areas provide opportunities for residents to live close to and engage in a range of social and economic activities in close proximity to each other, thereby minimizing dependency on the automobile and creating attractive areas that support activity throughout the day along transit routes.

- 4.3.5.1 To create activity and support transit within the Town's overall Urban Structure, *Residential Mixed Use* areas should generally be located in a *Centre* or *Corridor*. Area specific policies relating to permitted uses and the scale and intensity of development will be determined through the Secondary Plan process.

Permitted Uses

- 4.3.5.2 Land designated *Residential Mixed Use* may be zoned to permit:

- i) Retail and service commercial uses;
- ii) *Institutional uses*;
- iii) Office uses;
- iv) *Medium and high density residential uses*;
- v) Recreation and community facilities;
- vi) Post-secondary educational uses;
- vii) Restaurants.

- 4.3.5.3 Development shall provide a mix of uses within the same building, with retail, commercial, office, recreation or community uses at grade in order to foster an animated, pedestrian-oriented atmosphere. Mixed use buildings are encouraged and single use buildings may only be considered when built subsequently to or concurrently with mixed use, multi-storey building(s) on the same site.

- 4.3.5.4 Notwithstanding policy 4.3.5.3, within the *Major Local Centre* at Green Lane and 2nd Concession, except where office buildings are provided, mixed use buildings shall be required adjacent to Green Lane and the proposed collector road east of 2nd Concession Road, north of Green Lane. Within the remainder of the *Residential Mixed Use* designation within the *Major Local Centre*, mixed use buildings are encouraged.

- 4.3.5.5 Notwithstanding policy 4.3.5.3, single use residential buildings shall be permitted in the *Residential Mixed Use* designation along Yonge Street provided the buildings are designed to allow for future conversion of the first floor to commercial use over time by designing ground floor units which adhere to the Ontario Building Code for commercial units.
- 4.3.5.6 In the *Office Priority Area* in the Green Lane and 2nd Concession *Major Local Centre*, major office use buildings are permitted. Other land uses shall not be permitted in the *Office Priority Area* unless a minimum of 10,000 square metres of office development is built on the site.
- 4.3.5.7 Development within the *Residential Mixed Use* designation in the Green Lane and 2nd Concession *Major Local Centre* shall be planned to accommodate a minimum of 1,000 residential dwelling units. Applications for draft plan and/or site plan approval shall illustrate how the minimum number of units can be accommodated as the area is developed.
- 4.3.5.8 Development within the *Residential Mixed Use* designations in the Green Lane Secondary Plan Area shown on Schedule B-5 shall have a minimum height of 3 storeys (approximately 9 metres) and a maximum height of 12 storeys (approximately 37 metres) except in the area on the east side of Yonge Street, where the maximum height shall be 25 storeys (approximately 76 metres).
- 4.3.5.9 Notwithstanding Policy 4.3.5.8, in the area designated as *Residential Mixed Use* on the east side of Murrell Boulevard, the minimum height may be reduced to 2 storeys (approximately 7 metres), but at least one mixed use building with a minimum height of 3 storeys shall be constructed on the site and contain at least two of the three following uses: commercial, residential or office uses.

4.3.6 COMMUNITY COMMERCIAL

Planned Function

Community Commercial Areas provide for the retail and service needs of the surrounding community. These areas provide an anchor for other functions and community activities that will create a focal point and the mixture of uses that provide a sense of community identity in a manner that will encourage active pedestrian streetscapes and support for planned levels of transit.

4.3.6.1 *Community Commercial* Areas shall be between 5 and 15 hectares in size.

Permitted Uses

4.3.6.2 Land designated *Community Commercial* may be zoned to permit:

- i) All categories of retail and service commercial uses, excluding *major retail uses*;
- ii) *Department stores*;
- iii) Financial institutions and services;
- iv) Offices;
- v) Entertainment uses;
- vi) Recreational and community facilities;
- vii) Restaurants;
- viii) Educational campuses;
- ix) Funeral Homes;
- x) Multi-unit residential dwellings if located above non-residential development.

4.3.6.3 The Secondary Plan process shall address and the implementing Zoning By-law shall specify minimum and maximum store (or unit) sizes, to ensure the planned function of *Community Commercial Areas* is achieved.

4.3.6.4 Applications for new *Community Commercial* designations may be permitted, subject to the approval of an amendment to this Plan that demonstrates through a market study, planning analysis and transportation study that the use is warranted; that it will not undermine the planned function of the commercial areas within the *Major Local Centres* and *Local Centres*.

4.3.7 NEIGHBOURHOOD COMMERCIAL

Planned Function

Lands designated *Neighbourhood Commercial* are intended to provide a limited range of retail and service needs that will serve the convenience needs of the surrounding neighbourhoods within walking distance and will be compatible in scale and function to a neighbourhood setting.

4.3.7.1 *Neighbourhood Commercial* Areas shall be between 1 and 5 hectares in size.

Permitted Uses

4.3.7.2 Land designated *Neighbourhood Commercial* may be zoned to permit:

- i) Small-scale retail and service commercial uses;
- ii) Community facilities;
- iii) Restaurants;
- iv) Business and professional offices;
- v) Multi-unit residential dwellings if located above non-residential development.

4.3.7.3 The Secondary Plan process and implementing Zoning By-law shall specify minimum and maximum store (or unit) sizes, to ensure the planned function of *Neighbourhood Commercial Areas* is achieved and maintained.

4.3.7.4 The *Neighbourhood Commercial* designation on Green Lane, east of Murrell Boulevard, shall be developed in an integrated manner with the adjacent *Residential Mixed Use* designation. A supermarket or grocery store is permitted at this location to a maximum floor area of 2,500 square metres.

4.3.8 APPLICATIONS FOR ADDITIONAL COMMERCIAL USES

4.3.8.1 Within the 2031 *planning horizon*, commercial development is planned to occur on sites which have received planning approvals at the time of adoption of this Plan, or within *Centres* identified on Schedule A-1. Commercial development within *Corridors* will be limited to accessory uses, and applications for other categories of commercial use will be considered as part of a Secondary Plan process or will require a site specific amendment to this Plan.

4.3.8.2 Proponents of a new commercial site, or an expansion of any approved site by more than 4,000 square metres through an amendment to this Plan or Zoning Bylaw, may be required to submit plans and studies as the Town deems necessary to assess the application in accordance with Section 8.1. Such plans and studies may include, but not be limited to:

- i) Market Justification and Impact Analysis;
- ii) Traffic Impact Study;
- iii) Planning Justification Study;
- iv) Site Plan;
- v) Intensification Plan.

4.3.8.3 In response to results of the Market Justification and Impact Analysis, or a determination of impact on the planned function of commercial land uses within the approved commercial hierarchy, the Town may refuse an application, or may impose conditions in terms of type of commercial facility, maximum store size, or timing of development, as conditions of approval.

4.4 RESIDENTIAL LAND USE DESIGNATIONS

Residential Areas provide for housing and other land uses that are part of neighbourhoods. Housing may take many forms, ranging from detached homes to apartment structures. The Provincial Policy Statement requires a variety of housing types for various income levels. *Affordable* housing should be integrated into the overall housing stock of each development.

To provide opportunities for a broad range of residential uses that accommodate a mix of housing types and tenures, four residential land use designations are permitted in this Plan.

The Residential land use designations are:

- i) Low Density Residential;
- ii) Medium Density Residential;
- iii) High Density Residential;
- iv) Estate Residential.

Objectives

- i) Provide an adequate supply of serviced lands for residential development at various locations within the *Settlement Area* of the Town;

- ii) Achieve a mix of housing types, densities, sizes and tenures to meet the existing and projected demographic and housing market requirements of current and future residents of the Town;
- iii) Require the availability of housing for all income groups, including those with special needs;
- iv) Encourage the integration of a wide range and variety of housing types and tenure within blocks and along streets and discourage large concentrations of higher density residential blocks;
- v) Provide opportunities for residents to live in close proximity to areas that will meet their daily needs within neighbourhoods including convenience commercial, office and personal services, institutional and recreational uses;
- vi) Provide housing opportunities and community design and layout that encourage the usage of public transit, pedestrian and bicycle transportation and decrease dependence on the automobile.

4.4.1 General Residential Land Use Designation Policies

- 4.4.1.1 *Designated greenfield areas* shall achieve an average minimum *density* that is not less than 50 residents and jobs per hectare combined in the *developable area*.
- 4.4.1.2 Development applications within the existing Secondary Plan Areas of Holland Landing, Sharon, Queensville and Mount Albert that have been submitted prior to the adoption of this Plan, but for which all required Planning Act approvals have not been received, shall be re-examined to determine if 50 residents and jobs per hectare in the *developable area* can be achieved.
- 4.4.1.3 Green Lane Secondary Plan Area B-5 identified on Schedule B shall be designed to meet or exceed a minimum *density* of 20 residential units per hectare and a minimum *density* of 70 residents and jobs per hectare in the *developable area*.
- 4.4.1.4 Street-oriented *Medium Density Residential* uses shall be interspersed within *Low Density Residential* uses, such as single and semi-detached dwelling units, in small blocks throughout the new *Community Areas*. The maximum size of any form of *Medium Density Residential* area shall generally be in the range of 2.0 to 5.0 hectares of net residential area. Separation between *Medium Density Residential* areas is encouraged through the use of intervening functions, including *Low Density Residential* development open space, *convenience commercial* or institutional uses.

- 4.4.1.5 Notwithstanding Policy 4.4.1.4, in the Green Lane Secondary Plan Area, *Medium Density Residential* uses shall be focused along the *Regional Corridor* and *Local Corridors*. However, the *Medium Density Residential* designations along the *Local Corridors* may alternatively be interspersed with the *Low Density Residential* uses in the neighbourhood through implementing draft plans of subdivision in accordance with Policy 4.4.1.4 without amendment to this Plan provided the same amount of land area is designated *Medium Density Residential* as illustrated on Schedule B-5.
- 4.4.1.6 The planning and design of residential development in areas where adjacent lands within the Town and adjacent municipalities are already built shall be required to incorporate appropriate transitional densities. All new residential development directly abutting existing homes (existing at the time of adoption of this Plan) shall generally have a physical character compatible to the existing neighbourhood considering such matters as *density*, lot sizes, maximum building heights and minimum setbacks.
- 4.4.1.7 The Town shall maintain at least a ten year supply of lands designated for residential purposes, including consideration for residential *intensification* and redevelopment.
- 4.4.1.8 The Town shall maintain at least a three year supply of residential units available through lands suitably zoned to facilitate residential *intensification* and redevelopment through draft approved and/or registered plans of subdivision and/or site plans.
- 4.4.1.9 The policies of this Plan shall ensure that all *Secondary Plan Areas* supply a range and diversity of housing types designed to meet the needs of all age groups and income levels.
- 4.4.1.10 The Town may require an applicant to provide an appropriate amount of *affordable* housing in each *Secondary Plan*, specific details of the methods used to provide *affordable* housing will be determined as part of the Secondary Plan approvals process.
- 4.4.1.11 The Town will complete and adopt an *affordable* and special needs housing strategy to provide a mix and range of housing options within the Town. This housing strategy shall conform to standards established by the Province and shall be completed in consultation with the Region of York, to achieve a minimum 25% affordable housing target for the Town..

- 4.4.1.12 The Town may permit alternative development standards to facilitate housing affordability objectives in accordance with the principles of sustainability.
- 4.4.1.13 Where appropriate and within the financial capabilities of the Town, assistance may be provided to encourage the production of *affordable* housing either by the Town itself or in combination with upper tier and other government programs and initiatives or incentives, such as fees and property tax exemptions or assistance to non-profit cooperative housing providers.
- 4.4.1.14 The Town shall protect rental housing from both demolition and conversion to condominium or non-residential use, by prohibiting demolitions or conversions resulting in a rental vacancy rate of less than 3% in the Town.
- 4.4.1.15 The Town shall prohibit amendments to this Plan and the Zoning By-law that would have the effect of reducing the *density* of a site in *Medium* or *High Density Residential Areas*, unless the need is determined through a *municipal comprehensive review*.

Uses Permitted in all Residential Areas

- 4.4.1.16 In addition to the uses permitted in Section 4.15, land *designated Residential* may be zoned to permit:
- i) *Neighbourhood Parks*;
 - ii) *Convenience Commercial uses*;
 - iii) Public and institutional uses that are complementary to and compatible with the residential function of the area, such as elementary schools, an emergency service facility, and *Community-scale Places of Worship*, subject to Section 4.5.
- 4.4.1.17 The Town may require a new emergency service facility within the Green Lane Secondary Plan Area. Applicants for Community Design Plans along Green Lane shall consult with the Town to determine the preferred location.

4.4.2 Low Density Residential

Lands designated *Low Density Residential* provide areas for the creation of neighbourhoods comprised of ground-related housing and other compatible uses that provide for the day-to-day needs of residents.

- 4.4.2.1 Land designated *Low Density Residential* may be zoned to permit ground-oriented housing units, such as single and semi-detached dwellings and townhouses.
- 4.4.2.2 *Low Density Residential* areas may be developed to a residential density ranging between 20 and 30 units per net hectare.
- 4.4.2.3 Generally, a minimum of 15 percent of the net residential area of the lands designated *Low Density Residential* shall be developed for townhouses.
- 4.4.2.4 Rear or *backlotting* of dwelling units within *Low Density Residential* designation shall not be permitted on *arterial* and *collector roads* and shall be minimized where abutting parks and valleys.
- 4.4.2.5 Infilling of vacant lots and *intensification* of existing properties is encouraged in the *Low Density Residential* designation, subject to the *intensification* policies in Section 3.5 and the permissions afforded under Section 3.2.3.3 of this Plan where the lands are within a *Local Corridor*.
- 4.4.2.6 Existing dwelling units within *Local Corridors* and the *built boundary* identified on Schedule A-1 may be utilized for commercial or office purposes, subject to an amendment to the Zoning By-law and Site Plan Control.
- 4.4.2.7 Notwithstanding Policy 4.4.2.3, for lands designated *Low Density Residential* in the Green Lane Secondary Plan Area shown on Schedule B-5, townhouses are encouraged, but not required.

4.4.3 Medium Density Residential

Lands designated *Medium Density Residential* provide for forms of housing at densities that support transit. It is intended that these areas will be integrated into *low density residential* neighbourhoods to provide for a variety of housing types.

4.4.3.1 Land designated *Medium Density Residential* may be zoned to permit:

- i) Townhouses;
- ii) Low rise apartments up to a maximum of 13 metres (4 storeys) in height;
- iii) Seniors or other forms of assisted and special needs housing such as group homes, rest/retirements homes and long-term care facilities;
- iv) Within the Green Lane Secondary Plan Area, live-work units.

4.4.3.2 *Medium Density Residential* areas may be developed to a residential density ranging between 30 and 80 units per net hectare.

4.4.3.3 Within the Green Lane Secondary Plan Area, shown on Schedule B-5, the density for areas designated as *Medium Density Residential 1* shall be a minimum of 30 units per net hectare and a maximum of 50 units per net hectare, and the density for the areas designated as *Medium Density Residential 2* shall be a minimum of 50 units per net hectare and a maximum of 80 units per net hectare. The permitted uses of 4.4.3.1 apply to both the *Medium Density Residential 1* and *Medium Density Residential 2* designation.

4.4.3.4 Infilling of vacant lots and *intensification* of existing properties is encouraged in *Medium Density Residential* designation, subject to *intensification* policies in Section 3.5 and the permissions afforded under Section 3.2.3.3 of this Plan.

4.4.4 High Density Residential

Lands designated *High Density Residential* provide opportunities for non-ground-oriented forms of housing at the highest densities permitted in this Plan. It is intended that these areas will be directed to *Centres* and *Corridors* to concentrate activity and support the viability of mixed use development, and promote higher-order transit in the Town.

- 4.4.4.1 Land designated *High Density Residential* may be zoned to permit:
- i) Apartments with a minimum height of 13 metres (4 storeys) up to a maximum of 40 metres (12 storeys) in height and within the Green Lane Secondary Plan Area, up to a maximum height of 20 storeys (approximately 60 metres);
 - ii) Seniors or other forms of assisted and special needs housing such as group homes, rest/retirements homes and long-term care facilities.
- 4.4.4.2 *High Density Residential* areas may be developed to a residential density ranging between 80 and 150 units per net hectare.
- 4.4.4.3 Buildings shall be sited to minimize potential for adverse impacts on *Low Density Residential Areas*.
- 4.4.4.4 Higher density housing forms shall generally be located in *Centres* and *Corridors*.
- 4.4.4.5 Within the Green Lane Secondary Plan Area, townhouses and other ground-related multiple unit buildings may only be permitted in the *High Density Residential* designation in association with one or more apartment buildings, provided:
- a) a minimum of 75% of the dwelling units are located in apartment buildings;
 - b) the apartment building is built prior to or at the same time as the ground-related multiple unit buildings; and
 - c) the combined density conforms to policy 4.4.4.2.

Notwithstanding the above, with respect to the lands in the High Density Residential designation west of the north-south proposed minor collector road west of Yonge Street, stacked townhouses, back-to-back townhouses, townhouses and other ground-related multiple unit buildings shall be permitted provided the density conforms to policy 4.4.4.2 of this Plan.

- 4.4.4.6 Lands designation *High Density Residential* on the west side of Yonge Street may also be zoned to permit hotels and conventions centres in association with one or more other high density forms of residential development. Where hotels and conventions centres are permitted, policy 4.4.4.5 is no longer applicable.

4.4.5 Estate Residential

The purpose of this designation is to provide policies governing existing *Estate Residential Areas*. Lands designated *Estate Residential* provide opportunities for single detached dwelling units to develop on private services. Any new draft plan of subdivision on vacant land designated *Estate Residential* shall be developed on full municipal water and wastewater services, subject to compliance with Section 8.1 and demonstration of future integration with adjoining lands, to the satisfaction of the Town.

- 4.4.5.1 No new lands shall be designated *Estate Residential*.
- 4.4.5.2 Land designated *Estate Residential* may be zoned to permit single detached dwellings.
- 4.4.5.3 Development shall be compatible with the scale and urban design of existing dwelling units.
- 4.4.5.4 Infill development is permitted in the *Estate Residential* designation provided the following are met:
 - i) receipt of a Certificate of Approval for the sewage disposal system from the Town;
 - ii) it has been demonstrated that provision of on-site services does not adversely affect the existing water supply for other homes in the development;
 - iii) the development is located on an existing local road;
 - iv) the development is located between two other existing lots of record within the *Estate Residential* designation;
 - v) compliance with *Minimum Distance Separation* requirements;
 - vi) submission of a detailed hydrogeological report to the satisfaction of the Region of York and the Ministry of the Environment indicating that development will not result in interference to the ground water table, neighbouring wells or surface waters. In addition, the developer shall submit any other reports required by the Region of York.

4.5 INSTITUTIONAL LAND USES

Institutional uses can be either owned and operated by a public body such as the Town or Region of York, or may be intended for a quasi-public use such as places of worship and community halls. The purpose of this Section is to outline the appropriate location and development standards for these uses and ensure that adequate lands are available for institutional uses to meet the needs of the Town's residents and work force.

Objectives

- i) Provide a range and variety of recreational, cultural, educational, and community facilities and activities;
- ii) Minimize barriers to participation as they relate to age, gender, income, culture, transportation or physical ability;
- iii) Foster a unique sense of civic pride and local identity that reflects and builds upon the Town's cultural diversity and unique amenities;
- iv) Encourage the integration of arts, cultural and recreational facilities with local businesses, health and social services, schools, parks and civic buildings;
- v) Encourage and support partnerships with all the providers of institutional and cultural services, including both public and non-profit agencies;
- vi) Ensure adequate library services are provided to Town residents;
- vii) Provide indoor and outdoor recreational facilities and programs to meet the needs of all residents to ensure physical, creative, social and intellectual opportunities in accordance with the Town's Parks, Recreation and Culture Strategic Master Plan.

Policies

- 4.5.1 All institutional uses should be located close to public transit and pedestrian links and away from significant known air emission sources.
- 4.5.2 Vehicular access to institutional uses shall be located and designed to discourage the related vehicular traffic from penetrating or congesting residential neighbourhoods.
- 4.5.3 Council shall, in cooperation with the appropriate organizations, encourage the allocation of adequate lands in locations appropriate to meet existing and future requirements for educational facilities and places of worship.

- 4.5.4 The primary use of lands designated *Institutional* on Schedules B and C-1 shall be various forms of public, quasi-public and/or private educational, health, cultural, recreational, religious or charitable institutions or similar organizations providing a public service.
- 4.5.5 Notwithstanding the provisions of Section 4.5.4, land designated *Institutional* may be zoned to permit uses including, but not be limited to:
- i) facilities for:
 - a. public administration,
 - b. education,
 - c. health care,
 - d. recreation,
 - e. cultural and religious activities;
 - ii) schools, day nurseries, day cares;
 - iii) nursing homes and assisted living homes;
 - iv) places of worship;
 - v) funeral homes;
 - vi) transit stations;
 - vii) a combination of any or all of these uses.
- 4.5.6 In conjunction with any proposal for a new *Institutional Area* designation, outside of a Secondary Plan process, the following information is required to be submitted by the applicant as part of the development application in order to assist in evaluating the proposal:
- i) An environmental management plan of the property, prepared by a qualified professional that describes the existing and proposed vegetation, extent of vegetation removal, topography, soil and ground water conditions, environmental impacts and measures to be taken to maintain and enhance any natural areas including watercourses, low-lying areas, areas of steep and/or unstable slopes, flood plains, vegetated areas and wildlife and fishery habitats;
 - ii) A detailed engineering and servicing report, prepared by a professional engineer, that clearly demonstrates that the proposed lot(s) can be properly serviced by water supply and sewage disposal systems, the stormwater management techniques to be used, and that there will be no adverse effect from the development as it relates to soil, groundwater and surface water;

- iii) A traffic study, prepared by a professional traffic engineer, that analyzes the impact of the development on the surrounding road network and establishes any required modifications to the system to alleviate potential impacts.

4.5.7 New institutional uses shall be designed to consider, but not be limited to the following criteria:

- i) be sited near the street frontage and positioned on lots to maximize their visibility from surrounding neighbourhoods and encourage views to their building features, where appropriate, and interesting vistas from surrounding streets or parks;
- ii) Corner locations of buildings are encouraged as they reinforce streetscapes and terminate neighbourhood views;
- iii) promote accessibility by pedestrians with direct connections from streetscape sidewalks to major entrances. Similarly, transit accessibility shall be promoted with direct walkway connections to transit stops;
- iv) The *built form* should be designed to reflect their landmark status within neighbourhoods. Architectural elements such as prominent building entrances, canopies, large glazed areas, and roof forms can create significant identity for these uses within the community;
- v) Construction should be to an urban standard, including consideration of alternative site size and design standards, multi-storey buildings and shared facilities.

4.5.8 Proposed institutional development which is sensitive to noise impacts, such as hospitals and nursing homes may be subject to a noise study and possible remedial or mitigation measures.

4.6 EDUCATIONAL FACILITIES

Objectives

- i) Work with school boards and/or private schools or institutions in providing and attracting new educational and skills training facilities, as well as a post-secondary institution;
- ii) Ensure that Secondary Plans provide for appropriate school sites to accommodate residential growth;
- iii) Require land use patterns where 75% of residential dwelling units are within 400 metres of an existing or planned elementary school;
- iv) Require that, through development approvals, each school is connected with adjacent neighbourhoods by a network of sidewalks, bicycle and pedestrian paths to promote safe and convenient access for school children;
- v) Encourage the provision of joint use educational facilities which may accommodate the inclusion of community centre uses, public recreational and other institutional uses, subject to the appropriate joint-use agreements;
- vi) Encourage schools and day nurseries to be located adjacent to parks that are of appropriate size and characteristic to enable, where appropriate, the coordinated development and use of space and facilities.

Policies

- 4.6.1 Educational facilities shall primarily consist of elementary and secondary schools. These facilities and schools may be either publicly or privately funded.
- 4.6.2 The Elementary School and Secondary School designations, as shown on Schedules B, B-1, B-2, B-3, B-5 and C-1 are overlay symbols denoting the approximate preferred locations for schools. These locations may change without an amendment to this Plan provided all other policies of this Plan are satisfied.
- 4.6.3 The Town shall encourage the co-ordinated use of recreational space and facilities to meet the needs of both the school and the community.
- 4.6.4 School sites should be located adjacent to public parks, where possible, and central to the community to promote walking or cycling, thereby enabling most students to walk to school and their location should minimize the hazards associated with children crossing major roads or rail lines.

- 4.6.5 The specific location, size and configuration of each school site shall be consistent with the policies of this Plan and the requirements of the respective School Boards and further defined in consultation with the appropriate School Boards as part of the development review process.
- 4.6.6 School sites should not be located adjacent to the following uses, where possible:
- i) Commercial, industrial and *agricultural uses*;
 - ii) Woodlots and stormwater management ponds;
 - iii) Railway lines, arterial roads and airports;
 - iv) Utility transmission corridors, including gas pipelines and hydro corridors.
- 4.6.7 Where a vacant school site is not required by a Board of Education or by a private school, alternative uses shall be permitted and shall not require an amendment to this Plan, in order of priority as follows, pursuant to the policies of this Plan:
- i) Open space uses, particularly parks or open space linkages which contribute to the enhancement of the Natural Heritage System;
 - ii) Compatible institutional uses including private elementary schools, places of worship, community service or cultural buildings; and,
 - iii) Uses in accordance with the underlying land use designation on Schedules B, B-1, B-2, B-3, B-5 and C-1.
- 4.6.8 Council shall require that all subdivision agreements that contain conditions for new school sites contain provisions that require the land owners to provide first right of refusal to the other School Board and then to the Town to purchase proposed school sites where the subject lands are no longer deemed necessary by the relevant School Board.

4.7 POST-SECONDARY INSTITUTION

Lands designated *Post-Secondary Institution* on Schedule B-2 are intended to develop as a major educational institution in a campus format.

Objectives

- i) Provide a skilled workforce to meet progressive employment needs;
- ii) Promote and secure a post-secondary institution;
- iii) Explore a potential partnership with an existing post-secondary institution as part of an established Economic Development Strategy.

Policies

4.7.1 Land designated *Post-Secondary Institution* may be zoned to permit:

- i) Educational facilities;
- ii) Recreational facilities;
- iii) Research facilities;
- iv) Accessory residences;
- v) Associated commercial uses serving the population of this major educational institution.

4.7.2 Lands within the *Post-Secondary Institution* designation are not subject to any other phasing program of this Plan, and may develop at any time subject to the availability of services, the provision of 4.7.4, and any other infrastructure requirements deemed necessary by the Town.

4.7.3 The development of the *Post-Secondary Institution* lands may include partnership elements with private sector interests.

4.7.4 Prior to the development of the *Post-Secondary Institution*, a Master Development Plan shall be prepared by the proponent of the educational institution and approved by Council.

4.7.5 The Master Development Plan required in Section 4.7.4 shall include information outlining the phasing of development, servicing requirements, sustainable development features, and overall urban design for the campus and architectural theme of all buildings and structures.

4.8 PARKS AND OPEN SPACE

The *Parks and Open Space* system, as shown on Schedules B, B-1, B-2, B-3, B-5 and C-1, consists of public parks, environmental management areas and associated public trail systems. The intent of the *Parks and Open Space* system is to provide recreational and educational opportunities for existing and future residents.

Objectives

- i) Provide public parkland at a combined rate of 4.0 hectares per 1,000 people in order to enhance the quality of life for Town residents;
- ii) Provide connectivity between passive and active recreational areas and environmental features, where possible;
- iii) Provide public parkland within an 800 metre radius of all residential communities;
- iv) Establish a system of parks and recreation facilities that accommodate a wide array of recreation, leisure, and cultural activities;
- v) Encourage the integration of the Natural Heritage System into the recreational open space system, where appropriate;
- vi) Provide recreational facilities within public parkland that respond to the needs of existing and future residents, as identified by the Parks, Recreation and Culture Master Plan;
- vii) Explore opportunities with the school boards for the shared use of buildings, sports fields and parking facilities, where feasible.

Policies

- 4.8.1 The *Parks and Open Space* designation on Schedules B, B-1, B-2, B-3, B-5 and C-1 recognizes major existing and approved public open space areas and permits the extension and expansion of such uses.
- 4.8.2 The Proposed Park symbol on Schedules B, B-1, B-2, B-3, B-5 and C-1 are intended to recognize the approximate location for Community and Neighbourhood Parks. The specific location, size and configuration of future parks will be further defined in the context of plans of subdivision. The park sites may be relocated without further amendment to this Plan.
- 4.8.3 The *Parks and Open Space* designation may also include lands that are unsuitable for development due to flood susceptibility, steep slopes, and erosion. Such unsuitable lands shall not be included as part of the required parkland dedication.

- 4.8.4 Minor refinements, adjustments or the correction of mapping errors and updated information obtained through an approved *Natural Heritage Evaluation*, will not require an amendment to this Plan. The adjoining land use designation(s) shall be deemed to apply to the lands removed from the *Open Space* designation.
- 4.8.5 The Town should incorporate Crime Prevention through Environmental Design (CPTED) principles in the design of parks.
- 4.8.6 The inclusion of public art in parks, Town facilities and pedestrian spaces is encouraged.
- 4.8.7 Where the *Parks and Open Space* designation is applied to privately owned lands, it shall not be construed that these lands are free and available for public use, or that such lands will be acquired by the Town or any other public agency.
- 4.8.8 *Parks and Open Space* lands may be provided by conveyance in accordance with the provisions of the Planning Act and through other actions by public authorities.
- 4.8.9 *Parks and Open Space* areas shall be designed to include pedestrian walkways, trails and bicycle paths that minimize road crossings and link Parks and Open Space areas into an integrated community-wide network.
- 4.8.10 Public parks shall include clearly defined entrances to the local trail system integrating trail head locations into the design of parks.
- 4.8.11 Environmental features shall be incorporated into the Parks and Open Space systems, wherever feasible. Such environmental features shall not be included as part of the required parkland dedication.
- 4.8.12 Permitted uses on lands having a Parks and Open Space designation shall be:
- i) public or private parks generally involving low-intensity, predominantly outdoor, recreation activities, sports fields and facilities, as well as trails;
 - ii) stormwater management facilities as an integrated natural feature;
 - iii) wildlife or other environmental management operations of a passive nature (including *forest management* and conservation efforts);
 - iv) other appropriate facilities incidental to open space uses.

- 4.8.13 The majority of residences within a built-up residential area shall be served by a *Neighbourhood, Community or Town Park* within an 800 metre radius.
- 4.8.14 A parkland hierarchy has been established that is characteristic of the distribution and needs of the community, which includes Town, Community and Neighbourhood Parks. The precise distribution of such parks will be determined in Secondary Plans, Community Design Plans or other planning programs in accordance with the policies of this Plan.
- 4.8.15 Within the Green Lane Secondary Plan Area, community gardens may be permitted in the Natural Heritage System, but outside of features, subject to the approval of the Town and Conservation Authority.

Open Space - Special Study Area

- 4.8.16 The lands subject to this policy (as identified on Schedule B-2) will be governed by the policies related to flooding, erosion, and hazardous sites in accordance with the Provincial Policy Statement. Based on this approach, *development* and *site alteration* will not be permitted in:
- i) the flooding hazard limit of the Harrison Creek tributary;
 - ii) the erosion hazard limit of the Harrison Creek tributary;
 - iii) hazardous sites including unstable soils adjacent to the Harrison Creek tributary;
 - iv) the 30 metre buffer from the Harrison Creek tributary.
- 4.8.17 The extent of flooding on the lands designated *Open Space Special Study Area* may be reduced in the future due to improvements to downstream watercourse crossings (eg. culverts) or as a result of other *development* or new infrastructure. As a result, the boundaries of adjacent land use designations may be refined due to a reduction in the *Open Space Special Study Area*. Any refinements to the *Open Space Special Study Area* and to the abutting land use designations on a property may occur without further amendment to this Plan provided a floodplain study is approved by the Conservation Authority and the Town.
- 4.8.18 The lands subject to this policy as identified on Schedule B-5 as *Open Space Special Study Area* will be governed by the policies related to flooding, erosion and hazardous sites in accordance with the Provincial Policy Statement. Based on this approach, *development* and *site alteration* will not be permitted in:
- i) the flooding hazard limit of the East Holland River or Sharon Creek;
 - ii) the erosion hazard limit of the East Holland River or Sharon Creek;

- iii) hazardous sites including unstable soils adjacent to the East Holland River or Sharon Creek;
- iv) a 30 metre buffer from the East Holland River or Sharon Creek.

4.8.19 In the Green Lane Secondary Plan Area, shown on Schedule B-5, a road is shown connecting Green Lane to an extension of Bayview Parkway in Newmarket. This road traverses the *Open Space Special Study Area*. *Development* of this road is subject to cut/fill balance and other appropriate mitigation measures undertaken to ensure safe access is provided across the *Open Space Special Study Area* to the satisfaction of the Town and Conservation Authority.

Central Park

- 4.8.20 The Town shall develop strategies and policies to secure the acquisition of a centrally located park and recreational facilities designed to accommodate elements of the Town's projected recreational facilities, including, but not limited to, playing fields, indoor activity space, community halls and arenas.
- 4.8.21 The location of the Town's central park facility shall be determined through future study. This study shall include a review of appropriate sites centrally located within the Urban Planning Area. Among other things, consideration shall be given to vehicular, transit, pedestrian and bicycle access.
- 4.8.22 The Town shall employ Planning Act and other mechanisms to secure funding for the acquisition of lands for a central park as a condition of development approval.

Town Parks

Town Parks are intended to serve a Town-wide function, as unique destination points drawing residents from the urban and rural populations as well as visitors from beyond the boundaries of the Town. *Town Parks* may feature civic, historic, cultural, recreational and heritage significance and connect the community both as a focal point, as well as through trail and open space linkages.

- 4.8.23 *Town Parks* shall be provided as may be required to meet special community-wide needs and serving town-wide functions such as a fairgrounds or major indoor and outdoor recreation complexes.
- 4.8.24 *Town Parks* shall be distinguished by uniqueness of their function or special feature(s) which add to the diversity of the parks system.
- 4.8.25 *Town Parks* shall include adequate parking and may contain major indoor and/or outdoor recreation facilities, arts and cultural facilities, community and special event facilities, horticultural attractions and/or be oriented to natural features.

- 4.8.26 There is no defined size for *Town Parks*, but they are likely to be large blocks of land. Park size will vary depending upon the intended program and the function of facilities to be included. The size and provision standards applicable for *Town Parks* shall be determined through future studies undertaken by the Town in partnership with community stakeholders.

Community Parks

Community Parks are intended to serve larger Secondary Plan Areas or a series of neighbourhoods and shall be encouraged at a rate of provision of 1.2 hectares per 1,000 persons.

- 4.8.27 *Community Parks* shall be between 2 hectares and 8 hectares in size with a demonstrated capacity to facilitate the development of at least 2 athletic facilities.
- 4.8.28 *Community Parks* shall have frontage on an arterial or collector road with a minimum 100 metres of continuous frontage.
- 4.8.29 Indoor and outdoor recreation space for all age groups shall be provided within *Community Parks*, including organized sporting activities.
- 4.8.30 *Community Parks* may contain illuminated major sports fields, field houses, and indoor recreation facilities.
- 4.8.31 *Community Parks* shall be encouraged to be integrated with public schools where possible.

Neighbourhood Parks

Neighbourhood Parks are intended to serve local neighbourhoods within the community and shall be encouraged at a rate of 1.0 hectare per 1,000 persons.

- 4.8.32 *Neighbourhood Parks* shall be located within an 800 metre walking distance of all residential uses, generally without crossing any arterial roads or natural barriers.
- 4.8.33 *Neighbourhood Parks* shall be encouraged at an optimum size of 2.0 hectares for the provision of 1 unlit athletic facility.
- 4.8.34 *Neighbourhood Parks* shall have frontage on a local or collector road, with a minimum 60 metres of continuous frontage.
- 4.8.35 *Neighbourhood Parks* shall be encouraged to integrate with public school sites.
- 4.8.36 *Neighbourhood Parks* shall be designed for passive and active recreational facilities such as field sports, playgrounds and the recreational needs of neighbourhood residential areas.

4.8.37 *Neighbourhood Parks* normally sited and acquired through the development approval process, may be permitted on lands having a *Commercial* or *Residential* designation without requiring an amendment when located in accordance with all other relevant provisions of this Plan.

Parkland Acquisition

4.8.38 As a condition of approval for development or redevelopment of land, the Town shall require the dedication of land for park or other public recreational purposes in accordance with Sections 42, 51.1 and 53 of the Planning Act. The amount of land required and/or the cash-in-lieu component shall be determined by the Town in accordance with the statutory requirements and the following criteria:

- i) For residential purposes: an amount not exceeding 5% of the land being developed or an amount not exceeding 1 hectare per 300 dwelling units, whichever is greater;
- ii) For commercial or industrial purposes: an amount not exceeding 2% of the land being developed.

4.8.39 The Town may accept cash in lieu of land as an alternative for any park dedication required by this Plan. Such cash in lieu payments shall be based on the provisions of the Planning Act and the Town's Cash-in-lieu of Parkland By-law.

4.8.40 Lands dedicated for parks shall be in a location and condition acceptable to the Town. All parks should front on a public road.

4.8.41 Acceptance by the Town of any proposed conveyances of land in satisfaction of park dedication requirements shall be dependent upon:

- i) the intended function, size, location and physical features of the subject land;
- ii) the physical suitability and soil conditions of the subject land; and
- iii) whether the land is affected by flooding or other relevant constraint.

4.8.42 Lands within a floodplain area, constrained by some comparable factor or negatively impacted by stormwater management facilities will not be acceptable as a conveyance for park purposes.

4.8.43 Lands within the Natural Heritage System and associated buffers shall not be accepted as part of the required park land dedication or be used for lot area or *density* calculations.

4.8.44 Within the *Queensville Centre* designation, a minimum of 10 per cent of the lands shall be devoted to landscaping and parkland in accordance with Section 4.3.2.4.

4.9 RECREATION AREA

The *Recreation Area* designation on Schedules B and C recognizes major existing and approved commercial recreation development, permits the extension and expansion of such uses, and provides guidelines for the evaluation of applications for limited new uses.

4.9.1 Land designated *Recreation Area* may be zoned to permit commercial recreation uses, such as campgrounds, private parks, marinas, fishing areas, and golf courses.

4.9.2 The development of new *Recreational* uses and expansions to existing *Recreational* uses within the *Rural Area* designation may be considered, subject to an Amendment to this Plan and the Zoning By-law and submission of appropriate studies that demonstrate to the satisfaction of the Town that:

- i) there is a demonstrated market need within the *planning horizon* of this Plan for the proposed use;
- ii) the size of the use is appropriate for the area and will not further fragment the *Rural Area*;
- iii) the proposed use is located on a Provincial highway or arterial road, where traffic impacts on the rural character of the area would be minimal;
- iv) there will be no negative impacts on any natural heritage features and related ecological functions;
- v) where appropriate the proposed use can be buffered from adjacent uses;
- vi) there will be no negative impact on the quality and quantity of groundwater and surface water;
- vii) the proposed development complies with the *Minimum Distance Separation formulae*;
- viii) an appropriate vegetation enhancement plan has been submitted and approved to the satisfaction of the Town;
- ix) the proposed use conforms to other policies in this Plan, the Greenbelt Plan, the Oak Ridges Moraine Conservation Plan and the Lake Simcoe Protection Plan where applicable

4.9.3 New uses or expansions to *existing uses* in the *Recreation Area* designation shall be designed so as to minimize any potential detrimental effects on surrounding existing land uses. In order to accomplish this objective, development in the *Recreation Area* designation shall be subject to the site plan control provisions of Section 8.10 of this Plan and be designed to:

- i) minimize audio and visual nuisances and hazards, and shall provide, to the satisfaction of the Town, a combination of the mitigation measures;
- ii) ensure the scale, building materials and signage are compatible with adjacent uses;
- iii) ensure rooftop equipment, waste management facilities, and loading areas are screened from view from abutting roads and adjacent residential uses.

4.9.4 In conjunction with any proposal for a new *Recreation Area* designation, the following information is required to be submitted by the applicant as part of the development application in order to assist in evaluating the proposal:

- i) A *Natural Heritage Evaluation* to address the applicable policies of Section 5;
- ii) An environmental management plan of the property, prepared by a qualified professional, that describes the existing and proposed vegetation, extent of vegetation removal, topography, soil and ground water conditions, environmental impacts and measures to be taken to maintain and enhance any natural areas including watercourses, low-lying areas, areas of steep and/or unstable slopes, flood plains, vegetated areas and wildlife and *Habitat for Fish*;
- iii) A conservation plan demonstrating how water use and nutrient and biocide will be kept to a minimum, including the establishment and monitoring of targets;
- iv) A detailed engineering and servicing report, prepared by a professional engineer, that clearly demonstrates that the lot can be properly serviced by water supply and sewage disposal systems, the stormwater management techniques to be used, and that there will be no adverse effect from the development as it relates to soil, groundwater and surface water;
- v) A traffic study, prepared by a professional traffic engineer, that analyses the impact of the development on the surrounding road network and establishes any required modifications to the system to alleviate potential impacts;
- vi) A municipal financial impact assessment that analyses the impact of the development on the financial capabilities of the Town including the provision of financial compensation beyond that provided for in the Development Charges By-law.

- 4.9.5 Applications to establish or expand a *Recreational* use in the *Environmental Protection Area* or *Rural Area* designations, *the Greenbelt Natural Heritage System*, or *the Town's Natural Heritage System* shall be accompanied by a vegetation enhancement plan that incorporates planning, design, landscaping, and construction measures that:
- (i) Maintain or, where possible, enhance the amount of *natural self-sustaining vegetation* on the site and the *connectivity* between adjacent *key natural heritage features* or *key hydrologic features*;
 - (ii) Wherever possible, keep intermittent stream channels and drainage swales in a free-to-grow, low-maintenance condition;
 - (iii) Minimize the application and use of pesticides and fertilizers;
 - (iv) Locate new *natural self-sustaining vegetation* in areas that maximize the ecological value of the area.
- 4.9.6 Applications to establish or expand a major recreational use shall be accompanied by a recreation water use plan that demonstrates:
- (i) Water use for maintenance or snow-making or both are kept to a minimum;
 - (ii) Grassed, watered and manicured areas are limited to sports field surfaces, golf fairways, tees and greens, and landscaped areas around buildings and structures; grass mixtures that require minimal watering and upkeep will be used for sports fields and golf fairways where applicable;
 - (iii) Crossings of intermittent and permanent streams are kept to a minimum;
 - (iv) Water-conserving technologies (such as low-flow toilets and shower heads) are used in clubhouses and restaurants where applicable;
 - (v) Water-conserving technologies (such as timed irrigation systems designed to reduce evaporation losses, and recycling of water from under green) are used in the irrigation and watering of sports field surfaces, golf fairways, tees and greens, and landscaped areas around buildings and structures, where applicable;
 - (vi) Other water conservation technologies (such as rainwater harvesting or reuse of stormwater) will be used to reduce water use; and
 - (vii) Stormwater treatment facilities are used to capture and treat runoff from areas with impervious surfaces.

- 4.9.7 The development of new *Recreational* uses and expansions to existing recreational uses, such as golf courses and driving ranges, are not permitted on lands designated *Prime Agricultural* and *Holland Marsh Specialty Crop Areas*.
- 4.9.8 Small-scale structures for recreational uses (such as boardwalks, footbridges, fences docks and picnic facilities) are permitted within in all land use designations, including key *natural heritage features* or key *hydrologic features*; however, the negative impacts on these features shall be minimized.
- 4.9.9 Residential dwelling units, other than for an employee, shall not be permitted in association with recreational uses.

4.10 AGRICULTURAL/LONG TERM GROWTH AREA

The *Agricultural/Long Term Growth Area* designation as shown on Schedule B identifies agricultural and rural lands outside of the *Greenbelt Protected Countryside*, which may be required to accommodate long term growth. Lands in the *Agricultural/Long Term Growth Area* designation are characterized by their close proximity to *Settlement Areas* and extensive planned urban infrastructure to support development contemplated by this Plan. These lands may be planned for urban uses following a *Settlement Area* boundary expansion as part of a *municipal comprehensive review* undertaken in accordance with Section 3.4.5.

4.10.1 Land designated *Agricultural/Long Term Growth Area* may be zoned to include:

- (i) *Normal farm practices*;
- (ii) *Agricultural uses*;
- (iii) *Agricultural related and secondary uses*;
- (iv) A single detached dwelling unit on an existing lot of record.

4.10.2 Where livestock-based agricultural operations exist, this Plan encourages the phase-out of the operation due to the proximity to planned urban development. New livestock-based agricultural operations will not be permitted within the *Agricultural/Long Term Growth Area*.

4.11 GREENBELT PLAN AREA (PROTECTED COUNTRYSIDE)

All proposals for development within the lands identified as *Greenbelt Protected Countryside* on Schedule C shall meet the requirements of this Plan and the Provincial Greenbelt Plan. Where there is a discrepancy between this Plan and the Greenbelt Plan policies, the most restrictive policies shall prevail.

Approximately 75% of the Town will be protected from significant development under the Provincial Greenbelt Plan and Oak Ridges Moraine Conservation Plan.

Schedule C illustrates the Greenbelt Protected Countryside within the Town through the establishment of five land use designations, all of which constitute the Protected Countryside:

- i) *Holland Marsh Specialty Crop Area;*
- ii) *Prime Agricultural Area;*
- iii) *Rural Area;*
- iv) *Greenbelt Settlement Area;*
- v) *Greenbelt Hamlet.*

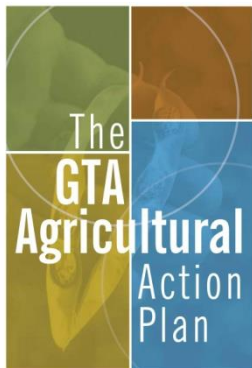
4.11.1 General Policies for the Protected Countryside

4.11.1.1 Lands within the Greenbelt Plan are identified as Protected Countryside on Schedule C of this Plan. Although the Greenbelt Plan includes the Oak Ridges Moraine Area, the policies of the Oak Ridges Moraine Conservation Plan prevail in the area of its coverage.

4.11.1.2 Refinements to the *Prime Agricultural Area* or *Rural Area* designations found in the Greenbelt on Schedule C, are not permitted unless undertaken through the Provincial review of the Greenbelt Plan in 2015.

4.11.1.3 Where *agricultural uses* are permitted by this Plan, the following policies shall apply:

- i) New or expanding livestock facilities shall be set back from non-*agricultural uses* and comply with the *Minimum Distance Separation formula*;
- ii) New or expanding livestock facilities shall demonstrate that they have met the requirements of the Nutrient Management Act;
- iii) Nothing in this Plan shall limit the ability of landowners to carry out normal and reasonable farm practices in accordance with the Farming and Food Production Protection Act.



Accessory Residential Uses on Farm Properties

4.11.1.4 Within the Protected Countryside, the establishment of an additional dwelling unit on a farm may be permitted for the accommodation of full-time farm labour when the size and nature of the operation requires additional employment and subject to a Zoning By-law amendment and Site Plan Control. Prior to considering an application for Zoning By-law amendment and/or Site Plan approval, Council shall be satisfied that the second dwelling unit:

- i) Is required for farm help as set out in a detailed submission addressing matters such as labour requirements related to the size and nature of the farm operation;

- ii) Will be located within the existing farm-building cluster;
- iii) Can be serviced by appropriate sewage and water services;
- iv) Will be designed and/or located to be compatible or otherwise blend in with the farm operation.

4.11.1.5 Secondary uses on farm properties are permitted within the *Greenbelt Protected Countryside* subject to Site Plan Control. Prior to approving such an application, Council shall be satisfied that:

- i) The use is clearly associated with and located on a farm;
- ii) The retail component has a gross floor area (as defined in the Zoning By-law) of no more than 500 square metres;
- iii) The majority of the products offered for sale, in terms of monetary value, are produced or manufactured on the farm property.

4.11.1.6 The Zoning By-law may further detail appropriate performance standards for secondary commercial uses on farm properties.

4.11.1.7 The Town supports the development of uses that highlight the importance and value of the agricultural economy. On this basis, the following uses shall be permitted in the *Greenbelt Protected Countryside* as an *accessory use*, subject to Site Plan Control: farm machinery, farm tours, petting zoos, hay rides and sleigh rides, processing demonstrations, pick your own produce, small-scale farm theme playgrounds for children and small-scale educational establishments that focus on farming instruction. Prior to approving such an application, Council shall be satisfied that:

- i) The proposed use will not have a negative impact on the enjoyment and privacy of neighbouring properties;
- ii) Adequate on-site parking facilities are provided for the use, in addition to the parking required for the principal use of the property, and such parking is provided in locations compatible with surrounding land uses;
- iii) The proposed access to the site will not cause a traffic hazard and where possible, shall utilize a common driveway with the principal use of the property;
- iv) The proposed use can be serviced by appropriate water and sewage services;
- v) The proposed use enhances the rural and open space character of the Town through the preservation of older barns or buildings and/or the establishment of a built form that is compatible with the rural surroundings;

- vi) The building that houses the proposed use is located within the existing farm-building cluster where possible;
 - vii) The signage advertising the use is to be designed and located in accordance with the Town's Sign By-law.
- 4.11.1.8 Other commercial and industrial uses and activities that are more appropriately suited on full services and provide services and products that do not relate to the agricultural economy shall be directed towards the appropriate land use designation in the *Settlement Area*.
- 4.11.1.9 *Agricultural related* and supportive uses may be permitted on existing non-farm lots of record within both the *Prime Agricultural* and *Rural Area* designations. Such uses shall be limited to those that primarily serve the surrounding rural and agricultural community, do not require full servicing, are generally space intensive and require a location in close proximity to the agricultural community. Council may consider these uses subject to an amendment to the Zoning By-law and Site Plan Control in accordance with the following criteria:
- (i) the lot fronts on a Regional or arterial road with safe access;
 - (ii) the proposed use will not negatively impact on the enjoyment and privacy of neighbouring properties;
 - (iii) the proposed use can be adequately serviced;
 - (iv) the lands shall be appropriately zoned to permit uses intended and regulate the scale of the development;
 - (v) the applicant can demonstrate that adequate on-site parking, buffering, outdoor storage and signage are provided for in accordance with the Town's standards, and that the proposed development will be compatible with the surrounding land uses;
 - (vi) the use shall be located to minimize the amount of land removed from agricultural production.

4.11.2 Prime Agricultural and Holland Marsh Specialty Crop Area

The *Prime Agricultural and Holland Marsh Specialty Crop Areas* identified on Schedule C provide a continuous and permanent land base necessary to support long term agricultural production and economic activity.

The *Holland Marsh Specialty Crop Area* is identified separately on Schedule C of this Plan because of the capacity of the area's unique soil (muck) to produce specialty crops (tender fruits, vegetable crops, greenhouse crops and crops from agriculturally developed organic soil). The Town is committed to ensuring that the limits of the Holland Marsh, as set out on Schedule C of this Plan, are not depleted and that it is recognized and protected as an important agricultural area and a unique and valuable food source.



*Holland Marsh
Specialty Crop Area*

The Town recognizes the *Prime Agricultural and Holland Marsh Specialty Crop Areas* as important natural resources that help support the economic vitality of agriculture.

Objectives:

- i) Support agriculture as the predominant land use in the *Prime Agricultural Area* and protect against the loss and fragmentation of the agricultural land base;
- ii) Direct uses that are not supportive of agriculture to other areas of the Town, such as lands within the *Settlement Area* in accordance with the policies of this Plan;
- iii) Encourage farmers to adopt agricultural practices that will sustain the long term productivity of the land and minimize adverse impact on the natural environment;
- iv) Support programs to reduce trespassing on agricultural operations and discourage the location of public trails near agricultural operations;
- v) Consult with local farm organizations.

4.11.2.1 The principal uses of land in the *Prime Agricultural and Holland Marsh Specialty Crop Area* designation shall be:

- (i) *Normal farm practices;*
- (ii) *Agricultural uses;*
- (iii) *Agricultural related and secondary uses;*
- (iv) A single detached dwelling unit on an existing lot of record.

4.11.2.2 Existing non-farm related buildings and structures within the *Holland Marsh Specialty Crop Area* may be allowed to expand or be replaced if destroyed by causes other than flooding, through an amendment to the Zoning By-law provided that the *Minimum Distance Separation formulae* is complied with and the objectives of the *Holland Marsh Specialty Crop Area* are maintained. Where buildings and structures are located in the floodplain, additions to existing buildings, and the buildings themselves, shall be flood-proofed to the satisfaction of the Conservation Authority.

4.11.2.3 Buildings or structures that support the *agricultural use* within the *Holland Marsh Specialty Crop Area* may be permitted subject to the floodplain policies of the Conservation Authority. Permits shall also be obtained from the Town and Conservation Authority prior to any development.

4.11.2.4 Within the *Holland Marsh Specialty Crop Area*, the Town will encourage and support the Province in balancing continued agricultural production and potential expansion with natural heritage values and policies.

4.11.2.5 Notwithstanding any other policies of this Plan, the following uses shall be prohibited in *Holland Marsh Specialty Crop Areas*:

- (i) Non-agricultural uses;
- (ii) Batching or asphalt plants;
- (iii) Waste disposal sites.

4.11.3 Rural Area

The *Rural Area* includes those lands located outside of the *Settlement Area* that are not *Prime Agricultural Areas*, as shown on Schedule C. The *Rural Area* contains many existing agricultural operations and agricultural, agriculture-related and secondary uses are supported and permitted. The *Rural Area* also provides the primary location for a range of institutional and commercial / industrial uses serving the rural resource and agricultural sectors and a range of recreational and tourism uses that are appropriate in a rural setting. These areas also contain many historic uses that would now generally be directed to *Settlement Areas* but are recognized as *existing uses* and will be allowed to continue and in certain circumstances, expand.

Objectives:

- i) Protect the rural character of the Town and the maintenance of those elements that contribute to the open space character of the Rural Area;
- ii) Prevent the intrusion of land uses that are incompatible with the rural character and/or resource activities of the area;

Deferral #1

iii) Ensure that the scale of new development is compatible with the role and function of the *Rural Area*.

4.11.3.1 Land designated *Rural Area* is subject to the Greenbelt Plan and may be zoned to permit:

- (i) *Normal farm practices*;
- (ii) *Agricultural uses*;
- (iii) *Agriculture-related and secondary uses*;
- (iv) A single detached dwelling unit on an existing lot of record.

4.11.3.2 Recreational, tourism, institutional, and resource-based commercial/industrial uses may be permitted by amendment to this Plan where it is demonstrated that:

- (i) The proposed use is appropriate in the *Rural Area*;
- (ii) The proposed use will not adversely impact the ability of adjacent agricultural activities to undertake *normal farm practices*;
- (iii) The type of water and sewer servicing proposed is appropriate for the type of use;
- (iv) There are no negative impacts on *key natural heritage features* or *key hydrologic features* and their functions, biodiversity or *connectivity* of the Natural Heritage System;
- (v) recreational uses are also subject to the policies of Section 4.9 of this Plan.

4.11.3.3 Farm-related tourism uses shall not exceed 250 square metres of gross floor area.

4.11.3.4 All farm and non-farm development shall comply with the *Minimum Distance Separation formulae*, as amended, in order to minimize odour conflicts between livestock facilities and development.

4.11.4 Greenbelt Settlement Areas

The Town's Greenbelt *Settlement Areas* include the community of Mount Albert (which is identified in the Greenbelt Plan as a Town/Village) and the Hamlets of Ravenshoe, Brown Hill and Holt. These *Settlement Areas* support and provide economic, social and commercial functions to the Town's *Greenbelt Protected Countryside* and the Town intends to support the evolution and growth of the Town's Greenbelt *Settlement Area(s)* in keeping with their existing rural character.

Greenbelt Hamlets

4.11.4.1 Land designated *Greenbelt Hamlets* may be zoned to permit:

- i) Single detached dwellings;
- ii) Small scale commercial uses;
- iii) Institutional uses.

4.11.4.2 Only minor infilling and extensions / enlargements of *existing uses* will be permitted within the *Hamlets* of Ravenshoe, Holt and Brown Hill. Development applications within these areas shall:

- i) Be accompanied by an engineering report which confirms that there is:
 - a. An adequate supply of potable water and soil conditions satisfactory for the effective operation of communal or private sewage systems;
 - b. No adverse effects from the proposed development as it is related to water and soil contamination;
 - c. An adequate separation between the water table and septic tile fields;
 - d. An appropriate method of disposing and treating stormwater run-off will be used.
- ii) Comply with the *Minimum Distance Separation formulae*;
- iii) Be designed in keeping with the existing character of the *Hamlet*;
- iv) Incorporate individual lots of a sufficient size to meet the requirements of the Town and/or Region of York in regard to the proper functioning of private water and sewage disposal facilities;
- v) Provide adequate parking and access;
- vi) Provide suitable buffering between any commercial or institutional use and abutting residential uses.

Greenbelt Town/Village

4.11.4.3 Development within the *Greenbelt Settlement Area* of Mount Albert shall be in accordance with the land use designations identified on Schedule C-1.

4.12 OAK RIDGES MORaine

Schedule C of this Plan identifies the lands that are located and described as the *Oak Ridges Moraine Plan Area*. This Section of the Plan provides general policies that apply to all lands in the Oak Ridges Moraine.

4.12.1 General Policies for the Oak Ridges Moraine

- 4.12.1.1 Planning decisions in the Oak Ridges Moraine shall reflect the objectives of the Oak Ridges Moraine Conservation Plan which are found in Section 4 of the Oak Ridges Moraine Conservation Act, 2001.
- 4.12.1.2 In addition, Schedule C designates the lands in the Moraine in the following designations, for which land use policies are found below:
- (i) *Oak Ridges Moraine Natural Core Area*
 - (ii) *Oak Ridges Moraine Natural Linkage Area*
 - (iii) *Oak Ridges Moraine Countryside Area*
 - (iv) *Hamlet Area* as it applies to the Hamlet of Holt (see Section 4.11.4)
 - (v) *Mount Albert Settlement Area* (see Section 4.11.4.3)

Transportation, Infrastructure and Utilities

- 4.12.1.3 Transportation, infrastructure and utilities uses are to be prohibited in all land use designations, *key natural heritage features* and *hydrologically sensitive features* unless Section 41 requirements of the Oak Ridges Moraine Conservation Plan have been addressed to the satisfaction of the applicable approval authority, such as the Region of York or the Town.
- 4.12.1.4 The Town shall ensure that Section 41 requirements, including the determination of need, are met through Environmental Assessment Act, Planning Act, Condominium Act and Local Improvement Act approval processes or other applicable approval process.
- 4.12.1.5 Low-intensity recreational uses shall be permitted in all designations in the Oak Ridges Moraine subject to the applicable provisions of Section 37 of the Oak Ridges Moraine Conservation Plan.

Major Development

- 4.12.1.6 Notwithstanding any other provisions of this Plan, *major development* in the Oak Ridges Moraine Plan Area is subject to a number of requirements in addition to those for other development. These include additional requirements with respect to landform conservation (Section 30(8) and (9) of the Moraine Plan); stormwater management (Section 45) and sewage and water services (Section 43).
- 4.12.1.7 The goals and objectives of the watershed plans shall be supported through the implementation of this Plan.

Applicable Policies

- 4.12.1.8 Notwithstanding the other policies in this Section, any application proposing development or site alteration on lands within the Oak Ridges Moraine will also be required to conform with other applicable policies in this Plan, as well as, both Regional and provincial policies. In the event of conflict, the policies of this Plan as they relate to the Oak Ridges Moraine shall prevail.
- 4.12.1.9 Where this Plan is more restrictive than the Oak Ridges Moraine Conservation Plan, with the exception of *agricultural uses, mineral aggregate operations* and wayside pits, the policies of this Plan shall prevail.
- 4.12.1.10 In accordance with the Oak Ridges Moraine Conservation Act, 2001, the Town shall adopt tree and *site alteration* by-laws in accordance with Sections 135 through 141 and 142 through 146 of the Municipal Act.
- 4.12.1.11 Any development in the Oak Ridges Moraine Plan Area that involves tree preservation shall be carried out in conformity with the policies of this Section and the relevant land use designation.
- 4.12.1.12 The Town shall work with the Region of York and the Conservation Authority to complete and implement watershed plans, including water budgets and water conservation plans to meet the requirements of the Oak Ridges Moraine Conservation Plan.
- 4.12.1.13 *Major development* on the Oak Ridges Moraine shall be prohibited, unless the relevant requirements of Section 24 of the Moraine Plan have been satisfied.
- 4.12.1.14 All farm and non-farm development shall comply with the *Minimum Distance Separation formulae*, as amended, in order to minimize odour conflicts between livestock facilities and development.

4.12.2 Oak Ridges Moraine Natural Core Area

Natural Core Areas have been identified in the *Oak Ridges Moraine Conservation Plan* as areas with a high concentration of *key natural heritage features, hydrologically sensitive features* or landform conservation areas.

The purpose of this designation is to maintain and, where possible, improve or restore the ecological integrity of the Oak Ridges Moraine. This is to be achieved by meeting the purposes and objectives as outlined under Section 11(1) and (2) of the Moraine Plan.

4.12.2.1 Land designated *Oak Ridges Moraine Natural Core Area* may be zoned to permit:

- (i) *Agricultural uses*;
- (ii) Unserviced parks;
- (iii) *Accessory uses* to (i) and (ii);
- (iv) *Legally existing uses* in accordance with the provisions of Section 9.2 of this Plan.

4.12.2.2 Uses accessory to *agricultural uses* shall not include the manufacture of value-added products from the produce of the farm operation, but may include, though are not limited to:

- i) the roadside sale of produce produced on the premises of the farm operation;
- ii) a second dwelling that is a temporary, mobile or portable unit, if the applicant demonstrates that the dwelling:
 - a. is required to house help that is needed on the farm operation on a seasonal or full time basis;
 - b. does not require a *consent* under Section 50 or 53 of the Planning Act;
 - c. will not adversely affect the ecological integrity of the Moraine Area;
 - d. is grouped with existing farm structures.

The specifics of the temporary, mobile or portable unit shall be further defined in the Town's Zoning By-law.

4.12.3 **Oak Ridges Moraine Natural Linkage Area**

Natural Linkage Areas have been identified in the *Oak Ridges Moraine Conservation Plan* as areas forming part of a central corridor system that support or have the potential to support the movement of plants and animals among the lands designated *Oak Ridges Moraine Natural Core and Linkage Area*, as well as river valleys and stream corridors.

The purpose of this designation is to maintain and, where possible, improve or restore the ecological integrity of the Moraine Area and regional-scale open space linkages between lands in the *Oak Ridges Moraine Natural Core Area* designations and along river valleys and stream corridors. This is to be achieved by meeting the purposes and objectives as outlined under Section 12(1) and (2) of the *Oak Ridges Moraine Conservation Plan*.

4.12.3.1 Land designated *Oak Ridges Moraine Natural Linkage Area* may be zoned to permit:

- (i) *Agricultural uses*;
- (ii) Unserviced parks;
- (iii) *Mineral aggregate operations*;
- (iv) Wayside pits;
- (v) *Accessory uses* to (i) through (iv);
- (vi) *Legally existing uses* in accordance with the provisions of Section 9.2 of this Plan.

4.12.3.2 Uses accessory to *agricultural uses* shall be permitted in accordance with the policies of Section 4.12.2.2 of this Plan.

4.12.3.3 *Mineral aggregate operations* and wayside pits shall only be permitted in accordance with Section 4.13 of this Plan.

4.12.4 **Oak Ridges Moraine Countryside Area**

Countryside Areas have been identified in the *Oak Ridges Moraine Conservation Plan* as areas of rural land use such as agriculture, recreation, hamlets, *mineral aggregate operations*, parks and open space. Hamlets are generally long-established and identified in official plans. They are also shown on the land use designation plan to the *Conservation Plan*. Additional objectives for the *Countryside Areas* are also outlined under Section 13(2) of the *Oak Ridges Moraine Conservation Plan*.

The purpose of the *Oak Ridges Moraine Countryside Area* designation is to encourage agricultural and other rural uses that support the Plan's objectives, by:

- (i) Protecting prime agricultural areas;
- (ii) Providing for the continuation of agricultural and other rural land uses and *normal farm practices*;
- (iii) Maintaining the rural character of the rural settlements.

4.12.4.1 Land designated *Oak Ridges Moraine Countryside Area* may be zoned to permit:

- (i) *Agricultural uses*;
- (ii) Unserviced parks;
- (iii) *Mineral aggregate operations*;
- (iv) Wayside pits;
- (v) *Accessory uses* to (i) through (iv);
- (vi) *Legally existing uses* in accordance with the provisions of Section 9.2 of this Plan.

4.12.4.2 Uses accessory to *agricultural uses* shall be permitted in accordance with the policies of Section 4.12.2.2 of this Plan.

4.12.4.3 *Mineral aggregate operations* and wayside pits shall be permitted in accordance with the policies of Section 4.13 of this Plan.

4.12.4.4 *Recreation Areas* existing as of November 17, 2001 and identified on Schedule C may be permitted to expand or change their operations on that portion of their lands designated Oak Ridges Moraine *Countryside Area*, in accordance with the policies of Section 38 of the Oak Ridges Moraine Conservation Plan and Section 4.12 of this Plan.

4.12.5 Landform Conservation Areas

Landform conservation areas consist of steep slopes and representative landforms on the Oak Ridges Moraine that shall be protected for their contribution to the ecological integrity and hydrologic function of the natural environment. In addition, regionally and locally *significant* landforms as determined by the Town shall be protected and preserved and are subject to the following policies.

4.12.5.1 With the exception of *mineral aggregate operations*, applications for *development* or *site alteration* in any area identified as a *Landform Conservation Area Category 1 or 2* on Schedule H to this Plan shall identify planning, design and construction practices in conformity with the policies for the applicable *Landform Conservation Area* category that keep disturbance of landform character to a minimum, in accordance with the provisions of Section 30 of the Oak Ridges Moraine Conservation Plan to the satisfaction of the Town and Conservation Authority.

4.12.5.2 Schedule H is based on mapping provided by the Province of Ontario. Where new information is produced by the Province that will require refinements to this schedule, this may occur without the need for an amendment to this Official Plan.

4.12.5.3 An application for *development* or site alteration with respect to land in an *Area of Natural and Scientific Interest* (earth science) or the related minimum area of influence (See Table 5.1) on the Oak Ridges Moraine shall be accompanied by an earth science heritage evaluation that:

- i) identifies planning, design and construction practices that will ensure protection of the geological or geomorphological attributes for which the area of natural and scientific interest was identified;
- ii) determines whether a minimum *vegetation protection zone* is required, and if so, specifies the dimensions of that zone and provides for the maintenance and, where possible,

improvement or restoration of *natural self-sustaining vegetation* within it.

4.13 AGGREGATE EXTRACTION AND RESOURCE AREAS

Aggregates and other industrial minerals extracted through pit or quarry methods are valuable, non-renewable raw materials that are utilized extensively for construction, industrial and manufacturing purposes.

The Town shall responsibly manage aggregate resources by protecting them for long term use. This will be achieved by protecting existing and potential resources, controlling and regulating current surface operations, minimizing adverse impacts of operations on the environment, requiring proper rehabilitation of closed pits and quarries, protecting mineral resources from incompatible uses, and providing for rehabilitation of aggregate extraction sites.

New pit and quarry operations in *Aggregate Extraction Areas* are subject to and regulated by the *Aggregate Resources Act*.

4.13.1 The *Aggregate Extraction Area* designation shown on Schedule C, applies to *mineral aggregate operations* that are licensed in accordance with the *Aggregate Resources Act*.

4.13.2 The *Aggregate Resource Area* designation shown on Schedule G identifies primary and secondary aggregate resource areas within the Town that are to be protected from incompatible land uses and where new or expanded aggregate resource operations are encouraged to locate, subject to meeting the policies of this Plan.

4.13.3 Land designated *Aggregate Resource Area* may be zoned to permit:

- i) the extraction of stone, gravel, sand and other aggregates and associated operations such as crushing, screening, washing and aggregate storage, excluding permanent manufacturing uses such as asphalt plants or concrete plants;
- ii) agricultural operations;
- iii) transportation and utility facilities;
- iv) watershed management and flood and erosion control projects carried out or supervised by a public authority;
- v) *forestry* and resource management uses;
- vi) archaeological activities;
- vii) non-intensive recreation uses such as nature viewing and pedestrian trail activities;
- viii) wayside pits and quarries and portable asphalt plants for road works in the area.

- 4.13.4 Within *Aggregate Resource Areas*, the underlying land use designations as identified on Schedule C shall be permitted subject to meeting the criteria set out in this Section to ensure the resource is protected and extraction is not precluded or hindered in the future.
- 4.13.5 It is recognized that the Ministry of Natural Resources licenses and regulates *mineral aggregate operations* under the *Aggregate Resources Act*. It is the intent of this Plan to ensure that there is open and transparent consultation between the appropriate provincial ministries and agencies, the proponent of the *mineral aggregate operation*, and the Town before licenses are issued or modified, in order to ensure that new *mineral aggregate operations* or expansions of existing operations are carried out in a manner that is consistent with the goals and objectives of this Plan.
- 4.13.6 *Aggregate Resource Areas* shall be protected from uses and/or activities that may preclude or hinder the effective and/or economical extraction of aggregate in the future. An application for an amendment to this Plan, Zoning By-law, Site Plan and/or *Consent* on lands that are wholly or partially within 300 metres of a sand and gravel deposit and that has the potential to preclude or hinder continued extraction or expansion to existing operations or the establishment of new operations or access to mineral resources, shall be accompanied by appropriate studies that demonstrate to the satisfaction of Council that:
- i) Aggregate extraction would not be economically, socially or environmentally feasible;
 - ii) the proposed land use serves a greater long term public interest;
 - iii) issues of public health, public safety and environmental impact have been addressed.
- 4.13.7 When new development requiring a *Planning Act* approval is proposed within 300 metres of an existing aggregate extraction operation within the *Aggregate Extraction Area* designation, Council shall be satisfied that the proposed use is compatible with the current and future operation of the aggregate extraction operation. In some cases, setbacks between the uses may be required to minimize conflicts. In order to determine if a new use is compatible, the development proponent will be required to demonstrate that the proposed use shall provide for the necessary mitigation of impacts arising from the existing aggregate extraction operation, including future phases that are under license but are yet to be extracted, to meet applicable provincial standards, regulations and guidelines. The

Town may require the submission of noise, traffic and other studies to demonstrate this policy is met.

- 4.13.8 All new *mineral aggregate operations* and/or expansions to existing *mineral aggregate operations* on lands that are not designated *Aggregate Extraction Area* shall require an amendment to this Plan.

Wayside Pits and Quarries, Portable Asphalt Plants and Portable Concrete Plants

- 4.13.9 Wayside pits and quarries, portable asphalt plants and portable concrete plants used on public authority contracts shall be permitted, without the need for an amendment to this Plan, rezoning, or development permit under the *Planning Act* in all areas of the Town, except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.

Mineral Aggregate Operations in Prime Agricultural Areas

- 4.13.10 In *Prime Agricultural Areas*, extraction of mineral aggregates is permitted as an interim use, in accordance with the policies of this Plan, provided that rehabilitation of the site will be carried out whereby the areas and average soil quality for agriculture are substantially restored. Complete agricultural rehabilitation is not required if:

- i) there is a substantial quantity of mineral aggregates below the water table warranting extraction or the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible;
- ii) other alternatives have been considered by the applicant and found unsuitable (including resources in areas of Canada Land Inventory Class 4 to 7 soils and resources on *Prime Agricultural* lands where rehabilitation is feasible). Where no other alternatives are found, *Prime Agricultural Area* lands shall be protected in this order of priority: *Holland Marsh Specialty Crop Areas*, Canada Land Inventory Classes 1, 2 and 3; and
- iii) agricultural rehabilitation in remaining areas will be maximized.

Mineral Aggregate Operations in the Natural Heritage System and Greenbelt Natural Heritage System

- 4.13.11 Notwithstanding other provisions of this Plan, within the Natural Heritage System and *Greenbelt Natural Heritage System*, *mineral aggregate operations*, and wayside pits and quarries are subject to the following:

- i) No new *mineral aggregate operations*, wayside pits and quarries, or any ancillary or *accessory use* thereto will be permitted in the following *key natural heritage features* and *key hydrologic features*:
 - a. *Significant wetlands*;
 - b. *Significant habitat of endangered species and threatened species*;
 - c. *Significant woodlands* unless the *woodland* is occupied by a young plantation or early successional habitat (as defined by the Ministry of Natural Resources). In this case, the application must demonstrate that the specific provisions of Sections 4.13.21 have been addressed, and that they will be met by the operation.
- ii) An application for a new *mineral aggregate operation* or new wayside pits and quarries may only be permitted in other *key natural heritage features* and *key hydrologic features* not identified in Section (i) and any *vegetation protection zone* associated with such other feature where the application demonstrates that:
 - a. the water resource system will be protected or enhanced;
 - b. the health, diversity and size of the *key natural heritage features* will be maintained or restored and, to the extent possible, improved to promote a net gain of ecological health;
 - c. any permitted extraction of mineral aggregates in a feature will be completed, and the area will be rehabilitated, as early as possible in the life of the operation;
 - d. aquatic areas remaining after extraction are to be rehabilitated to aquatic enhancement, which shall be representative of the natural ecosystem in that particular setting or ecodistrict;
 - e. rehabilitation will be implemented so that the *connectivity* of the *key natural heritage features* and the *key hydrologic features* on the site and on *adjacent lands* will be maintained or restored, and to the extent possible, improved.

- iii) Any application for a new *mineral aggregate operation*, or the expansion of an existing *mineral aggregate operation* shall be required to demonstrate:
 - a. How the *connectivity* between *key natural heritage features* and *key hydrologic features* will be maintained before, during and after the extraction of mineral aggregates;
 - b. How the operator could immediately replace any habitat that would be lost from the site with equivalent habitat on another part of the site or on *adjacent lands*; and
 - c. How the water resource system will be protected or enhanced.
- iv) An application for the expansion of an existing *mineral aggregate operation* may be permitted in the *Greenbelt Natural Heritage System*, including *key natural heritage features* and *key hydrologic features*, and in any associated *vegetation protection zone* only if the related decision is consistent with the *Provincial Policy Statement*.

Mineral Aggregate Operations in the Oak Ridges Moraine

4.13.12 *Mineral aggregate operations* and wayside pits shall only be permitted in the *Oak Ridges Moraine* in accordance with:

- (i) the provisions of *the Oak Ridges Moraine Conservation Plan*, particularly Part IV, Section 35 and 36;
- (ii) existing *mineral aggregate operations* are designated *Aggregate Extraction Area* on Schedule C and shall be zoned to permit the *existing use* in accordance with the provisions of Section 6 of the *Oak Ridges Moraine Conservation Plan*;
- (iii) expansions of existing operations and new operations shall require a zoning by-law amendment which shall be evaluated in accordance with the criteria set out in Section 4.13 of this Plan, in addition to the provisions of the *Oak Ridges Moraine Conservation Plan*.

Application Requirements

- 4.13.13 Any application for amendment to this Plan to permit aggregate operations shall be supported by studies that are based on predictable, measurable, and objective effects on people and the environment. Such studies will be based on provincial standards, regulations and guidelines, where they exist and will consider and identify methods of addressing the anticipated impacts in the area affected by the extractive operation. All applications shall be supported by information that addresses:
- i) the impact of the operation of the mineral aggregate resource use on:
 - a. the natural heritage features and ecological functions on the site and in the area;
 - b. nearby communities;
 - c. agricultural resources and activities;
 - d. the quality and quantity of groundwater and surface water;
 - e. the built or cultural heritage resources in the area;
 - f. *significant* geologic formations on the site and in the area;
 - g. the groundwater recharge and discharge functions on the site and in the immediate area;
 - h. nearby wells used for drinking water purposes.
 - ii) the effect of the additional truck traffic on the ability of an existing haul route to function as a safe and efficient haul route;
 - iii) the suitability of any new haul route relative to the safe and capable handling of the volume of traffic proposed;
 - iv) the impact of the noise, dust and vibration generated by the proposed pit or quarry on adjacent land uses;
 - v) how the policy of no negative impact on *significant* natural heritage features and related ecological functions on the site and in the area can be satisfied taking into account the net environmental gain provisions of this Plan. This may be achieved, for example, through the progressive rehabilitation or design of a pit or quarry;
 - vi) how the impacts from the proposed pit or quarry on adjacent uses will be mitigated;

- vii) how the site will be progressively rehabilitated to accommodate subsequent land uses after the extraction is completed;
- viii) how to minimize the visual impacts of the proposed aggregate extraction operation on adjacent roads and properties that may be potentially impacted.

Assessment of Impacts

- 4.13.14 Where a policy in this Plan requires that aggregate extraction shall not have a negative impact on a *significant Natural Heritage Feature* or related ecological function, the Town shall consider compensation and enhancements to be initiated by the proponent prior to and/or during extraction and the proposed progressive and final rehabilitation of the site.
- 4.13.15 In addition to the above, the required studies for a proposed pit or quarry that address the matters identified in this Plan shall take into account the impacts from pits or quarries that are operating or undergoing rehabilitation in the area.
- 4.13.16 In considering the added impact of a proposed new pit or quarry to existing impacts, Council shall ensure that mitigation measures intended to lessen the added impact are reviewed and applied as required.

Rehabilitation

- 4.13.17 It is the policy of this Plan to encourage the progressive rehabilitation of all pits and quarries within the Town. The Town will work with pit and quarry operators and the Ministry of Natural Resources to ensure that all new licenses have appropriate progressive rehabilitation plans. The rehabilitation measures taken will be compatible with, and have minimal impact upon, the surrounding natural and visual environment and *existing uses*.
- 4.13.18 If a site is to be rehabilitated to a natural state, it is the policy of this Plan that *natural self-sustaining vegetation* and, where possible, hydrologic features be established and/or restored. The rehabilitation of *Prime Agricultural* lands shall be in accordance with Section 4.12 of this Plan.
- 4.13.19 The Ministry of Natural Resources will pursue the following under the Aggregate Resources Act, for all *mineral aggregate operations*, including wayside pits and quarries within the *Greenbelt Protected Countryside*:

- i) Rehabilitated area will be maximized and disturbed area minimized on an ongoing basis during the life cycle of an operation;
- ii) Progressive and final rehabilitation efforts will contribute to the goals of the Greenbelt Plan;
- iii) The Ministry of Natural Resources will determine the maximum allowable disturbed area of each *mineral aggregate operation*. Any excess disturbed area above the maximum will be required to be rehabilitated. For existing operations this shall be completed within 10 years of the date of approval of the Greenbelt Plan and 50% completed within six years. For new operations, including expansions, the total disturbed area shall not exceed an established maximum allowable disturbed area;
- iv) An application for a *mineral aggregate operation* or wayside pits and quarries may be permitted only where the applicant demonstrates that the quantity and quality of groundwater and surface water will be maintained as per provincial standards under the Aggregate Resources Act.

4.13.20 When operators are undertaking rehabilitation of *mineral aggregate operation* sites in the *Greenbelt Protected Countryside*, the following provisions apply:

- i) the aggregate industry will work with the Ministry of Natural Resources to consider the development and implementation of comprehensive rehabilitation plans in areas of high concentration of *mineral aggregate operations*;
- ii) The disturbed area of a site will be rehabilitated to a state of equal or greater ecological value, and, for the entire site, long-term ecological integrity will be maintained or restored and to the extent possible, improved;
- iii) If there are *key natural heritage features* or *key hydrologic features* on the site, or if such features existed on the site at the time of application:
 - a. The health, diversity and size of these *key natural heritage features* and *key hydrologic features* will be maintained or restored and, to the extent possible, improved to promote a net gain of ecological health;
 - b. Any permitted extraction of mineral aggregated that occurs in a feature will be completed, and the area will be rehabilitated as early as possible in the life of the operation;

- iv) Aquatic areas remaining after extraction are to be rehabilitated to aquatic enhancement, which shall be representative of the natural ecosystem in that particular setting or eco-district, and the combined terrestrial and aquatic rehabilitation shall meet the intent of Section 5;
- v) Outside the Natural Heritage System, final rehabilitation will appropriately reflect the long-term land use of the general area, taking into account applicable policies of this Plan and, to the extent permitted under this Plan, existing municipal and provincial policies;
- vi) Final rehabilitation in the Natural Heritage System will meet these additional provisions:
 - a. Where there is no underwater extraction, an amount of land equal to that under natural vegetated cover prior to extraction and no less than 35% of each license, is to be rehabilitated to forest cover, which shall be representative of the natural ecosystem in that particular setting or ecodistrict;
 - b. Where there is underwater extraction, no less than 35% of the non-aquatic lands of each license is to be rehabilitated to forest cover, which shall be representative of the natural ecosystem in that particular setting or ecodistrict;
 - c. Rehabilitation will be implemented so that the *connectivity* of the *key natural heritage features* and *key hydrologic features* on the site and on *adjacent lands* will be maintained or restored, and, to the extent possible, improved.

4.14 WASTE DISPOSAL SITES

No new landfill sites, or domestic or commercial waste transfer facilities shall be permitted. The following policies apply to existing closed landfill sites within the *Greenbelt Protected Countryside* of the Town.

- 4.14.1 The location of closed landfill sites are indicated on Schedule C based on information provided by the Ministry of the Environment, with the exception of one area known as waste disposal site #7017, in Lot 7, Plan 143 and located on the west side of Yonge Street, which is not shown on a Schedule. The extent and exact location of any other former *Waste Disposal Sites* shall be determined in consultation with the Ministry of the Environment.

- 4.14.2 No development shall be permitted on such sites for a period of 25 years without the approval of the Region of York, the Ministry of the Environment or any other governing authority, and without required studies as identified by the Ministry of the Environment.
- 4.14.3 The Town shall amend its Zoning By-law to rezone the identified *Waste Disposal Sites* to an appropriate zoning category that recognizes their potential to pose an environmental or health hazard.
- 4.14.4 The Town may zone lands to recognize *existing uses* or structures within former *Waste Disposal Sites*. Former waste disposal areas may be developed for recreational uses.
- 4.14.5 Prior to rezoning to amend the zoning provisions imposed in accordance with the above and to permit uses in accordance with the provisions of this Plan, the proponents shall submit to the Ministry of the Environment and the Town for their approval, such engineering reports as may be required in respect of matters such as potential gas migration, leachates, hydrogeology, structural stability and the safety and integrity of proposed structures. Upon receiving written approval from the Ministry of the Environment that the lands within the Waste Disposal Sites are not affected by gases, leachates or toxic wastes from the former waste disposal site and that the lands within the subject zone are environmentally safe, the Town shall consider rezoning the lands to an appropriate zoning category.
- 4.14.6 The development of lands and construction of roads and services adjacent to former waste disposal sites which pose or have the potential to pose an environmental or health hazard shall require Ministry of the Environment and Town approval. The proponents shall submit to the Ministry of the Environment and to the Town for their approval such engineering reports as may be required with respect to controlling any potential methane gas migration or leachate migration from the former waste disposal sites, and the construction of structures, buildings, roads or services on such lands shall comply with such reports as endorsed by the Ministry of the Environment and the Town.
- 4.14.7 The Town may require that appropriate buffering be provided as a condition of development on lands adjacent to former *Waste Disposal Sites* in order to minimize any negative environmental effects emanating from the former waste disposal areas. In addition, the phasing of development on lands adjacent to former waste disposal sites shall be subject to the approval of the Town and the Ministry of the Environment. The Zoning By-law may specify any necessary

controls prescribed by any studies required in accordance with this Plan.

4.14.8 Development proposed within 500 metres of an existing or former waste disposal site may be subject to hazards. Careful consideration shall be given to potential hazards when development is proposed within a specified distance of an existing or former waste disposal site. This specified distance will need to be determined on a case-by-case basis taking into account such things as the type of waste disposed, the depth of waste, and the hydrogeologic factors. Before approving any such applications for development or land division, the Town will notify the appropriate agency and, upon their recommendation, may require that the applicant provide studies dealing with:

- i) groundwater quality;
- ii) drainage from the waste disposal site;
- iii) sub-surface gases;
- iv) other studies as required.

4.14.9 The Town, in consultation with the appropriate agency, may conclude that the proposed development may be subject to one of the above-noted hazards in which case the application will not be approved unless it is also concluded that effective remedial measures are available and will be undertaken.

4.15 LAND USES PERMITTED IN ALL LAND USE DESIGNATIONS

Notwithstanding any other policies of this Plan, the following land uses shall be permitted in all *land use designations* with the exception of the *Environmental Protection Area* and the *Oak Ridges Moraine Plan Area* designations, or as otherwise noted in specific policies:

4.15.1 Public or Quasi-Public Uses

The following public or quasi-public uses shall be permitted in all land use designations, subject to any regulatory requirements, such as the provisions of the Environmental Assessment Act and Industry Canada's requirements:

- a) water supply, sewage, drainage and stormwater management facilities;
- b) gas, communications/telecommunications and cable transmission utility services, excluding transmission towers;
- c) roads, railway lines and transit facilities;
- d) public parks, with the exception of *Prime Agricultural Area* and *Holland Marsh Specialty Crop Area* designations.

4.15.2 Accessory Uses

Any use which is normally incidental and subordinate to a permitted use shall be permitted.

4.15.3 Accessory Apartments and Secondary Suites

An accessory apartment or secondary suite may be permitted in a residential dwelling unit in any land use designation.

4.15.4 Garden Suites

Garden suites may be permitted on the same lot as an existing single detached dwelling, subject to an amendment to the Zoning By-law in all designations provided that adequate services are available.

Garden suites shall be permitted on a temporary basis not to exceed 20 years through a site-specific Temporary Use By-law and may be subject to Site Plan approval, where deemed necessary, to ensure adequate buffering and/or appropriate placement of the unit.

An agreement between the applicant/property owner and the Town shall be required, which addresses issues related to installation, maintenance, removal and occupancy, among other matters.

In areas not serviced by municipal water and sewage disposal, *garden suites* may be permitted on lots with a minimum area of 0.8 hectares, subject to the above-noted provisions plus the issuance of a Certificate of Approval for the sewage disposal system by the Town.

4.15.5 Temporary Uses

Temporary uses may take place in all land use designations in accordance with the following criteria:

- i) The proposed use is of a temporary nature and does not involve major construction or investment on the part of the owner, so that the owner will not experience undue hardship in reverting to the original use upon the termination of the temporary use provisions;
- ii) Such temporary use is determined to have no detrimental effect upon the existing land uses in the area;
- iii) The proposed use will not be incompatible with adjacent land uses and the general character of the neighbourhood;
- iv) The proposed use will not require the extension or expansion of municipal services;

- v) The proposed use will not create any traffic congestion problems within the neighbourhood, nor will it adversely affect the volume or type of traffic serviced by the affected roads;
- vi) Parking facilities for the proposed use will be provided entirely on-site;
- vii) The proposed use shall generally be beneficial to the adjacent area and the Town as a whole;
- viii) Any other item the Town deems relevant with respect to the proposed use.

4.15.6 Home Occupation Uses and Bed and Breakfast Establishments

Home Occupation uses and *Bed and Breakfast Establishments* may be permitted in any designation (including the *Oak Ridges Moraine Plan Area*), subject to the regulations of the Zoning By-law. *Home occupation* uses may also be subject to Site Plan Control.

4.15.7 Group Homes

Group homes, with the exception of group homes for criminal offenders, for the accommodation of a maximum of 10 persons, exclusive of staff, may be permitted in any designation, with the exception of *Prime Agricultural Area* and *Holland Marsh Specialty Crop Area* designations and as noted above, subject to the regulations of the Zoning By-law.

4.16 GENERAL POLICIES FOR SPECIFIC USES

4.16.1 Day Care Centres

Day Care Centres provide parents with secure places away from home and a safe environment in which their children can learn and play. Day Care Centres area considered an institutional use that serves the community's needs.

- i) Day Care Centres shall be permitted in *Institutional, Commercial and General Employment and Prestige Employment* land use designations.
- ii) The Town shall permit Day Care Centres within a *place of worship* or other place of public assembly, a place of employment, a community centre, an apartment building or a multiple housing project, subject to provincial licensing policies.
- iii) The Town shall encourage the location of Day Care Centres within elementary schools subject to the consent of the School Boards, to encourage shared facilities and concentration of related land uses.
- iv) The Town shall require a Traffic Impact Study to be conducted as part of a Site Plan application for a Day Care Centre.

- v) Day Care Centres shall be designed to provide appropriate facilities for parking, pick-up and drop-off areas.

4.16.2 Cemeteries

- (i) Legally existing *cemeteries*, and the expansion of such uses within the boundaries of the lands owned by the *cemetery* operator at the date of adoption of this Plan, shall be permitted in all land use designations, with the exception of *Prime Agricultural Area* and *Holland Marsh Specialty Crop Area* designations, provided that in the *Oak Ridges Moraine Plan Area* such uses are subject to the policies of Section 4.12 of this Plan.
- (ii) Applications for new *cemeteries* and *accessory uses*, such as mausolea, columbaria, small scale chapels and expansions of existing *cemeteries*, but not freestanding places of worship, may be permitted in the *Rural Area* designation subject to an amendment to the Region of York Official Plan, this Plan and the Zoning By-law. The following provisions shall be met to the satisfaction of the Region of York and the Town:
- (a) the area and capacity of the *cemetery* and the *accessory uses* are appropriate for the *Rural Area* and intended to serve the Region's population, as demonstrated by a demand analysis based on the *planning horizon*;
 - (b) the proposal demonstrates opportunities for alternative interment or burial practices meeting the needs of diverse cultures and efficient use of the land area;
 - (c) lands are not available for *cemetery* uses in the existing *Settlement Area*, Towns and Villages or Hamlets in the Regional market area;
 - (d) the *cemetery* and *accessory uses* will not create the need to develop other uses, such as a freestanding *place of worship* on the site in the future;
 - (e) appropriate hydrological and hydrogeological studies have been completed, which indicate that the use will not have adverse impacts on the quality and quantity of ground and surface water on or nearby the site or a *Wellhead Protection Area*;
 - (f) the proposal has no adverse traffic, parking or visual impacts on the surrounding land uses or residents and maintains the rural character of the area;

- (g) there is an enhancement plan that demonstrates the use of existing site characteristics, such as topography and vegetation, identifies natural native vegetation enhancement and sequential plantings, including opportunities for memorial groves and the establishment of arboreta, improvements to *connectivity* between *key natural heritage features* and *key hydrologic features*, and provides for the development of a forest canopy;
- (h) the use conforms with the policies of Section 5 of this Plan.

4.16.3 Places of Worship

Historically, the local community church typically formed an integral part of any traditional neighbourhood. The form and location of places of worship are changing as a reflection of increasingly diverse religious communities in the Greater Toronto Area. Places of worship are increasingly larger in size and provide social and community related services. The community church has evolved and in addition to providing a meeting place for worship, now provides an important gathering spot for other community events, community meeting space, after-school programs and other non-municipal programming through Scouts, Cubs, Girl Guides and other community groups.

More recent community development designs generally have not provided for or considered the accommodation of lands required for local community churches or places of worship within development plans. Recent trends indicate that these types of uses tend to locate in other locations well removed from the residential communities they serve. Also, in response to diverse religious needs, there is a growing demand to locate *Regional-scale Places of Worship* outside of *Settlement Areas* in rural countryside locations. The complete and sustainable community objectives outlined in this Plan recognize the significance of places of worship and the need to promote the availability of appropriate sites in a manner that results in greater social and community benefits.

Objectives

- i) Establish and implement a Site Reservation Policy for places of worship, to assist worship groups in the identification and acquisition of appropriate *place of worship* sites within new neighbourhoods as part of the Secondary Plan process;
- ii) Implement policies to distinguish between *Community-scale Place of Worship* and *Regional-scale Place of Worship* to ensure that proposals for *Regional-scale Places of Worship* and auxiliary uses receive detailed review and necessary planning approvals.

Policies

- 4.16.3.1 *Community-scale Places of Worship* shall be permitted to locate in all land use designations within the *Community Area*, subject to the policies of this Plan.
- 4.16.3.2 *Regional-scale Places of Worship* shall be permitted in the *Institutional* designation.
- 4.16.3.3 Applications for new *Regional-scale Places of Worship* shall require a site-specific amendment to this Plan, subject to the following criteria:
- i) the site is located on an arterial or collector road;
 - ii) there is adequate and appropriate access for vehicles and pedestrians, with existing or planned availability of transit;
 - iii) off-street parking and traffic circulation on site is designed based on a traffic and parking study to the satisfaction of the Town;
 - iv) the proponent has developed a plan to provide for off-site parking, if required for special events held at the *place of worship*, to the Town's satisfaction;
 - v) buffering, including visual screening, planting and/or fencing, between the proposed *place of worship* use and any adjacent residential use is appropriate;
 - vi) the *place of worship* building(s) and site shall be designed, both in terms of form and scale, to complement adjacent uses and *heritage features* and minimize impact with respect to noise, light, traffic and parking.
- 4.16.3.4 Places of worship shall not be permitted on lands identified as *Prime Agricultural or Holland Marsh Specialty Crop Areas* as shown on Schedule C of this Plan or within 1 kilometre of a *Settlement Area* boundary, as shown on Schedule A-1 of this Plan.
- 4.16.3.5 Existing places of worship, and expansions permitted by the current Zoning By-law, as of the date this Plan came into effect, may be permitted in other land use designations, subject to this Section and other relevant policies of this Plan.
- 4.16.3.6 The premises of a *place of worship* shall be used primarily for the practice of religious rites, and may include *accessory uses* that are subordinate and incidental to the practice of religious rites. Examples of *accessory uses* include, but shall not be limited to, classrooms, assembly areas, a kitchen, a residence for the faith group leader, and offices subordinate and incidental to the principal *place of worship* use, but shall exclude any assembly areas with potential occupancy greater than the main worship area(s).

- 4.16.3.7 Auxiliary uses to *place of worship* shall require specific zoning and Official Plan approval (or approval through Secondary Plans) in accordance with the provisions of this Plan. Examples of auxiliary uses include, but shall not be limited to, day care centres, schools, and assembly areas with potential occupancy greater than the main worship area(s), such as banquet halls or recreation facilities. Applications for auxiliary uses shall be evaluated in accordance with the criteria and required studies set out in this Section and any other policies in this Plan relating to the proposed use.
- 4.16.3.8 The Town, through the establishment and implementation of a Site Reservation Policy for *Place of Worship* sites, shall (without being limited to the foregoing):
- i) require allocation of one *place of worship* site per specified population within a Secondary Plan Area for a Community Area, or a contiguous Secondary Plan Area;
 - ii) specify a period of time that *place of worship* sites will be reserved following approval of the Secondary Plan and/or following registration of associated plans of subdivision;
 - iii) require a minimum lot area for reserved *place of worship* sites;
 - iv) allow dual zoning of reserved *place of worship* sites provided a Holding provision is in place. The Site Reservation Policy and the implementing Zoning By-law shall specify criteria (including timing) to be satisfied prior to the lifting of the Holding provision and when uses other than a *place of worship* may be permitted.
- 4.16.3.9 Secondary Plans for *Community Areas* shall identify the locations of proposed *Place of Worship* sites and require that the sites be set aside in accordance with Council's Site Reservation Policy. Where *place of worship* sites are shown in the Secondary Plans, these will be indicative of the preferred locations, although the sites may be modified or relocated to the satisfaction of the Town, without further amendment to this Plan, provided the site size and location are consistent with the policies of this Plan.
- 4.16.3.10 Should the owners of the existing Place of Worship on Yonge Street wish to relocate out of the *Commercial Mixed Use* land use designation, the Town may work with the owners of the existing *place of worship* to find an appropriate alternative location for the facility. If the Place of Worship is expanded or altered at its existing site, it is encouraged to redevelop in a manner consistent with the *Commercial Mixed Use* land use designation policies of this Plan. If the Place of Worship remains on its existing site, the lands designated *Commercial Mixed Use* north of the Place of Worship site can be developed for

the adjacent *Medium Density Residential* and *Residential Mixed Use* designations.

4.16.4 **Adult Entertainment Uses**

To provide for the development of *adult entertainment uses* in appropriate locations in the Town and to ensure that *adult entertainment uses* are properly sited and are located in areas where such a use can be, or will generally be, compatible with adjacent land uses.

- 4.16.4.1 *Adult entertainment parlours* and *body rub parlours* are permitted on:
- i) Lands designated *Rural Industrial Area* on Schedule C that are located in the Bales Drive subdivision (Part of Lots 1 and 2, Concession 4);
 - ii) Lands designated *General Employment* on Schedule B on Leslie Street and Green Lane (Part of Lot 5, Concession 3).

Adult entertainment parlours and *body rub parlours* are not permitted in any other areas of the Town.

- 4.16.4.2 *Adult entertainment parlours* and *body rub parlours* are required to be set back a minimum of 100 metres from a provincial highway, major arterial, or collector road right-of-way. Notwithstanding these setbacks, both uses are required to be set back a minimum of 200 metres from any institutional or residential zone boundary, a residential dwelling or a school.

- 4.16.4.3 *Adult entertainment parlours* and *body rub parlours* may be permitted as-of-right in the areas set out in Section 4.16.4.1 within the implementing zoning by-law, provided a minimum separation distance of 500 metres between parlours is maintained.

- 4.16.4.4 *Adult entertainment parlours* are not permitted to be located on a lot in conjunction with any other use.

- 4.16.4.5 *Body rub parlours* are only permitted within a multiple unit building in order to minimize the visual impact of such a use. *Body rub parlours* are permitted to only occupy less than 15 percent of the floor area of the multiple unit building.

- 4.16.4.6 *Adult video stores* and *adult specialty stores* shall be permitted as of right in specified commercial zones, except commercial local zone, and as further detailed in the land use policies of this Plan.

4.16.4.7 The implementing *Zoning By-law* shall contain specific provisions regarding *adult entertainment parlours, body rub parlours, adult specialty stores* and adult video outlets. Performance standards for each type of use are also to be contained within the By-law. The By-law will also require that such uses be separated an appropriate distance from each other.

4.16.4.8 One of the primary tools for regulating Adult Entertainment Establishments is intended to be a Licensing By-law(s) prepared in accordance with the Municipal Act. The Licensing By-law(s) shall contain provisions that require each *adult entertainment parlour* and *body rub parlour* be licensed by the Town and outline criteria for signage in order to minimize the visual impact of each type of *adult entertainment use*.

4.16.5 Automobile Service Stations

To provide for the development of automobile service stations in appropriate locations in the Town and to ensure that automobile service stations are properly sited and are located in areas where such a use can be compatible with adjacent land uses. Automobile service stations are primarily used for the retail sale of automobile fuels.

Automobile service stations shall be permitted in Employment Areas, subject to the following criteria:

- i) Located on a site not more than 0.6 hectares;
- ii) Generally located on a Provincial highway or arterial road;
- iii) Not more than one automobile service station shall be located at any one road intersection;
- iv) The principal building or gas bar kiosk shall generally be oriented to the intersection with the pump islands to the rear, to reduce the visual impact of the canopies and pump islands and to provide a more pedestrian-oriented environment at the intersection;
- v) Extensive landscaping shall be provided to improve aesthetics and to buffer adjoining properties from the vehicular activities of the automobile service station;
- vi) The wellhead protection area policies outlined in Section 7.6 are addressed to the satisfaction of York Region and the Town.

Automobile service stations may be considered in Community Areas, subject to the policies above and/or policies determined by the Secondary Plan process.

5 PROTECTING THE ENVIRONMENT

The Natural Heritage System (NHS) includes features listed within the Provincial Policy Statement, Greenbelt Plan, Oak Ridges Moraine Conservation Plan (ORMCP), Lake Simcoe Protection Plan (LSPP) and the Natural Heritage System for the Lake Simcoe Watershed (2007), as well as those identified in the Region of York Official Plan and previously approved Town planning documents. These features include *wetlands, habitat of endangered and threatened species, habitat for fish, woodlands, valleylands, wildlife habitat, Areas of Natural and Scientific Interest*, as well as linkages and corridors that connect these features.

Objectives:

- i) Protect the Town's natural environment by designating the Natural Heritage System as an essential component of the Town's land use structure;
- ii) Ensure that development and changes in land use have minimal negative impacts on the Natural Heritage System;
- iii) Provide opportunities for managed public access and recreational activities where they do not negatively impact natural heritage features or functions;
- iv) Encourage rehabilitation or restoration activities that enhance the functions and attributes of the natural environment;
- v) Coordinate Natural Heritage System planning and management initiatives with adjacent municipalities and other levels of government, particularly for those features that are ecologically and physically linked;
- vi) Target a forest cover minimum of 30% of the Town's total land area to help reduce greenhouse gas emissions through carbon sequestration and control of soil erosion and surface water run-off.

In this Section:

- 5.1 General Policies
- 5.2 Core Area
- 5.3 Supporting Area
- 5.4 Restoration, Enhancement and Securement
- 5.5 Natural Heritage Evaluation
- 5.6 Oak Ridges Moraine NHS
- 5.7 Greenbelt and Lake Simcoe Watershed NHS
- 5.8 Hazard Lands
- 5.9 Contaminated Lands

5.1 GENERAL POLICIES FOR THE NATURAL HERITAGE SYSTEM

5.1.1 The Town's Natural Heritage System is comprised of two levels of policy protection for environmental features, which include Core and Supporting Areas as outlined on Schedules D and D-1. The lands in the Natural Heritage System shall be subject to the policies of the *Environmental Protection Area* designation in Subsection 4.1 of this Plan.

- 5.1.2 The requirements of the Oak Ridges Moraine Conservation Plan (Ontario Regulation 140/02) continue to apply. Within the Oak Ridges Moraine, the Natural Heritage System shall be comprised of the Oak Ridges Moraine Conservation Plan *key natural heritage features* and hydrologically sensitive features (HSFs) as shown on Schedule D-2 and subject to the policies of Section 5.6 of this Plan.
- 5.1.3 Within the Greenbelt Protected Countryside, the requirements of the Greenbelt Plan, 2005 shall apply. *Key natural heritage features* and *key hydrologic features* as protected by the Greenbelt Plan have been incorporated into the Town's Natural Heritage System. Where additional features are designated by the Greenbelt Plan, the requirements of the Greenbelt Plan and the policies of Section 5.7 of this Plan, shall apply.
- 5.1.4 Outside of the Greenbelt, Oak Ridges Moraine and existing *Secondary Plan Areas*, the policies of the Lake Simcoe Protection Plan (LSPP) shall apply. *Key natural heritage features* and *key hydrologic features* as identified for the LSPP by the Ministry of Natural Resources have been incorporated into the Town's Natural Heritage System. Where additional features are designated by the LSPP, the policies of the LSPP and Section 5.7 of this Plan, shall apply.
- 5.1.5 While the Town's Natural Heritage System applies throughout the Town, the criteria for the identification of the features within the Natural Heritage System are also dependent upon the Plan area that applies (i.e., Greenbelt Plan, Oak Ridges Moraine Conservation Plan, Lake Simcoe Protection Plan).
- 5.1.6 Where a *key natural heritage feature* or *key hydrologic feature* crosses the boundaries of the Oak Ridges Moraine, Greenbelt and Lake Simcoe watershed, the policies which are most protective of the feature will apply.
- 5.1.7 The technical papers associated with the Oak Ridges Moraine Conservation Plan, the Greenbelt Plan and the Lake Simcoe Protection Plan shall be consulted to provide clarification in implementing the policies related to *key natural heritage features* and *key hydrologic features* within the Provincial Plan.
- 5.1.8 The general boundaries of the Town's Natural Heritage System (NHS) are delineated on Schedule D. The specific boundaries and limits, including associated *vegetation protection zones* of the features within the NHS shall be confirmed based on application of the appropriate criteria (from whichever Plan that applies) that define the elements of the NHS through the preparation of a *Natural Heritage Evaluation* (see Section 5.5 and Appendix 4) during the Secondary Plan, Community Design Plan, Zoning

By-law process, or through the review of any site specific development applications.

- 5.1.9 The policies of this Plan shall apply to Natural Heritage System features that are not currently identified on Schedules D and D-1. Additional Core Area and Supporting Area features may be mapped and identified or boundaries may be refined through an approved Natural Heritage Evaluation.
- 5.1.10 Refinements, adjustments or the correction of mapping errors and updated information from the Province or Conservation Authority or through an approved *Natural Heritage Evaluation*, will not require an amendment to this Plan. Major changes to the boundaries of Core Areas identified on Schedules D and D-1 requires an amendment to this Plan.
- 5.1.11 Notwithstanding any other policy of this Plan, public works, which may include, but are not limited to, transportation and utility facilities, municipal water supply, municipal sanitary sewers, and stormwater management facilities, may be permitted within the Natural Heritage System, subject to meeting the requirements of applicable Provincial Plans and subject to an approved Natural Heritage Evaluation or authorized through an Environmental Assessment.
- 5.1.12 *Development* and *site alteration* shall be prohibited in Core Areas and where a *Natural Heritage Evaluation* (NHE) indicates that development would have a net negative impact to Supporting Areas. Development and site alteration shall avoid Supporting Area features; however, if this is unavoidable, adequate compensation (through restoration and/or enhancement) shall be provided for the loss or impact to Supporting Area features.
- 5.1.13 Legally existing buildings, structures and uses within the Natural Heritage System are permitted and may be replaced if destroyed by natural causes. Such structures and uses may be also expanded or enlarged subject to the submission of a *Natural Heritage Evaluation* and Site Plan approval. Any expansion of structures or uses within the Natural Heritage System shall be consistent with the Provincial Policy Statement and shall conform to the Provincial Plans.
- 5.1.14 Where Natural Heritage System lands are held in private ownership, it shall not be construed that these lands are free and available for public use, or that such lands will be acquired by the Town or any other public agency.

- 5.1.15 The Town shall zone the components of the Town's Natural Heritage System with appropriate zoning once the boundaries have been refined through a Secondary Plan, Community Design Plan or Zoning By-law amendment, based on an approved *Natural Heritage Evaluation*.
- 5.1.16 An environmental education/awareness program that informs homeowners of the environmental sensitivities within the Town shall be prepared by a development proponent(s) to the satisfaction of the Town in consultation with the Conservation Authority. Preparation of this program shall be addressed through the subdivision approval process and will include recommendations from the *Natural Heritage Evaluation*.
- 5.1.17 Where development is proposed adjacent to a *watercourse*, whether or not it has been designated as *Environmental Protection Area*, a minimum 30 metre vegetation protection zone shall be maintained on both sides of the watercourse.
- 5.1.18 Notwithstanding the foregoing, development adjacent to watercourses on the Oak Ridge Moraine or the Greenbelt Protected Countryside shall only be permitted in accordance with Sections 5.6 and 5.7.
- 5.1.19 *Development and site alteration* shall not be permitted within *fish habitat* except in accordance with provincial and federal requirements.
- 5.1.20 Land within the area of influence for streams and rivers should, where possible, be retained or rehabilitated to enhance its function as an environmental corridor.
- 5.1.21 Outside of the Greenbelt Plan, Oak Ridges Moraine and Lake Simcoe Protection Plan areas, the Town shall generally require the development limit to be set back a minimum of 10 metres from the top of banks, or 30 metres from the stream edge, whichever is greater. This area is to be used for a vegetated riparian buffer, consisting of native species.

5.2 CORE AREA

- 5.2.1 Core Area, as identified on Schedules D and D-1, consist of Provincially, regionally and locally significant features that represent critical components of the Town's Natural Heritage System. The maintenance and protection of these features is imperative to the health and the function of the Town, the watershed and ultimately Lake Simcoe. Core Area features are to be retained on the landscape and consist of the following:

Component	Feature
Wetlands	<ul style="list-style-type: none"> • For wetlands within the Greenbelt, the criteria of the Greenbelt Plan apply. • For wetlands within the Oak Ridges Moraine, the criteria of the Oak Ridges Moraine Conservation Plan apply. • For wetlands outside of the Greenbelt, Oak Ridges Moraine and existing Secondary Plan Areas, the criteria of the Lake Simcoe Protection Plan apply. • Within existing Secondary Plan Areas, wetlands are considered to be Core Area features, based on the criteria of the Town’s Natural Heritage System as follows: <ul style="list-style-type: none"> ○ Provincially Significant Wetlands (PSW) as determined by the Ministry of Natural Resources (MNR) ○ Non-provincially significant wetlands that are greater than 0.5 ha
Woodlands	<ul style="list-style-type: none"> • For woodlands within the Oak Ridges Moraine, the criteria of the Oak Ridges Moraine Conservation Plan apply. • For woodlands within the Greenbelt Plan Natural Heritage System, the criteria of the Greenbelt Plan apply, except where the Town’s Natural Heritage System goes beyond the requirements of the Greenbelt Plan, then the Town’s Natural Heritage System applies. • For woodlands within the Greenbelt Protected Countryside, but outside of the Greenbelt Plan Natural Heritage System, the criteria for woodlands in the Town’s Natural Heritage System apply. • For woodlands outside of the Greenbelt Protected Countryside, the Oak Ridges Moraine and existing Secondary Plan Areas, the Lake Simcoe Protection Plan criteria for woodlands apply. • For woodlands within existing Secondary Plan Areas, the criteria for woodlands as determined by the Town’s Natural Heritage System apply. • The Town’s criteria for Core Area woodlands are: <ul style="list-style-type: none"> ○ <i>Woodlands</i> at least 10 ha in area; or ○ All woodlands between 4 ha and 10 ha in <i>Settlement Areas</i> ○ The entirety of any woodland between 0.5 ha and 10 ha that overlaps or is located within 30 m of any identified Core Area feature

Wildlife Habitat	<ul style="list-style-type: none"> • Within the Greenbelt Protected Countryside, the criteria the Greenbelt Plan apply. • Within the Oak Ridges Moraine, the criteria of the Oak Ridges Moraine Conservation Plan apply. • Outside of the Greenbelt Protected Countryside, the Oak Ridges Moraine and existing Secondary Plan Areas, the criteria of the Provincial Policy Statement apply. • Within existing Secondary Plan Areas, and where the Town's Natural Heritage System goes beyond the requirements of other Plans, the criteria of the Town's Natural Heritage System apply and are as follows: <ul style="list-style-type: none"> ○ Core winter deer yards ○ Colonial waterbird nesting sites ○ Rare vegetation communities (ie. alvars, prairies, fens and bogs) • <i>Significant Habitat of Endangered and Threatened Species</i> as identified by MNR consistent with the Endangered Species Act
Fish Habitat	<ul style="list-style-type: none"> • Within the Greenbelt Protected Countryside, the criteria of the Greenbelt Plan apply. • Within the Oak Ridges Moraine, the criteria of the Oak Ridges Moraine Conservation Plan apply. • Outside of the Greenbelt Protected Countryside, the Oak Ridges Moraine and existing Secondary Plan Areas, the criteria of the Lake Simcoe Protection Plan apply. • Watercourses and waterbodies, drains, online ponds, mapped offline ponds within 30 m of another NHS feature
Valleylands	<ul style="list-style-type: none"> • Within the Greenbelt Protected Countryside, the criteria the Greenbelt Plan apply. • Within the Oak Ridges Moraine, the criteria of the Oak Ridges Moraine Conservation Plan apply. • Outside of the Greenbelt Protected Countryside, the Oak Ridges Moraine and existing Secondary Plan Areas, the criteria of the Lake Simcoe Protection Plan apply. • Within existing Secondary Plan Areas, the criteria for valleylands of the Town's Natural Heritage System apply and are as follows: <ul style="list-style-type: none"> ○ Width of 25 m; ○ Length of 50 m; ○ Slope of 15%; and, ○ Height of 5 m.

ANSIs	<ul style="list-style-type: none"> Confirmed Provincial and Regional Life Science Areas of Natural and Science Interest (ANSI) as determined by the MNR
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5.2.2 Notwithstanding policy 5.1.12, *development* and *site alteration* is not permitted within Core Area features. Limited site alteration may be permitted within an associated vegetative protection zone subject to the recommendations of a Natural Heritage Evaluation approved by the Town. Further, site alteration and peat extraction is prohibited in all wetlands, as defined in 5.2.1.

5.2.3 *Development* or *site alteration* is not permitted within 120 metres of a Core Area feature unless it has been demonstrated through an approved Natural Heritage Evaluation (NHE) that there will be no net negative impacts on the natural features or their ecological functions. The NHE shall also determine the appropriate vegetation protective zones from the features.

5.2.4 Where a *significant* valleyland is identified, field investigations shall be required to identify the appropriate top-of-bank boundary and associated buffers. These investigations will be undertaken in consultation with the Town and the Conservation Authority.

5.3 SUPPORTING AREA

5.3.1 Supporting Area features, as identified on Schedules D and D-1, are considered to be *significant* at the local level. It is the overall intent that these features be retained, but flexibility for *development* and *site alteration* may be contemplated based on the findings of a *Natural Heritage Evaluation*. Supporting Area features consist of the following:

Component	Feature
Woodlands	<ul style="list-style-type: none"> Cultural thickets that are contiguous to Core and/or Supporting Area woodlands are to be considered part of the patch for NHS determination purposes (but not for patch size calculations) All woodlands between 2 ha and 10 ha Cultural thickets continuous with Core Area <i>woodlands</i> and/or <i>wetlands</i> <i>Woodlands</i> between 2 ha and 10 ha that are not otherwise a Core Area <i>woodland</i> feature
Wildlife Habitat	<ul style="list-style-type: none"> Ecological Land Classification grassland communities as follows (subject to the supporting text): <ul style="list-style-type: none"> Cultural meadow and cultural thicket greater than

	<ul style="list-style-type: none"> 15 ha in area <ul style="list-style-type: none"> ○ Cultural meadow and cultural thicket greater than 10 ha when surrounded by other NHS components ○ Contiguous cultural meadow and cultural thicket communities greater than 20 ha in area
Linkages	<ul style="list-style-type: none"> ● Proximity linkages between Core Area and/or continuous Supporting Area features

5.3.2 *Development and site alteration* shall avoid Supporting Area features whenever possible and will not be considered unless supported by a *Natural Heritage Evaluation*.

5.3.3 If the removal of part or all of a Supporting Area feature cannot be reasonably avoided, replacement consistent with the restoration and *securement* policies under Section 5.4 is required at the discretion of the Town, in consultation with the Conservation Authority, through the *Natural Heritage Evaluation* process. To the extent possible, replacement shall occur within the same subwatershed or within the *Big Woods Policy Areas*.

5.4 RESTORATION, ENHANCEMENT AND SECUREMENT

This Section identifies opportunities for restoration and enhancement of natural heritage features through reconnecting the landscape and/or adding to and enhancing existing features. Priority areas for restoration and enhancement within the Town are associated with the *Big Woods Policy Areas*, environmental corridors and ecological linkages to establish or enhance pathways of *connectivity*.

5.4.1 General Policies

5.4.1.1 Mitigation to achieve no net negative impact on Supporting Area features or their ecological functions may include, at the discretion of the Town in conjunction with the Conservation Authority, approaches to replace lost areas of functions in accordance with the policies for restoration and *securement* of the Natural Heritage System.

5.4.1.2 The *Restoration Area* shown on Schedules D and D1 shall be restored as part of the *Natural Heritage System* and may be used as compensation, as approved by the Conservation Authority, for refinements of features and buffers in other areas of the Green Lane Secondary Plan Area.

5.4.2 Big Woods Policy Area

Big Woods Policy Areas, as identified on Schedule D, are areas in the Lake Simcoe watershed where there is a high percentage of *woodland* cover and large wooded areas, which are of great environmental significance. These areas help provide a focus for future replacement efforts.

- 5.4.2.1 The Town shall direct reforestation and other restoration and enhancement opportunities towards Big Woods Policy Areas whenever possible, to recognize the importance of these areas within the Town and the Lake Simcoe watershed.
- 5.4.2.2 In addition to addressing other policies of this Plan, development applications within or overlapping Big Woods Policy Areas shall ensure no net loss of *woodland* cover within Big Woods Policy Areas.
- 5.4.2.3 Opportunities for restoration and *securement* should be considered and assessed qualitatively and quantitatively as part of site-specific *Natural Heritage Evaluations* when land use change is proposed within Big Woods Policy Areas in those areas that are not restricted by other Natural Heritage System policies.
- 5.4.2.4 The Town will seek opportunities to reduce the impact of linear infrastructure, including roads, through Big Woods Policy Areas.
- 5.4.2.5 All other applicable Natural Heritage System policies and the underlying NHS Level designations apply to Big Woods Policy Areas.

5.4.3 Forest Cover

Council shall promote and establish programs to increase the forest cover of the Town to 30%. The means to achieve this target may include:

- i) Active tree planting within Town parks and undeveloped portions of the East Holland River floodplain;
 - ii) Infilling gaps within and between existing woodlots and in heavily forested areas, particularly within *Big Woods Policy Areas*;
 - iii) Encouraging a program of tree planting and tree preservation in all residential areas,
 - iv) Requiring compensation for tree removal as a result of development applications to the satisfaction of the Town and Conservation Authority.
- 5.4.3.1 When considering applications for development, the Town shall request that the applicant complete a tree inventory and preservation plan and enter into an agreement whereby only such trees that directly impede the construction of buildings and services may be destroyed and the applicant shall replace them with a



reasonable amount of trees of sufficient maturity to enhance the appearance of the development at the time it is completed.

5.4.4 Linkages

The policies in this Section are intended to encourage environmental corridors and ecological linkages by supporting the reconnection of natural heritage features within the Town.

This Plan identifies two types of Ecological Linkages, Proximity Linkages and Environmental Corridors, which are conceptually shown on Schedules D and D-1. The value of these linkages is to connect areas of environmental significance that provide *connectivity* for wildlife and vegetation.

Proximity Linkages

Proximity Linkages recognize existing pathways of *connectivity* that connect Natural Heritage System components in very close proximity. Where Core Area and Supporting Area features are located within 60 metres of each other, a Proximity Linkage exists in that general location. Where these are known to occur, a symbol is used to indicate that a Proximity Linkage area exists in that general location, as shown on Schedule D and the following policies apply:

- 5.4.4.1 Proximity Linkage areas outside of Core Area features shall be treated as a Supporting Area feature and shall be subject to the policies of Section 5.3.
- 5.4.4.2 Where *development* and *site alteration* is proposed in a *Proximity Linkage* area, a *Natural Heritage Evaluation* is required to determine the width, location and configuration of the Proximity Linkage, but shall be a minimum of 60 metres wide or the width of the Natural Heritage System features, whichever is less.
- 5.4.4.3 Where more than one Proximity Linkage opportunity exists between the same two features on the same parcel of land, a *Natural Heritage Evaluation* shall determine the most appropriate location, which does not necessarily need be at the closest proximity between the two features, but rather where functionality can be maximized.

Environmental Corridors

Opportunities for Primary and Supporting Environmental Corridors illustrate the long term potential for a Town-wide environmental system with connections to surrounding municipalities. These connections help support biodiversity and wildlife movement.

Primary Environmental Corridors are represented by areas with greater potential for contributing to the reconnection of extensive areas of the existing Natural Heritage System at a broader scale. These potential corridors consider the creation of linkages between and among the *Big Woods Policy Areas* and the north – south oriented systems that lie to the east and west of the Town.

Supporting Environmental Corridors identify opportunities for additional *connectivity* at a more localized scale, along existing fragmented corridors that avoid major roads and in areas that reconnect the existing portions of Natural Heritage System where *connectivity* is otherwise impaired.

- 5.4.4.4 Opportunities for Primary and Supporting Environmental Corridors indicated on Schedules D and D-1 illustrate general locations of potential *connectivity* and should be a focus for restoration and *securement* opportunities.
- 5.4.4.5 Opportunities for Primary and Supporting Environmental Corridors, shown on a Schedule D and D-1, are intended for illustration purposes only and are not to be interpreted as representing a specific land use designation in this Plan.
- 5.4.4.6 Existing landscape *connectivity* function or potential function within the general areas of the Primary and Supporting Environmental Corridors indicated on Schedules D and D-1 shall be considered and assessed qualitatively and quantitatively as part of site-specific *Natural Heritage Evaluation* when land use change is proposed within or adjacent to these areas. The exact locations, including alternatives, for *connectivity* provisions should be determined through the NHE process.
- 5.4.4.7 The design of future restoration activities within potential Environmental Corridors shall minimize the impact on the natural features and functions within the Natural Heritage System.
- 5.4.4.8 *A Natural Heritage Evaluation shall determine the most appropriate size and location, which does not necessarily need to be at the closest proximity between two features, but rather where functionality can be maximized. Potential Environmental Corridors should be of sufficient width to provide potential routes for the movement of wildlife and for providing links in the system of nature trails intended to serve the community. Such linkages are to be identified during the Secondary Plan process.*
- 5.4.4.9 Where Opportunities for Primary and Secondary Environmental Corridors are under private ownership, it shall not be construed that these lands are free and open to the general public or that such lands will necessarily be acquired by the Town or any other public agency.

5.4.5 **Securement**

- 5.4.5.1 The Town shall promote and facilitate acquisition of lands in the Natural Heritage System by the Town or other public agency at no or minimal cost, particularly Core Area lands on Schedules D and D-1.
- 5.4.5.2 The Town will explore and develop land *securement* strategies to help protect the Natural Heritage System (NHS) and support the Conservation Authority, York Region and other land trust organizations where possible with the *securement* of lands containing NHS features.
- 5.4.5.3 *Securement* of lands within the Natural Heritage System may be obtained in a number of ways, including, but not limited to:
- (a) Through the development approvals process, in accordance with the Planning Act;
 - (b) By acquisitions and land exchanges, possibly transferring *density* to an alternative site, in accordance with the bonusing policies in Section 8.15;
 - (c) By co-operation with other levels of government and agencies;
 - (d) By donations and bequests;
 - (e) By any other potential sources which may benefit the Town's efforts in this regard.
- 5.4.5.4 The Town shall encourage the co-operative efforts of agencies and groups, as identified by the Town, to establish education programs for landowners and residents to further awareness and understanding of the Natural Heritage System.
- 5.4.5.5 The Town will promote and encourage a variety of land stewardship options to preserving, enhancing and accessing features, including: easements, trusts, tax incentives and right-of-way approaches.

5.5 **NATURAL HERITAGE EVALUATION**

- 5.5.1 If deemed necessary at pre-consultation, a *Natural Heritage Evaluation* shall be required for all *development* and *site alteration* applications in accordance with the Terms of Reference attached to this Plan as Appendix 4.

- 5.5.2 It is mandatory that the applicant(s) and/or their consultant(s) meet with the Town, in accordance with Section 8.1 and in conjunction with the Conservation Authority to determine the specific scope and terms of reference of the *Natural Heritage Evaluation* prior to the commencement of these studies to ensure that the work needed to complete the study is clearly identified at the outset.
- 5.5.3 In the case that no environmental issues are identified that need to be addressed by further study, the *Natural Heritage Evaluation* can be reduced to a memorandum that reflects this agreement with the Town and the Conservation Authority.
- 5.5.4 As part of any *Natural Heritage Evaluation* the boundaries of the features within the Natural Heritage System will be staked in the field and approved by the Town in consultation with the Conservation Authority. Provincially Significant Wetlands and *Significant Habitat of Endangered and Threatened Species* shall be surveyed in consultation with the Ministry of Natural Resources in addition to the Conservation Authority and Town staff.

5.6 OAK RIDGES MORAINÉ NATURAL HERITAGE SYSTEM

All *development* and *site alteration* within the Oak Ridges Moraine shall be subject to the provisions of the Oak Ridges Moraine Conservation Plan, including the applicable provisions of Part III, Protecting the Ecological and Hydrological Integrity.

The following policies and Schedules C, D-2, H, and I outline some key directions of the policies in Part III. However, in assessing applications for development, the Town will not rely on these directions, but rather on the Oak Ridges Moraine Conservation Plan itself, and Part III of the Oak Ridges Moraine Conservation Plan will be reviewed in its entirety.

- 5.6.1 Table 5.1 - *Key Natural Heritage Features, Hydrologically Sensitive Features and Areas of Natural Scientific Interest (Earth Science) Minimum Areas of Influence and Minimum Vegetation Protection Zones* - establishes the minimum area of influence and minimum *vegetation protection zones* which relate to *key natural heritage features* and hydrologically sensitive features which are referenced in the following sections.
- 5.6.2 Every application for *development* or *site alteration* shall identify planning, design and construction practices that ensure no building or other *site alterations* impede the movement of plants and animals among *key natural heritage features*, hydrologically sensitive features and

adjacent land within the Oak Ridges Moraine *Natural Core Area* and *Natural Linkage Areas* designated on Schedule C.

- 5.6.3 Schedule D-2 is based on mapping provided by the Province of Ontario. No amendment will be required to the Schedule where minor changes are proposed based on studies carried out in accordance with the provisions of the Oak Ridges Moraine Conservation Plan.
- 5.6.4 Notwithstanding the foregoing, any change to Schedule D-2 which affects the boundary of an *Area of Natural and Scientific Interest* (life science) *wetlands* evaluated under the Ontario Wetland Evaluation System (OMNR 1993), *habitat of endangered, rare and threatened species* or *fish habitat* will only be made after confirmation by the Ministry of Natural Resources and in the case of *fish habitat*, with the Federal Department of Fisheries and Oceans or its delegate.

Key Natural Heritage Features

- 5.6.5 *All development and site alteration will be prohibited in key natural heritage features and the related minimum vegetation protection zone with the exception of certain limited uses specified in Section 22(2) of the Moraine Plan. An application for development or site alteration in the minimum area of influence shall be accompanied by a Natural Heritage Evaluation. Development or site alteration may also be prohibited in the minimum area of influence based on the results of the Natural Heritage Evaluation which may establish a greater minimum vegetation protection zone.*
- 5.6.6 *Key natural heritage features on the Oak Ridges Moraine include wetlands; habitat of endangered, rare and threatened species; fish habitat; areas of natural and scientific interest (life science); significant valleylands; significant woodlands; significant wildlife habitat and sand barrens, savannahs and tallgrass prairies. These, together with the minimum vegetation protection zone, are identified on Schedule D-2 to this Plan with the exception of significant valleylands, significant wildlife habitat and the habitat of endangered, rare and threatened species. These features are to be identified using criteria established by the Province.*

Hydrologically Sensitive Features

- 5.6.7 Hydrologically sensitive features include permanent and intermittent streams, *wetlands*, kettle lakes and seepage areas and springs. These, together with the minimum *vegetation protection zone*, are identified on Schedule D-2 to this Plan with the exception of seepage areas and springs. These features are to be identified using criteria established by the Province.
- 5.6.8 All *development* and *site alteration* will be prohibited within hydrologically sensitive features and the related minimum *vegetation protection zone* with the exception of the list of uses specified in Section 26(2) of the Oak Ridges Moraine Conservation Plan (ORMCP). An application for *development* or *site alteration* in the minimum area of influence shall be accompanied by a hydrological evaluation in accordance with Section 26(3) of the ORMCP. *Development* or *site alteration* may also be prohibited in the minimum area of influence based on the results of the *Natural Heritage Evaluation* which may establish a greater minimum *vegetation protection zone*.

Table 5.1 Key Natural Heritage Features Hydrologically Sensitive Features and Areas of Natural and Scientific Interest (Earth Science) Minimum Areas of Influence and Minimum Vegetation Protection Zones in the Oak Ridges Moraine

Item	Feature	Minimum Area of Influence (Section 21 ORMCP*)	Minimum Vegetation Protection Zone (Sections 21, 23, 26(4), 30(12) of ORMCP
1.	Wetlands	All land within 120 metres of any part of feature	All land within 30 metres of any part of feature, subject to clause 23(1)(d) of ORMCP if a natural heritage evaluation is required.
2.	Significant portions of habitat of endangered, rare & threatened species	All land within 120 metres of any part of feature	As determined by a natural heritage evaluation carried out under Section 23 of ORMCP
3.	Fish habitat	All land within 120 metres of any part of feature	All land within 30 metres of any part of feature, subject to clause 23(1)(d) of ORMCP if a natural heritage evaluation is required
4.	Areas of natural and scientific interest (life science)	All land within 120 metres of any part of feature	As determined by a natural heritage evaluation carried out under Section 23 of ORMCP
5.	Areas of natural and scientific interest (earth science)	All lands within 50 metres of any part of feature	As determined by an earth science heritage evaluation carried out under subsection 30(12) of ORMCP
6.	Significant valleylands	All land within 120 metres of stable top of bank	All land within 30 metres of stable top of bank, subject to clause (23(1)(d) of ORMCP if a natural heritage evaluation is required
7.	Significant woodlands	All land within 120 metres of any part of feature	All land within 30 metres of the base of outermost tree trunks within the woodland, subject to clause 23(1)(d) of ORMCP if a natural heritage evaluation is required
8.	Significant wildlife habitat	All land within 120 metres of any part of feature	As determined by a natural heritage evaluation carried out under Section 23 of ORMCP
9.	Sand barrens, savannahs and tallgrass prairies	All land within 120 metres of any part of feature	All land within 30 metres of any part of features, subject to clause 23(1)(d) of ORMCP if a natural heritage evaluation is required
10.	Kettle lakes	All land within 120 metres of the surface catchment area	All land within the surface catchment area or within 30 metres of any part of feature, whichever is greater, subject to clause 26(4)(c) of ORMCP if a hydrological evaluation is required
11.	Permanent and intermittent streams	All land within 120 metres of meander belt	All land within 30 metres of meander belt, subject to clause 26(4)(c) of ORMCP and subsection 26(5) if a hydrological evaluation is required
12.	Seepage areas and springs	All land within 120 metres of any part of feature	All land within 30 metres of any part of feature, subject to clause 26(4)(c) and subsection 26(5) of ORMCP if a hydrological evaluation is required

Note: ORMCP means the *Oak Ridges Moraine Conservation Plan*

5.7 NATURAL HERITAGE SYSTEM IN THE GREENBELT AND LAKE SIMCOE PROTECTION PLAN

The following policies shall apply to those areas outside of the Oak Ridges Moraine and existing Secondary Plan Areas of Sharon, Holland Landing and Queensville, as identified on Schedule B, as well as Mount Albert, as identified on Schedule C-1, unless otherwise specified.

Schedules D and D-1 illustrate the boundaries of the Greenbelt Natural Heritage System and incorporate known *key natural heritage features* or *key hydrologic features* into the Town's Natural Heritage System. Revisions to the external boundary of the Greenbelt Natural Heritage System shall not be permitted.

5.7.1 General Policies

The following policies apply to those areas that are within the Greenbelt Natural Heritage System and the Town's Natural Heritage System, as identified on Schedule D, outside of the existing Secondary Plan Areas of Sharon, Holland Landing, Queensville and Mount Albert.

5.7.1.1 Notwithstanding 5.2.2, *development* and/or *site alteration* is not permitted in *key natural heritage features* or *key hydrologic features*, including any associated *vegetation protection zone*, with the exception of:

- (i) Forest, fish and wildlife management;
- (ii) Conservation and flood or erosion control projects, but only if they have been demonstrated to be necessary in the public interest and after all alternatives have been considered;
- (iii) Stewardship, restoration remediation undertakings;
- (iv) Retrofits of existing stormwater management works, but no new stormwater management works;
- (v) Infrastructure, but only if the need for a project has been demonstrated through an Environmental Assessment or other similar environmental approval and there is no reasonable alternative;
- (vi) Aggregate(subject to the policies of section 4.13 of this Plan), low-intensity recreational (subject to the policies of section 4.9 and policy 4.11.3 of this Plan) and *existing uses*.

5.7.1.2 New *development* and/or *site alteration* within 120 metres of a *key natural heritage feature* or *key hydrologic feature* shall require a *Natural Heritage Evaluation* to:

- (i) Demonstrate that there will be no adverse effects on *key natural heritage features*, *key hydrologic features*, any associated *vegetation protection zones* or their functions;

- (ii) Identify a *vegetation protection zone* which is of sufficient width to protect the *key natural heritage feature* or *key hydrologic feature* and its functions from the impacts of the proposed change and associated activities that may occur before, during and after construction, and where possible, restore or enhance the feature and/or its function; and is established to achieve, and be maintained as natural and *self-sustaining vegetation*;
- (iii) Demonstrate how *connectivity* between *key natural heritage features* or *key hydrologic features* is maintained, or where possible, enhanced for the movement of native plants and animals across the landscape;
- (iv) Demonstrate that the removal of other natural features not identified as *key natural heritage features* or *key hydrologic features* should be avoided. Such features should be incorporated into the planning and design of the proposed use wherever possible;
- (v) Identify planning, design and construction practices that will maintain and, where feasible, improve or restore the health, diversity and size of the *key natural heritage features* or *key hydrologic features* and its *connectivity* and linkages within the Natural Heritage System.

5.7.1.3 Small-scale structures for recreational uses (such as boardwalks, footbridges, fences, docks and picnic facilities) are permitted within *key natural heritage features* or *key hydrologic features*; however, the negative impacts on these features shall be minimized.

5.7.2 Greenbelt Natural Heritage System

The following policies apply to those that are within the Greenbelt Natural Heritage System, as identified on Schedule D of this Plan, unless otherwise specified. The Greenbelt Natural Heritage System contains areas of the Protected Countryside that has the highest concentrations of sensitive and/or significant natural heritage features and functions.

5.7.2.1 Where *non-agricultural uses* are contemplated on lands within the Greenbelt Natural Heritage System, applicants shall demonstrate that:

- (i) At least 30 percent of the *total developable area* of the site will remain or be returned to *natural self-sustaining vegetation*, recognizing that Section 4.3.2 of the Greenbelt Plan establishes specific standards for the uses described;
- (ii) *Connectivity* along the system and between *key natural heritage features* or *key hydrologic features* located within 240 metres of each other is maintained or enhanced; and,

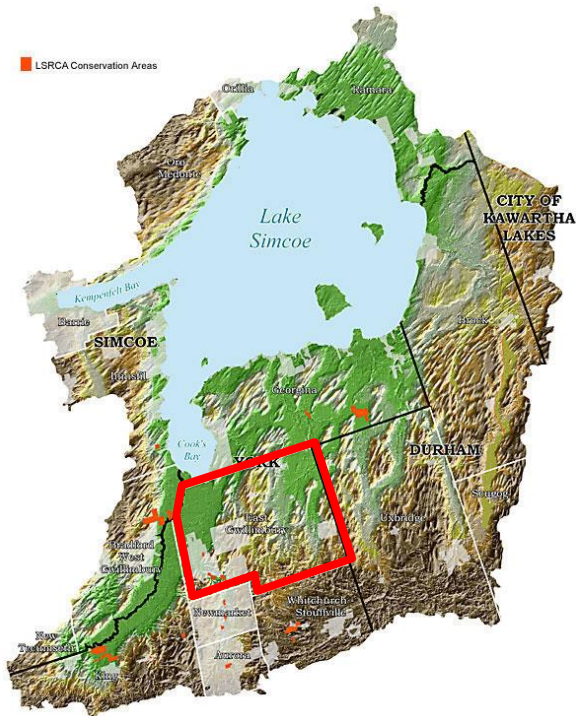
- (iii) Buildings or structures do not occupy more than 25 percent of the total *developable area* and are planned to optimize the compatibility of the project with the natural surroundings.
- 5.7.2.2 In the case of *wetlands*, seepage areas and springs, *fish habitat*, permanent and intermittent streams, lakes and *significant woodlands*, the *minimum vegetation protection zone* shall be a minimum of 30 metres wide measured from the outside boundary of the *key natural heritage feature* or *key hydrologic feature* within the Greenbelt.
- 5.7.2.3 A proposal for new *development* or *site alteration* within 120 metres of a *key natural heritage feature* or *key hydrologic feature* requires a *Natural Heritage Evaluation* to demonstrate that the disturbed area of any site does not exceed 25 percent, and the impervious surface does not exceed 10 percent, of the total *developable area*, except for uses described in and governed by Sections 4.1.2 and 4.3.2 of the Greenbelt Plan. With respect to golf courses, the disturbed area shall not exceed 40 percent of the site.
- 5.7.2.4 New buildings and structures for *agricultural uses* will be required to provide a 30 metre *vegetation protection zone* from a *key natural heritage feature* or *key hydrologic feature*, but may be exempted from the requirement of establishing a condition of *natural self-sustaining vegetation* if the land is, and will continue to be, used for agricultural purposes. Despite this exemption, *agricultural uses* should pursue *best management practices* to protect and/or restore *key hydrologic features* and functions.
- 5.7.2.5 Where regulations or standards of other agencies or levels of government exceed the standards related to *key natural heritage features* or *key hydrologic features* in the Greenbelt Plan, such as may occur with hazardous lands under section 28 of the Conservation Authorities Act or with fisheries under the Federal Fisheries Act, the most restrictive provision or standard applies.
- 5.7.2.6 Additions to the Greenbelt Protected Countryside may be considered and supported for Core Area features, as identified on Schedules D and D-1 to this Plan.
- 5.7.2.7 Within the Greenbelt Natural Heritage System, the full range of existing and new agricultural, agricultural-related and secondary uses and normal farm practices are permitted subject to policies 5.7.2.3 and 5.7.2.4 of this Plan.
- 5.7.2.8 The Greenbelt Plan identifies external river valley connections that are important to the long-term health of the Greenbelt Natural

Heritage System. In recognition of the function of the urban river valleys, the Town shall encourage stewardship, remediation and appropriate park and trail initiatives which maintain and, to the extent possible, enhance the ecological features and functions found within these valley systems in accordance with Section 3.2.5 of the Greenbelt Plan.

5.7.3 Lake Simcoe Protection Plan

As a municipality entirely within the jurisdiction of the Lake Simcoe Region Conservation Authority, the Town considers the health of the Lake Simcoe watershed to be of significant importance and is subject to the requirements of the *Lake Simcoe Protection Act* and the Lake Simcoe Protection Plan.

The health and vitality of Lake Simcoe is at risk from a variety of both urban and rural land uses and activities. One of the key concerns is nutrient loading to the Lake and its tributaries, particularly phosphorus, which propagate aquatic plant life at the expense of *fish habitat*. Nutrients and phosphorus are generated from various sources, including: sewage treatment plants, storm sewers, septic systems, urban and agricultural run-off, as well as airborne particulates and atmospheric contributors. The policies of this Section shall apply outside of the *Greenbelt Protected Countryside*.



Objectives

- i) Protect, improve or restore the elements that contribute to the ecological health of the Lake Simcoe watershed;
- ii) Reduce loadings of phosphorus and other nutrients to Lake Simcoe and its tributaries;
- iii) Prohibit and remove any direct discharge of pollutants to Lake Simcoe and its tributaries.

General Policies

- 5.7.3.1 The Town shall continue to work with and support the policies and programs of the Conservation Authority.
- 5.7.3.2 Development and agricultural practices shall minimize and reduce phosphorus loading within the watershed.

Outside of Existing Secondary Plan Areas

The following policies apply to areas outside of the Greenbelt Protected Countryside and existing Secondary Plan Areas of Sharon, Holland Landing, and Queensville, as identified on Schedules B.

- 5.7.3.3 Key natural heritage features are wetlands, significant woodlands, and significant valleylands.
- 5.7.3.4 Key hydrologic features include wetlands, permanent and intermittent streams and lakes.
- 5.7.3.5 The minimum *vegetation protection zone* for all *key natural heritage features* or *key hydrologic features* outside of the Greenbelt, Oak Ridges Moraine and existing Secondary Plan Areas shall be at least 30 metres, or larger if determined appropriate through a *Natural Heritage Evaluation*, and composed of and maintained as *natural self-sustaining vegetation*.
- 5.7.3.6 The minimum *vegetation protection zone* for the Lake Simcoe shoreline outside of existing *Settlement Areas*, as defined by the Lake Simcoe Protection Plan, shall be 100 metres.
- 5.7.3.7 A proposal for new *development* or *site alteration* within 120 metres of the Lake Simcoe shoreline, a *key natural heritage feature* or *key hydrologic feature* shall provide for the establishment and maintenance of *natural self-sustaining vegetation* to the extent and width of the associated *vegetation protection zone*.
- 5.7.3.8 If the *natural self-sustaining vegetation* is removed along the Lake Simcoe shoreline, from a *key natural heritage feature*, a *key hydrologic feature*, or from any related *vegetation protection zone*, as a result of permitted *development* or *site alteration*, the *natural self-sustaining vegetation* shall be re-established to the extent feasible following completion of that activity.
- 5.7.3.9 A proposal for *development* or *site alteration* within 240 metres of the Lake Simcoe shoreline must demonstrate that it will maintain, enhance or restore functional wildlife movement corridors between *key natural heritage features* or *key hydrologic features*.

Within Existing Secondary Plan Areas

The following policies apply to the existing Secondary Plan Areas of Sharon, Holland Landing, Queensville and Mount Albert, as identified on Schedules B and C-1.

- 5.7.3.10 An application for *development* or *site alteration* shall, where applicable:

- (i) Increase or improve *fish habitat* in streams, lakes and *wetlands* and any adjacent riparian areas;
 - (ii) Include landscaping and habitat restoration that increase the ability of native plants and animals to use valleylands or riparian areas as *wildlife habitat* and movement corridors;
 - (iii) Seek to avoid, minimize and/or mitigate impacts associated with the quality and quantity of urban run-off into receiving streams, lakes and *wetlands*; and,
 - (iv) Establish or increase the extent and wide of a *vegetation protection zone* adjacent to steams, lakes and *wetlands* to a minimum 30 metres where feasible.
- 5.7.3.11 Where, through an application for *development* or *site alteration*, a buffer is required to be established, the buffer shall be composed of and maintained as *natural self-sustaining vegetation*.

Lake Simcoe Shoreline

- 5.7.3.12 Significant alteration of the shore of a fresh water estuary of a stream connected to Lake Simcoe is not permitted, except as provided in the Lake Simcoe Protection Plan.
- 5.7.3.13 No structures, including boathouses, shall be permitted in a permanent or intermittent stream if the structure impedes the natural flow of water along the shoreline or in the stream, if the structure is intended to be used as a swelling, or if the structure or its construction harmfully alters fish habitat. This policy does not prohibit drainage works such as those permitted under the Drainage Act, those required for infrastructure or those structures required for the purposes of stewardship, conservation, restoration or remediation of undertakings.
- 5.7.3.14 The alteration of any permanent or intermittent stream for the purposes of establishing or altering drainage works such as those works under the Drainage Act, infrastructure or for stabilization, erosion control or protection purposes shall only be permitted if it is demonstrated that natural shoreline treatments (eg. planting of natural vegetation, bioengineering) that maintain the natural contour of the shoreline will be used where practical, and a vegetative riparian area will be established to the extent feasible. In relation of such works, lands used for agricultural purposes do not require the establishment of a vegetative riparian area if the land is, and will continue to be, used for agricultural purposes.
- 5.7.3.15 Where, in accordance with the policies of this Plan and the Lake Simcoe Protection Plan, *development* or *site alteration* is permitted within 120 metres of any permanent or intermittent stream or a

wetland, the *development* or *site alteration* should be integrated with and should not constrain ongoing or planned stewardship and remediation efforts.

5.7.3.16 Where, in accordance with the policies of this Plan and the Lake Simcoe Protection Plan, a proposal for *development* or *site alteration* is permitted within 30 metres of any permanent or intermittent stream or wetland outside of *Settlement Areas*, the Greenbelt and the Oak Ridges Moraine, the proposal for *development* or *site alteration* shall comply with the following where applicable:

- (i) Maintain, and where possible, increase or improve fish habitat in the stream or wetland, and any adjacent riparian areas;
- (ii) To the extent possible, enhance the ecological features and functions associated with the stream or wetland;
- (iii) Minimize erosion, sedimentation, and the introduction of excessive nutrients or other pollutants and utilize planning, design, and construction practices that maintain and improve water quality; and
- (iv) Integrate landscaping and habitat restoration into the design of the proposal to enhance the ability of native plants and animals to use the area as both wildlife habitat and a movement corridor.

5.7.3.17 The Town may actively re-naturalize public areas adjacent to streams to a minimum of 30 metres where practical and feasible.

5.7.3.18 Upon completion of a shoreline management strategy by the Province, this Plan will be amended to ensure consistency with the recommendations of the strategy.

5.8 HAZARD LANDS

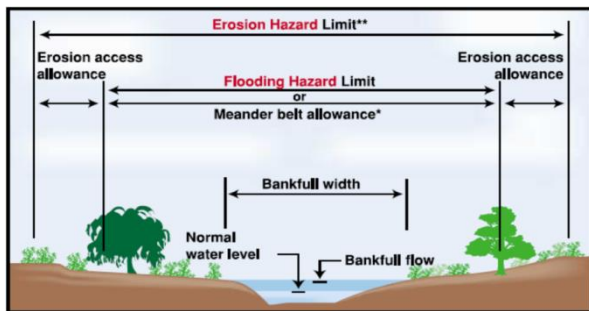
The Town shall identify hazards that are constraints to development and pose threats to human life and property and direct development away from such areas. Hazard lands include contaminated sites or waste disposal sites, sloped lands or lands with steep grades and lands subject to *flooding or erosion hazards*, and hazardous sites (unstable soils) as defined by the Provincial Policy Statement. Development that occurs near or on hazard lands should recognize and mitigate the potential adverse impacts those sites may have.

5.8.1 Where *development* and *site alteration* is proposed within hazards lands associated with the Natural Heritage System as identified on Schedule D, the Town shall require and take into account environmental evaluations of the impact that the development will or is

expected to have on the features and functions of the Natural Heritage System. Such evaluations shall be carried out in accordance with the Terms of Reference for a *Natural Heritage Evaluation*, as indicated in Appendix 4 of this Plan.

- 5.8.2 In areas which are sloped at 15 percent or more, the Town may require the proponent to prepare engineering and grading plans to show that the development can occur without risk of erosion or sedimentation, to the satisfaction of the Conservation Authority, the Ministry of Natural Resources and/or the Town. In some specific locations, development may be precluded if suitable engineering and grading conditions cannot be obtained due to the severity of the slope or the degree of alteration of natural features required to accommodate development. The plans or reports prepared in support of development must be undertaken by a geotechnical soils engineer to the satisfaction of the Town and Conservation Authority.
- 5.8.3 Hazard lands shall not be accepted as part of the parkland dedication required by the Plan.
- 5.8.4 The creation of new lots by plan of subdivision or *consent* shall be prohibited in hazard lands.

Flood Plain and Erosion Hazards



Flood plain areas shall be regarded primarily as land required for the safe flow and storage of floodwaters and lands that are susceptible to flooding under Regional Storm conditions. Such lands shall be managed so as to complement adjacent land uses and protect such uses from flooding or other physical hazards. Flood plain limits are determined by the Conservation Authority under regulation adopted

under the Conservation Authorities Act. For a more accurate location of the Regional Storm Flood Plain, reference shall be made to the detailed mapping of the Conservation Authority.

- 5.8.5 *Development* shall not be permitted to locate in hazard lands and hazardous sites where the use is:
- i) An institutional use associated with hospitals, nursing homes, pre-school, school nurseries, day care and schools, where there is a threat to the safe evacuation of the sick, the elderly, persons with disabilities or the young during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion;

- ii) An essential emergency service such as that provided by fire, police and ambulance stations and electrical substations, which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and/or protection works, and/or erosion; and
 - iii) Uses associated with the disposal, manufacture, treatment or storage of hazardous substances.
- 5.8.6 No *development* or *site alteration* shall be permitted at elevations below the Regulatory Flood Line as defined by the Conservation Authority, with the exception of structures that are necessary for flood or erosion control, associated with landscape stabilization, conservation purposes and uses of a passive non-structural nature as approved by Council in consultation with the Conservation Authority. This provision includes buildings and structures normally associated with the operation of activities dependent on surface water and shoreline areas (e.g. marinas, docks, boathouses). Stormwater management ponds shall be permitted below the Regulatory Flood Line provided they are located above the 1:100 flood line and, do not impact the Regulatory Flood Line or any key sensitive environmental features.
- 5.8.7 Buildings or structures that support the *agricultural use* within the *Holland Marsh Specialty Crop Area* may be permitted subject to the flood plain policies of the Conservation Authority. Permits shall also be obtained from the Town and Conservation Authority prior to any development.
- 5.8.8 Existing buildings and structures may be allowed to expand to a limited degree, or replaced if destroyed, in accordance with the Zoning By-law or through an amendment to the Zoning By-law. Floodproofing shall be required to the satisfaction of the Conservation Authority.
- 5.8.9 The placing or removal of fill of any kind, whether originating on site or elsewhere, nor the removal of any existing vegetation shall not be permitted in areas subject to flooding without the approval of the Town and the Conservation Authority.
- 5.8.10 Setbacks may be required from flood plain boundaries, the extent of which will vary according to on-site physical conditions. Such setbacks will be established in the Zoning By-law, as determined by the Conservation Authority.
- 5.8.11 Alteration of banks and remedial works will require detailed engineering studies and shall be approved by the Conservation Authority and/or the Ministry of Natural Resources.

- 5.8.12 Any alteration to streams shall be only be approved by the Conservation Authority under the Conservation Authorities Act, and in the case of *fish habitat*, the Federal Department of Fisheries and Oceans or its delegate.
- 5.8.13 Necessary infrastructure which must locate in the flood plain shall be permitted only where such uses are designed so as to prevent adverse impacts on upstream and downstream lands.
- 5.8.14 The erosion hazard limit of rivers and streams shall be determined through the planning and development process. The natural hazards guidance manual prepared by the Ministry of Natural Resources shall be used to calculate the erosion hazard limit adjacent to watercourses and water bodies. Where necessary, the development proponent may be required to undertake the technical information to determine the erosion hazard limit.
- 5.8.15 Development shall be directed away from hazardous lands adjacent to rivers, streams, and lakes that are impacted by erosion hazards.
- 5.8.16 A permit is required from the Conservation Authority in accordance with Ontario Regulation 179/06 prior to any development, site alteration, interference with wetlands, or alterations to shorelines and watercourses, within regulated areas.

5.9 CONTAMINATED LANDS

Contaminated lands are lands where the environmental condition of the property has been impaired through past activities such as fuel storage, chemical usage on-site or similar activities. Such lands represent a potential hazard due to environmental contamination of the soils on site.

- 5.9.1 In order to ensure that there will be no adverse effects from any proposed development, environmental site assessments and remediation of contaminated lands are required by this Plan prior to any activity or development occurring on a site that is known or suspected to be contaminated.
- 5.9.2 Where there is evidence that suggests a site may be contaminated, Council shall require a Phase I Environmental Site Assessment (ESA). Where a Phase I ESA reveals that a site is or may be contaminated, a Phase II ESA will be required in accordance with Part XV.I of the Environmental Protection Act and Ontario Regulation 153/04 or their successors.
- 5.9.3 Prior to a development being approved on a site where information reveals that the site may be or is contaminated, the applicant will provide a Record of Site Condition in accordance with Part XV.I of the

Environmental Protection Act and Ontario Regulation 153/04 or their successors. The Record of Site Condition, which details requirements related to site assessment and clean-up, must be acknowledged by the Ministry of the Environment and registered on title of the subject lands confirming that the site has been made suitable for the proposed use. The Record of Site Condition and Ministry of the Environment acknowledgement will be provided to the Town prior to development approvals being granted.

5.10 WATERSHED AND SUBWATERSHED PLANNING

It is the objective of the Town to ensure that land use planning within the municipality contributes to the protection, maintenance and enhancement of water and related resources and aquatic ecosystems on an integrated watershed management basis.

- 5.10.1 All land use decisions within the Town shall promote water conservation and support the efficient use of water resources on a watershed basis through the development review process and Thinking Green Development Standards.
- 5.10.2 The East Holland River, West Holland River, Maskinonge River and Black River Subwatershed Plans (2010) were undertaken by the Lake Simcoe Region Conservation Authority in cooperation with the Region of York and Town. Land use decisions in the Town shall conform to the purpose and recommendations of these Subwatershed Plans.

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6 PROTECTING OUR HERITAGE

The purpose of cultural heritage policies is to provide the framework and mechanisms to ensure the preservation of the Town's history. These policies will help to promote and protect the history and heritage of East Gwillimbury in coordination with the comprehensive planning needs and requirements of the Town.

The following heritage conservation policies provide for the identification, management and protection of heritage resources and other heritage matters in the Town. The preservation of heritage resources provides a link to the past and a foundation for planning the future. Protecting and promoting our heritage will assist in maintaining and enhancing the identity and character of East Gwillimbury.

Heritage resources may include structures, sites, environments, artifacts and traditions which are of historical, architectural, archaeological, cultural and contextual value or significance.

Objectives

- i) Conserve the cultural heritage resources of the Town for the appreciation and enjoyment of existing and future generations;
- ii) Preserve, restore and rehabilitate structures, buildings or sites deemed by Council to have *significant* historic, archaeological, architectural or cultural significance and preserve cultural heritage landscapes, including *significant* public views, where feasible;
- iii) Promote public awareness and appreciation of East Gwillimbury's heritage and involve the public, First Nations and Métis Nation communities in heritage resource decisions affecting the Town;
- iv) Provide an electronic venue for the preservation of information and historic facts.

In this Section:

- 6.1 Heritage Advisory Committees
- 6.2 Built Heritage
- 6.3 Heritage Conservation Districts
- 6.4 Cultural Heritage Landscape
- 6.5 Areas of Cultural Heritage Character
- 6.6 Heritage Cemeteries
- 6.7 Archaeological Resources

"It is well known that facts which are not recorded soon are forgotten. Thus, from the beginning of time, man has undertaken, by one method or another, to record the knowledge he has gained for the benefit of future generations. Since the past is but a reflection of the future, it is not wise to lose our historical facts; they may provide guidelines for the years ahead." Gladys Rolling (first mayor of the Town of East Gwillimbury)

6.1 HERITAGE ADVISORY COMMITTEE

The Town may establish a municipal heritage committee pursuant to the Ontario Heritage Act. If established, the heritage advisory committee shall be consulted by Council prior to designating individual heritage properties or specific areas under the Ontario Heritage Act, as amended.

A heritage advisory committee shall:

- (a) Advise and assist Council on measures to conserve listed heritage properties;
- (b) Assist Council on matters relating to the conservation of buildings and heritage conservation districts;
- (c) Advise Council on alterations to designated heritage buildings or properties and areas;
- (d) Advise Council on heritage matters referred to the committee;
- (e) Promote, through public education programs, heritage conservation within East Gwillimbury.

6.2 BUILT HERITAGE

Built heritage is the most recognizable and readily identifiable type of heritage resource. Built heritage resources refer to one or more *significant* buildings, structures, monuments, installations, or remains associated with architectural, cultural, social, political, economic or military history, and identified as being important to the community. Ancillary and accessory structures and the immediate environs including road, vegetation, and landscape that are an integral part of the main building or of *significant* contextual value or interest should be provided with the same attention and protection. Retention, integration and adaptive reuse of heritage resources are the overriding objectives in heritage planning while insensitive alteration, removal and demolition are to be avoided.

- 6.2.1 The Town shall compile a Register of Cultural Heritage Resources that includes designated heritage resources and may also include those listed as being of *significant* cultural heritage value or interest including built heritage resources, cultural heritage landscapes, heritage conservation districts, areas with cultural heritage character and heritage *cemeteries*.
- 6.2.2 The Register shall contain documentation for these resources including legal description, owner information, and description of the heritage attributes and cultural heritage value for each designated and listed heritage resource. The Register shall be updated regularly and readily accessible to the public to ensure effective protection and to maintain its currency.
- 6.2.3 Heritage resources identified through this inventory and study process, in consultation with the heritage advisory committee, may be designated in accordance with Part IV of the Ontario Heritage Act to help ensure effective protection, maintenance, conservation and restoration;
- 6.2.4 Evaluation criteria for assessing the heritage significance of Cultural Heritage Resources shall be developed by the Town in consultation with the heritage advisory committee. Heritage significance refers to the

To date, the Town has approximately 390 properties which have been designated or identified as having historical significance.



Kelley Bridge

aesthetic, historic, scientific, cultural, social or spiritual importance or significance of a resource for past, present or future generations. The significance of a cultural heritage resource is embodied in its heritage attributes and other character defining elements including: materials, forms, location, spatial configurations, uses and cultural associations or meanings. The identification and evaluation of Cultural Heritage Resources will be based on the criteria outlined in Ontario Regulation 9/06 issued under the Ontario Heritage Act and will include one or more of the following core values:

- aesthetic, design or physical value;
- historical or associative value; and/or,
- contextual value.

6.2.5 Heritage resources will be protected and conserved in accordance with best available cultural resource management protocols including, but not limited to the Standards and Guidelines for the Conservation of Historic Places in Canada and the Ministry of Culture's Eight Guiding Principles in the Conservation of Built Heritage Properties.

6.2.6 Development applications in areas where buildings and sites are listed as worthy of conservation under the Ontario Heritage Act shall be circulated to the heritage advisory committee for review and comment.

6.2.7 The Town may request the owner of any property listed as worthy of conservation to consent to designation under the Ontario Heritage Act as a condition of official plan amendment, rezoning, or Site Plan Approval.

6.2.8 A Heritage Impact Assessment, prepared by a qualified heritage conservation professional, shall be required for any development proposal, including a Secondary Plan that has the potential to impact a cultural heritage resource to demonstrate that its heritage attributes are not adversely affected. The scope of the Heritage Impact Assessment Mitigation measures and/or alternative development approaches shall be required as part of the approval conditions to ameliorate any potential adverse impacts that may be caused to the cultural heritage resource and its heritage attributes.

6.2.9 A Heritage Impact Assessment may be required for any proposed alteration work or development activities involving or adjacent to heritage resources to ensure that there will be no adverse impacts caused to the resources and their heritage attributes. Mitigation measures shall be imposed as a condition of approval of such applications.

6.2.10 Where development or redevelopment takes place, the Town may require developers, through subdivision and/or site plan agreements, to



Sharon Temple

incorporate listed heritage buildings or sites. All options for on-site retention of designated heritage properties shall be exhausted prior to consideration being given to relocation. The following alternatives shall be given due consideration in order of priority:

- i) on-site retention in the original use and integration with the surrounding or new development;
- ii) on-site retention in an adaptive re-use;
- iii) relocation to another site within the same development;
- iv) relocation to another sympathetic site within the Town.

6.2.11 Site plan control will be utilized by the Town to ensure that conceptual design and massing of development or redevelopment projects are compatible with adjacent listed heritage buildings and/or sites.

6.2.12 When a building permit is proposed or requested for a building listed as worthy of conservation under the Ontario Heritage Act, the Town shall encourage the applicant to make only those changes that are sympathetic to the architectural heritage of the building.

6.2.13 In the event that demolition, salvage, dismantling or relocation is inevitable, thorough documentation of the heritage resources shall be undertaken. The information shall be made available to the Town for archival purposes.

6.2.14 The Town will investigate the feasibility of establishing one or more heritage subdivisions in the Town for accommodating relocated heritage homes and/or resources.

6.2.15 Minimum standards for the maintenance of the heritage attributes of designated heritage properties shall be established and enforced.

6.2.16 When senior governments offer programs that may assist property owners of heritage buildings to maintain, renovate or restore heritage buildings, the Town shall co-operate in implementing such programs to the extent practical for the Town. Every endeavour shall be made to facilitate the maintenance and conservation of designated heritage properties including making available grants, loans and other incentives as provided for under the *Ontario Heritage Act* and municipal sources.

6.2.17 The Town shall manage Town-owned heritage properties in a manner sympathetic to the architectural and historical aspects of those properties.

6.2.18 When considering transportation improvements that affect heritage areas and properties, the Town will require such improvements in a manner that will not detract from the aesthetic values of the area and properties. Furthermore, the Town may require that the owner to make

improvements that enhance the cultural heritage value of the environment. This may include landscaping of public parking lots, appropriate street lighting, opportunities for tree planting within rights-of-way and appropriate sidewalk widths.

- 6.2.19 Where a designated heritage property is adjacent to a road under the jurisdiction of the Region of York or the Province of Ontario, the Town shall request that, in the construction of roads and the carrying out of other necessary road improvements including realignment or road widening, those government bodies will not adversely impact heritage buildings or areas. The Town shall discourage the conveyance of land to those bodies for road widening where such conveyance would eventually result in the demolition of designated heritage buildings. When this relates to a listed heritage property, the Town may require the completion of a cultural heritage assessment.
- 6.2.20 The Town shall ensure that care is taken to preserve mature trees and other vegetation amenities such as landmark trees and hedgerows in heritage areas or adjacent to heritage properties. The preservation of trees along roads shall be encouraged by the Town, except where public health and safety may be at risk. A tree planting program for heritage areas will be established and trees removed due to disease will be replaced as soon as possible after their removal.
- 6.2.21 The Town shall encourage other public authorities to manage properties which it owns or affects in a manner which would preserve those heritage resources. The Town shall also request the Conservation Authority, when dealing with heritage properties in the floodplain, to impose only those flood-proofing measures which do not detract from the heritage aesthetics of the property.
- 6.2.22 Except as specifically noted, no policies of this Plan are intended to imply that the Town will assume financial responsibility for the retention, restoration and/or preservation of built heritage resources.

6.3 HERITAGE CONSERVATION DISTRICTS

It is the intent of the Town to define areas that will be studied for future designation as possible Heritage Conservation Districts. Where a By-law has been passed under the Ontario Heritage Act, any person wishing to develop or redevelop a designated property shall be subject to the relevant provisions of the Ontario Heritage Act.

A Heritage Conservation District is the most common type of cultural heritage landscape. Designation of such districts enables the protection of the district while permitting compatible new development. Elements and features that give the District its distinctive character should be preserved.

- 6.3.1 Prior to designating an area as a Heritage Conservation District, the Town shall undertake a study to:
- i) Assess the feasibility of establishing a Heritage Conservation District;
 - ii) Examine the character, appearance and cultural heritage significance of the Study area including natural heritage features, vistas, contextual elements, buildings, structures and other property features to determine if the area should be preserved as a heritage conservation district;
 - iii) Recommend the geographic boundaries of the area to be designated and the objectives of the designation;
 - iv) Recommend the content of the Heritage Conservation District Plan;
 - v) Recommend necessary changes required to the Town's Official Plan, and any by-laws including zoning by-laws;
 - vi) Share information with residents, landowners and the public at large, as to the intent and scope of the study.
- 6.3.2 During the study period, which can last up to one year, alteration works on properties within the Heritage Conservation District study area including erection, demolition or removal may be prohibited.
- 6.3.3 Properties already designated under Part IV of the *Ontario Heritage Act* may be included as part of the Heritage Conservation District to ensure comprehensiveness of the District.
- 6.3.4 Properties in a Heritage Conservation District may also be designated under Part IV of the *Ontario Heritage Act* to ensure consistent and effective protection.
- 6.3.5 A Heritage Conservation District Plan shall be prepared for each designated district and include:
- i) A statement of the objectives of the Heritage Conservation District;
 - ii) A statement explaining the cultural heritage value or interest of the Heritage Conservation District;
 - iii) Description of the heritage attributes of the Heritage Conservation District and of the properties in the district;
 - iv) Policy statements, guidelines and procedures for achieving the stated objectives and for managing change in the Heritage Conservation District;
 - v) A description of the types of minor alterations that may be allowed without the need for obtaining a permit from the Town.
- 6.3.6 The Heritage Advisory Committee shall be consulted regarding Heritage

- Conservation District Plans and to advise the Town on matters pertaining to it.
- 6.3.7 Minimum standards for the maintenance of the heritage attributes of property situated in a Heritage Conservation District shall be established and enforced.
- 6.3.8 Any private and public works proposed within or adjacent to a designated District shall respect and complement the identified heritage character of the District as described in the Plan.
- 6.3.9 When a Heritage Conservation District By-law is in effect, public works within the District shall not be contrary to the objectives set out in the District Plan. Further, no by-law shall be passed that is contrary to the objectives set out in the District Plan. In these respects, the District Plan shall prevail.
- 6.3.10 A Permit is required for all alteration works for properties located in the designated Heritage Conservation District. The exceptions are interior works and minor changes that are specified in the Plan.
- 6.3.11 The permit application shall include a Heritage Impact Assessment and provide such information as specified by the Town.
- 6.3.12 In reviewing permit applications, the Town shall be guided by the applicable Heritage Conservation District Plan and the following guiding principles:
- i) Heritage buildings, cultural landscapes and archaeological sites including their environs should be protected from any adverse effects of the proposed alterations, works or development;
 - ii) Original building fabric and architectural features should be retained and repaired;
 - iii) New additions and features should generally be no higher than the existing building and wherever possible be placed to the rear of the building or set-back substantially from the principal façade;
 - iv) New construction and/or infilling should fit harmoniously with the immediate physical context and streetscape and be consistent with the existing heritage architecture by among other things: being generally of the same height, width, mass, bulk and disposition; being of similar setback; being of like materials and colours; and using similarly proportioned windows, doors and roof shape.
- 6.3.13 Council may delegate to Town staff the power to grant permits for certain classes of alterations to be made to properties in a designated Heritage Conservation District.

6.3.14 Development proposed adjacent to a designated Heritage Conservation District shall be scrutinized to ensure that they are compatible in character, scale and use. A Heritage Impact Assessment may be required for such proposals.

6.3.15 Existing *Village Core Areas* in the communities of Mount Albert, Holland Landing and Sharon are unique in terms of built form, and as such all or a portion of the individual *Village Core Areas* may be studied for a future *Heritage Conservation District* designated pursuant to Part V of the Ontario Heritage Act.

6.4 CULTURAL HERITAGE LANDSCAPES

A Cultural Heritage Landscape refers to a defined geographical area that has been modified or characterized by human activity. It usually involves a grouping of features that are both man-made and natural. Collectively, they create unique cultural heritage that is valued not only for its historical, architectural or contextual significance but also for its contribution to the understanding of the forces that have shaped and may continue to shape the community including social, economic, political and environmental. Examples of cultural heritage landscape include heritage conservation districts designated under the *Ontario Heritage Act*, villages, parks, gardens, *cemeteries*, main streets, neighbourhoods, valley and watercourses, lakes, *woodlands*, *wetlands*, hedgerows, scenic vistas.

6.4.1 The Town shall identify and maintain an inventory of cultural heritage landscapes as part of the Town's Register of Cultural Heritage Resources to ensure that they are accorded with the same attention and protection as the other types of cultural heritage resources.

6.4.2 *Significant* cultural heritage landscapes may be designated under either Part IV or Part V of the *Ontario Heritage Act*, or established as Areas of Cultural Heritage Character as appropriate.

6.4.3 Owing to the spatial characteristics of some cultural heritage landscapes that may span across several geographical and political jurisdictions, the Town shall cooperate with neighbouring municipalities, other levels of government, conservation authorities and the private sector in managing and conserving these resources.

6.5 AREAS OF CULTURAL HERITAGE CHARACTER

There are areas and landscapes of special cultural heritage value that, although they may not be appropriate for designation under the *Ontario Heritage Act*, merit special conservation efforts.

6.5.1 Areas with Cultural Heritage Character shall be established through Secondary Plans, Community Design Plans or the Zoning By-Law.

- 6.5.2 Land use and development design guidelines shall be prepared for each zoned area to ensure that the heritage conservation objectives are met.
- 6.5.3 Cultural Heritage Character Area Impact Assessment shall be required for any development, redevelopment and alteration works proposed within the area.

6.6 HERITAGE CEMETERIES

Cemeteries are by their nature especially sensitive and important heritage resources. Many of them possess historical, spiritual, architectural and aesthetic values. They are an important part of the Town's history, accommodating some of East Gwillimbury's earliest settlers. Rare and important trees and plant species are often found in *cemeteries*.

- 6.6.1 All *cemeteries* of cultural heritage significance shall be designated under Part IV or V of the *Ontario Heritage Act*, including vegetation and landscape of historic, aesthetic and contextual values to ensure effective protection and preservation.
- 6.6.2 The Town shall restore and maintain all Town-owned heritage *cemeteries* and encourage owners of private heritage *cemeteries* to maintain and improve their properties.
- 6.6.3 Standards and design guidelines for heritage *cemetery* preservation shall be developed including the design of appropriate fencing, signage and commemorative plaquing.
- 6.6.4 The heritage integrity of *cemeteries* shall be given careful consideration at all times. Impacts and encroachments shall be assessed and mitigated and relocation of human remains shall be avoided.
- 6.6.5 Archaeological and Heritage Impact Assessments, prepared by qualified heritage conservation professionals, shall be required for land use planning activities and development proposals on lands adjacent to *cemeteries*. Appropriate mitigation measures may include permanent "no disturbance" buffer zones, appropriate fencing and/or alternative development approaches, as well as temporary protection measures during construction and other activities, as part of the approval conditions to ameliorate any potential adverse impacts that may be caused.

6.7 ARCHAEOLOGICAL RESOURCES

Archaeology is the study of the physical remains of pre-contact and early historic activities or events. Archaeological sites are defined as locations or places, including land and marine, where the remains of past human activity are found. These physical remains, or archaeological resources, are usually hidden from view and may occur on or below the surface of the land and under water. Archaeological resources may include items such as tools, weapons, building materials, art objects and human or animal remains. The Town should identify and preserve *significant* archaeological areas.

- 6.7.1 The Town shall cooperate with the Provincial Government to identify and designate Archaeological Sites in accordance with the *Ontario Heritage Act*.
- 6.7.2 Where burial sites are encountered during any archaeological work or land-disturbing activity, all work must immediately cease and the site secured. The appropriate Provincial and municipal authorities must be notified and the required provisions under the Cemeteries Act, Ontario Heritage Act, along with other applicable protocol or policy must be followed.
- 6.7.3 The Town shall, in consultation with the Provincial Government, keep confidential the existence and location of archaeological sites to protect against vandalism, disturbance and the inappropriate removal of resources.
- 6.7.4 All archaeological resources found within the Town shall be reported to the Province.
- 6.7.5 An Archaeological Management Plan may be prepared to identify and map known archaeological sites, and areas of archaeological potential and establish policies and measures to protect them. Every endeavour shall be made to leave archaeological sites undisturbed.
- 6.7.6 If development or alteration work is proposed or an Environmental Assessment is undertaken on an archaeological site or a site identified as having archaeological potential, an archaeological assessment, prepared by a qualified and licensed archaeologist, shall be required as part of the approval conditions for development applications. If the archaeological resources pertain to First Nations and/or Métis Nation heritage, the protection and/or management plan will be developed in consultation with appropriate First Nations and Métis Nation communities. The assessment shall be provided by the development proponent and carried out by a licensed archaeologist.
- 6.7.7 All archaeological assessment reports shall be approved by the Province and copy of the assessment report shall also be provided to the Town for

comment to ensure that the scope is adequate and consistent with the conservation objectives of the Town. Access to these archaeological assessment reports submitted to the Town shall be restricted in order to protect site locations in accordance with the Ontario Heritage Act.

- 6.7.8 Archaeological resources identified in the archaeological assessment shall be documented, protected, salvaged, and conserved. The Town recognizes there may be a need for archaeological preservation in situ or rescue excavation of significant archaeological resources as a result of development proposals. To ensure that the integrity of the resource is maintained, the Town considers archaeological preservation in situ as the preferred option.
- 6.7.9 First Nation or Metis significant archaeological resources as identified in the archaeological assessment report shall be considered as features to be preserved. First Nation and Metis shall be consulted to identify approaches for preservation or commemoration.
- 6.7.10 If warranted, the Town shall regulate the removal of archaeological resources from an archaeological site in accordance with the *Ontario Heritage Act*, and the requirements of the Province and the Town.
- 6.7.11 Proper archaeological methods and techniques shall be used in the survey and excavation of archaeological sites and in the treatment, disposition, maintenance and storage of archaeological resources.
- 6.7.12** Contingency plan shall be prepared for emergency situation to protect archaeological resources under imminent threats or upon accidental discoveries.

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7 SUSTAINABLE INFRASTRUCTURE

The policies of this Plan were developed on the basis of Infrastructure Master Plans that were conducted based on the long term build-out of the community. These plans have been coordinated with the similar master plan work undertaken by the Region of York. The long term vision and requirements for infrastructure planning are consistent with the policies of the Provincial Policy Statement and the Region of York Official Plan and support the objective to provide cost-effective planning and design for all forms of infrastructure.

The Town's and Region's long term Master Plans for water, wastewater and transportation infrastructure completed in support of this Plan, have been undertaken through an integrated process that coordinated the Planning Act exercise of developing this Plan with the Municipal Class Environmental Assessment (EA) process. As such, all local roads, water and wastewater infrastructure contemplated and identified in this Plan shall be deemed to have satisfied phases 1 and 2 of the Class EA process.

In this Section:

- 7.1 General Policies for Infrastructure*
- 7.2 Transportation*
- 7.3 Water and Wastewater Servicing*
- 7.4 Stormwater Management*
- 7.5 Groundwater Recharge Areas and Areas of High Aquifer Vulnerability*
- 7.6 Wellhead Protection*
- 7.7 Energy Production and Related Infrastructure*
- 7.8 Telecommunications, Utility and Technology Infrastructure*
- 7.9 Waste Management and Diversion*

7.1 GENERAL POLICIES FOR INFRASTRUCTURE

- 7.1.1 The planning, design, and delivery of all forms of infrastructure shall be coordinated with all levels of government.
- 7.1.2 The Provincial government, Region of York and Town shall undertake necessary Environmental Assessment processes in a timely manner for water, wastewater, transportation, transit and energy projects.
- 7.1.3 The planning, design and construction of all forms of infrastructure shall incorporate techniques and design elements that support and advance the environmental sustainability and energy efficiency objectives of this Plan, including the use of green building materials and recycled resources, and minimizing the disruption to natural heritage features.
- 7.1.4 Public works, such as transportation and utility facilities, shall avoid the Natural Heritage System, unless it has been demonstrated that there is no reasonable alternative. Alternative methods and measures for minimizing impacts shall be considered when reviewing proposals to construct such facilities.
- 7.1.5 Notwithstanding 5.2.2, public works, such as transportation and utility facilities, shall not be permitted within Provincially Significant Wetlands

and *Significant Habitat of Threatened or Endangered Species*.

- 7.1.6 Infrastructure, and expansions and extensions of infrastructure within the *Greenbelt Protected Countryside* are permitted provided the project meets one of the following two objectives to the satisfaction of Council:
- i) It supports agriculture, recreation and tourism, rural *settlement areas*, resource use or the rural economic activity in the *Greenbelt Protected Countryside* and is permitted within the Greenbelt;
 - ii) It serves the significant growth and economic development expected in southern Ontario outside of the *Greenbelt Protected Countryside* by providing for the appropriate infrastructure connections among urban growth centres and between these centres and Ontario's borders.
- 7.1.7 Where permitted, the location and construction of infrastructure and expansions, extensions, operations and maintenance of infrastructure within the *Greenbelt Protected Countryside* are subject to the following policies:
- i) Planning, design and construction practices shall minimize, wherever possible, the amount of the *Greenbelt Protected Countryside*, and particularly the Natural Heritage System, traversed and/or occupied by such infrastructure;
 - ii) Planning, design and construction practices shall minimize, wherever possible, the *negative impacts* and disturbance of the existing landscape, including, but not limited to, impacts caused by light intrusion, noise and road salt;
 - iii) Where practicable, existing capacity and coordination with different infrastructure services is optimized so that the rural and existing character of the *Greenbelt Protected Countryside* and any provincial growth management initiatives are supported and reinforced;
 - iv) New or expanding infrastructure shall avoid *key natural heritage features* or *key hydrologic features* or its associated *vegetation protection zone* unless need has been demonstrated and it has been established that there is no reasonable alternative;
 - v) Where infrastructure crosses the Natural Heritage System, intrudes into or results in the loss of a *key natural heritage feature* or *key hydrologic feature*, planning, design and construction practices shall minimize negative impacts and disturbance on the features or their related functions and, where reasonable, maintain or improve *connectivity*.

7.1.8 All existing, expanded or new infrastructure subject to and approved under the Canadian Environmental Assessment Act, the Environmental Assessment Act, the Planning Act, the Aggregate Resources Act, the Telecommunications Act or by the National or Ontario Energy Boards, or which receives a similar environmental approval, is permitted within the *Greenbelt Protected Countryside*, subject to the policies of this Plan.

7.1.9 Infrastructure serving the agricultural sector, such as agricultural irrigation systems, may need certain elements to be located within the *vegetation protection zone* of a *key natural heritage feature* or *key hydrologic feature*. In such instances, these elements of the infrastructure may be established within the feature itself or its associated *vegetation protection zone* but all reasonable efforts shall be made to keep such infrastructure out of *key natural heritage features* or *key hydrologic features* or the vegetation protection zones.

7.2 TRANSPORTATION

The Town's and Region's Transportation Master Plan addresses future population and employment growth by developing a sustainable transportation system that balances the expansion of new roads with the addition of transit services, cycling and pedestrian opportunities plus other more efficient modes of travel.

The Federal Government is responsible for rail facilities, the Province has jurisdiction over Provincial Highways and GO Transit, the Region of York is responsible for Regional Roads and public transit and the Town of East Gwillimbury is responsible for local road infrastructure.

Objectives

- i) Establish an integrated transportation system that accommodates various modes of transportation providing the efficient movement of people and goods;
- ii) Promote public transit, cycling and walking as energy efficient, affordable and accessible forms of travel;
- iii) Protect transportation corridors to facilitate the development of a transportation system that is compatible with and supportive of existing and future land uses;
- iv) Ensure that new roads in the *Settlement Area* are designed in a grid-oriented street network to help distribute traffic evenly and provide access for the future operation of an efficient public transit system.

7.2.1 Transportation Demand Management

Transportation Demand Management (TDM) promotes a more efficient use of transportation infrastructure in order to discourage the use of personal automobiles and promote alternative forms of transportation, such as transit, walking, and cycling.



Reserved parking
for car sharing

- 7.2.1.1 The Town shall encourage the use of programs and initiatives, such as carpooling, *high occupancy vehicles (HOV) lanes* and other similar approaches to promote more efficient use of existing road facilities.
- 7.2.1.2 The Town shall require any development that contains more than 3,000 square metres of office use or 9,290 square metres of industrial and commercial uses to establish a Transportation Demand Management plan and implementation strategy in consultation with the Town.
- 7.2.1.3 The Town may permit reduced parking standards for developments that demonstrate through a Transportation Demand Management plan and implementation strategy that a reduction in parking standards is appropriate. A reduction in parking standards may also be permitted where mixed use development is proposed, where there is significant *density* of development and direct access to transit.
- 7.2.1.4 The Town will work with the Provincial Government of Ontario and Region of York to ensure the delivery of carpool facilities and parking areas as part of the construction of 400-series Highways within the Town.

7.2.2 Community Trail Linkages and Active Transportation

The purpose of *Community Trail Linkages*, identified schematically on Schedule F and F-1, is to provide connectivity, encourage pedestrian movement, reduce dependency on the automobile and provide for active transportation options.

The following policies will encourage the development of an integrated trails system that links open space areas, *significant* natural, historic and recreational features and community facilities into an integrated community-wide trails network. Trails promote healthy lifestyles and provide an alternative transportation network.



- 7.2.2.1 The Town shall undertake the development of an Active Transportation and Trails Master Plan to identify key trail development priorities and policies to effectively guide pedestrian trail network decision-making.
- 7.2.2.2 The Town shall provide and encourage other landowners to provide facilities and opportunities for active transportation, such as walking and cycling throughout the community.
- 7.2.2.3 The trails system shall be designed to provide a variety of trail types (eg. nature trails, soft surface, hard surface, on-road, boulevard, etc.) throughout the Town providing multiple options for trail users.

- 7.2.2.4 Trails should be located adjacent to the Natural Heritage System, where appropriate, in co-operation with the Region of York, Conservation Authority, adjacent municipalities and other agencies. Proposed trail locations shown on Schedules F and F-1 are approximate and trail impact may be required to determine actual location and the design of the trail.
- 7.2.2.5 The trails system shall utilize abandoned railway lines, unopened municipal road allowances, easements and other means to establish a connected trails network.
- 7.2.2.6 Bicycle lanes shall be provided in the construction or reconstruction of roads and bridges and links to recreational trails, wherever possible.
- 7.2.2.7 The design of *Community Trail Linkages* shall take into consideration public safety and convenience including visibility and lighting, and shall be designed in accordance with Crime Prevention through Environmental Design (CPTED) principles.
- 7.2.2.8 The Town shall consider locating walkways/bicycle paths and/or nature trails within *Community Trail Linkages* in a manner sensitive to the potential retention or restoration of natural landscapes and features within the corridor. Such facilities shall connect with the existing and planned network of walkways/bicycle paths and sidewalks.
- 7.2.2.9 Public access facilities such as trails, walkways and boardwalks are permitted in the Natural Heritage System, particularly in areas associated with *Community Trail Linkages* shown on Schedule F-1, provided they are constructed and located in a manner that minimizes impact on the function of environmental features, as demonstrated through a *Natural Heritage Evaluation*.
- 7.2.2.10 Bicycle use shall be encouraged and the integration of bicycle parking and storage facilities within developments shall be considered as part of the development approvals process for all commercial, industrial and multiple-unit residential development.
- 7.2.2.11 Where *Community Trail Linkages* are under private ownership, it shall not be construed that these lands are free and open to the general public or that such lands will necessarily be acquired by the Town or any other public agency. The Town shall, wherever possible, bring *Community Trail Linkages* into public ownership.
- 7.2.2.12 *Community Trail Linkages*, as identified on Schedules F and F-1 or as identified through the Town's Active Transportation and Trails Master Plan, shall be identified and secured as part of the Secondary Plan process in accordance with Section 8.2.1.

A bicycle-friendly facility or business may include:

- covered and locked spaces or bicycle racks for bicycle storage
- bicycle wash stations
- showers and lockers
- laundry facilities
- emergency or pay phones

and provide information on:

- safe cycling
- benefits of cycling
- bicycle routes
- repair shops
- bicycle-friendly local businesses

- 7.2.2.13 Where *Community Trail Linkages* for active transportation systems cross Regional arterial roads and major local collector roads, the Town will encourage and promote connections over or under the road to ensure pedestrian safety.
- 7.2.2.14 Sidewalks shall be required in all new development and redevelopment in accordance with the Urban Design policies in Section 3.3 or any subsequent set of Urban Design Guidelines and in accordance with municipal policies and design standards.
- 7.2.2.15 A recreational trail system is to be established throughout the Oak Ridges Moraine, subject to the Oak Ridges Moraine Conservation Plan. Where this trail is located in the Town it may be permitted in any part of the Town subject to the provisions of Section 39 of the Oak Ridges Moraine Conservation Plan. Further, the Town shall encourage the linkage of any trails in the Town to the Oak Ridges Moraine trail system.

7.2.3 Transit



The Town's overall road network shall be planned to accommodate public transit service. The Town will work with York Region Transit (YRT), VIVA, GO Transit and Metrolinx to maintain and enhance transit services and provide interconnections within the community and between the community and the other urban areas of the Town and Region of York.

- 7.2.3.1 Phasing plans shall provide arterial and collector roads required for transit in the initial phases of growth and development.
- 7.2.3.2 The Town shall work with the Region of York to secure the early delivery and implementation of Bus Rapid Transit facilities and services from Yonge Street to the GO Transit Station on Green Lane.
- 7.2.3.3 Arterial and major collector roads are to be designed to accommodate transit vehicles and amenities to the satisfaction of the Town and York Region Transit.
- 7.2.3.4 Transit stops within the Urban Area shall be within 500 metres (a 5 to 10 minute walk) of 90% of residents and within 200 metres of 50% of residents.
- 7.2.3.5 Sidewalks shall be located on both sides of the streets that accommodate transit routes. Transit stops and shelters are to be incorporated into public sidewalks and will include walkway connections to adjacent buildings and streets and be incorporated into development plans and installed as a development requirement.

7.2.3.6 The Town will work with GO Transit authorities to enhance the services at the GO commuter rail service station in the community, including the provision of secure bicycle storage, and require structured parking for any planned expansion of commuter parking facilities.

7.2.3.7 Any new traffic calming measures proposed for existing or planned transit routes shall be designed and constructed in consultation with York Region Transit.



7.2.4 Roads

The Town's road network consists of a hierarchy of local roads, rural roads, major and minor collector roads, regional arterial roads and provincial highways. The role and function of each component of the road system will be clearly defined within an effective road classification system to support the provision of an efficient, safe and accessible road network with adequate capacity for vehicles, goods movement, transit and alternative modes of transportation.

Objectives

- i) Ensure that road infrastructure planning and design evaluates and considers the need to accommodate public transit, active transportation and the Region of York's Pedestrian and Cycling Master Plan;
- ii) Consider design elements to accommodate the movement of farm vehicles on Town and Regional roads in rural areas.

7.2.4.1 General Policies for Roads

7.2.4.1.1 The Long Term Roads Plan for the community is shown on Schedule E and includes the following classifications:

- i) *Provincial Highways;*
- ii) *Arterial Roads;*
- iii) *Major Collector Roads;*
- iv) *Minor Collector Roads;*
- v) *Rural Roads;*
- vi) *Local Roads.*

7.2.4.1.2 The Town shall work co-operatively with the Province, the Region of York and adjacent municipalities to integrate the planning of the municipal road network with the roads under Provincial and Regional jurisdiction, and in the planning of roads which cross municipal boundaries to accommodate inter-regional vehicular traffic without causing disruption to local traffic and residential neighbourhoods.

7.2.4.1.3 Roads planned between regional arterial roads and major collector roads shall be constructed in conjunction with, or prior to the first phases of development.

- 7.2.4.1.4 Local roads are existing or future roads not otherwise classified as arterial roads or collector roads. New local roads, walkways, and bicycle paths are not specifically identified on Schedule E.
- 7.2.4.1.5 Future planned roads shown on Schedule E will, in most instances, be planned, developed and dedicated through the development approval process.
- 7.2.4.1.6 The location of major transportation facilities are approximate and shall generally conform with the designations on Schedule E. Minor variations in the location of major intersections, road rights-of-way widths and sight triangles, or the alignments of any new facilities may be permitted without amendment to this Plan provided that:
- i) All other provisions of this Plan are complied with;
 - ii) Detailed engineering, planning, environmental and other studies have been carried out which document, to the satisfaction of the authority having jurisdiction, the rationale for making the variations.

General Policies for Road Design and Construction

- 7.2.4.1.7 The authority having jurisdiction shall be encouraged to plant trees on the rights-of-way of roads or on adjacent private property, in order to provide for continuous landscaping, particularly in the event tree removal is required in association with road improvements. Special provision shall be made for landscaping of the new intersections along arterial roads as gateways to the community.
- 7.2.4.1.8 Access to roads shall not be permitted where a traffic hazard would be created due to inappropriate sight distances, curves or grades. No development shall be permitted until approval has been obtained from the road authority having jurisdiction.
- 7.2.4.1.9 As a condition of development or redevelopment, the Town may require that lands, to the extent of the road rights-of-way widths and sight triangles specified in Table 7.1, to be dedicated free of costs to the appropriate authority having jurisdiction. Additional lands in excess of the typical rights-of-way widths may also be required to be conveyed for works related to but not limited to extensive cut/fill operations, improvements to pavements, intersections, bridges, sight triangles, railway crossings, drainage and buffering measures.
- 7.2.4.1.10 A complete streets approach to collector and local roads is encouraged to support reduced travel times and alternative modes of travel. Community Design Plans shall identify active transportation and transit routes, which best connect origins and destinations within the Town and beyond. Community Design Plans shall also incorporate

an integrated local street network, sidewalks on both sides of all roads, short blocks with ideal lengths set out in the urban design guidelines and reduced roads widths where active transportation connections and improved transit are provided to move people of all ages and abilities safely through the community. The requirements of the York Region Pedestrian & Cycling Master Plan and York Region Transit-Oriented Design Guidelines, as amended, should also be incorporated into new development applications.

7.2.4.1.11 Within the lands shown as *Pedestrian Oriented Retail Priority Area*, west of Yonge Street on Schedule B-5, a continuous north-south local road shall be provided from the existing signalized intersection at Green Lane and extending northerly to the proposed east/west major collector road. The portion of this continuous north-south road located in the *Commercial Mixed Use* designation may be a public road or a private road with a public easement, subject to approval of development applications and supported by the applicable studies for this area.

TABLE 7.1 FUNCTION OF MAJOR ROAD FACILITIES		
ROAD CLASSIFICATION	FUNCTION	DESIGN REQUIREMENTS*
Provincial Freeways and Controlled Access Highways (400 series highways)	<ul style="list-style-type: none"> • Serve inter-regional travel demands including goods movement and heavy transport 	<ul style="list-style-type: none"> • To the satisfaction of the Ministry of Transportation or any other authority having jurisdiction • Shall accommodate <i>Community Trail Linkages</i> • Carpool lots and commuter facilities to be provided at interchanges
Provincial Highway 48 and Regional Arterial Roads	<ul style="list-style-type: none"> • Serve inter-regional and regional travel demands, including movement of heavy trucks • Carry large volumes of traffic • Connect Collector and other Arterial roads • Accommodate higher order transit 	<ul style="list-style-type: none"> • Provincial highways to the satisfaction of the Ministry of Transportation or any other authority having jurisdiction <p>The following pertain to Arterial Roads:</p> <ul style="list-style-type: none"> • High degree of access control, especially in rural areas, with direct access from abutting properties discouraged; • Maximum 6 travel lanes; • Right-of-way width up to 45 metres, in accordance with Regional standards; • Where transit is proposed, right-of-way width may be in excess of 36 metres; • Pavement width 11 to 22 metres excluding turning lane requirements;

<p>Provincial Highway 48 and Regional Arterial Roads</p>		<ul style="list-style-type: none"> • Where transit is proposed, pavements widths may be in excess of 22 metres; • Sight triangles 30 metres x 30 metres at intersections with highways and other arterials and 15 metres x 15 metres at all other roads • Bicycle lanes provided in accordance with YR's Pedestrian and Cycling Master Plan • Sidewalks on both sides of the road in urban areas
<p>Major Collector Roads</p>	<ul style="list-style-type: none"> • Serve local travel demands between Secondary Plan Areas • Carry medium volumes of traffic • Provide connection between Arterial Roads • Accommodate transit 	<ul style="list-style-type: none"> • Access restricted with direct access from abutting properties discouraged • Maximum 4 travel lanes • Right-of- way width 23 to 26 metres • Pavement width maximum 10-15 metres • Sight triangles 30 metres x 30 metres at intersections with highways; 15 metres x 15 metres at intersections with arterials and collectors; and 5 metres x 5 metres at intersections with local roads • Bicycle lanes provided • Sidewalks on both sides of the road
<p>Minor Collector Roads</p>	<ul style="list-style-type: none"> • Serve local travel demands within Secondary Plan Areas • Carry medium volumes of traffic • Provide connections between Major Collector and Local Roads • Accommodate local transit 	<ul style="list-style-type: none"> • Direct access from abutting properties permitted • Right-of- way width 20 to 23 metres • Pavement width maximum 10-15 metres • Sight triangles 30 metres x 30 metres at intersections with highways; 15 metres x 15 metres at intersections with arterials and collectors; and 5 metres x 5 metres at intersections with local roads • Sidewalks on both sides of the road • Bicycle lanes provided where appropriate
<p>Local Roads</p>	<ul style="list-style-type: none"> • Intended for local traffic only • Serves residential neighbourhood and employment area travel demands; • Connect to Collectors and Arterials 	<ul style="list-style-type: none"> • No access control with the exception of safety related restrictions • Direct connection with <i>Arterial Roads</i> shall be discouraged • Maximum 2 travel lanes • Right-of-way width 20 metres, however, reduced standards may be established for residential areas or increased in employment areas

<p>Local Roads</p>		<ul style="list-style-type: none"> • Pavement width max. 8.6 metres (in residential areas) to 12 metres (in employment areas) • Sight triangles at intersections with collectors and other local streets: <ul style="list-style-type: none"> • 5 metres x 5 metres in residential areas • 10 metres x 10 metres in employment areas • Sidewalks on at least one side of the road. In certain circumstances, sidewalks may be required on both sides of the road (ie. near schools, parks, along transit routes).
<p>Rural Roads</p>	<ul style="list-style-type: none"> • Serves rural areas • Connect to Collectors and Arterials 	<ul style="list-style-type: none"> • No access control with the exception of safety related restrictions • Generally, maximum 2 travel lanes • Right-of-way width 20 metres • Pavement width max. 8.6 metres (in residential areas) to 12 metres (in employment areas) • Sight triangles at intersections with collectors and other local streets: <ul style="list-style-type: none"> • 5 metres x 5 metres in residential areas • 10 metres x 10 metres in employment areas

(*Or as otherwise required through the approvals process)

7.2.4.2 Provincial Highways

The following policies apply to the roads classified as Provincial Highways on Schedule E to this Plan. The road identified as Provincial Controlled Access Highway (under construction) on Schedule E represents the approved alignment of the Highway 404 extension northerly from Green Lane to Ravenshoe Road.

The road classified as Provincial Controlled Access Highway (proposed) on Schedule E represents an alignment approved by the Province for the proposed east-west connection between Highway 400 and Highway 404.

- 7.2.4.2.1 As part of the detailed design process for the Highway 404 extension, the Ministry of Transportation shall work with the Town and the Region of York to ensure opportunities for non-motorized connections to provide connectivity between the *Employment Area* along Woodbine Avenue and the *Community Area* on the west side of the proposed Highway 404 alignment. Such connectivity shall consider design elements that include, but not are limited to, enhanced and oversized bridge structures and crossings to provide opportunities for pedestrian, cycling and wildlife connections.
- 7.2.4.2.2 The Town shall work with the Ministry of Transportation to incorporate connectivity options that support the continuation of farming operations in the areas surrounding the proposed Highway 404 alignment between Queensville Sideroad and Ravenshoe Road.
- 7.2.4.2.3 The Town shall work with the Ministry of Transportation and the Region of York to provide commuter parking facilities with transit connections at the interchanges of Highway 404 at Green Lane, Doane Road and Queensville Sideroad.
- 7.2.4.2.4 The Town shall work with the Region of York and the Ministry of Transportation to provide collector road connections over or under Highway 404 between Green Lane and Mount Albert Sideroad and between Queensville Sideroad and Doane Road within the community of Queensville, as shown on Schedule E, to provide better connectivity and access to designated employment lands.
- 7.2.4.2.5 The Provincial Controlled Access Highway proposed between Highway 400 and the Highway 404 extension is considered necessary within the *planning horizon* of this Plan and is required to accommodate employment growth and inter-regional traffic associated with Simcoe County and northern York Region, as demonstrated by transportation studies completed by both the Region of York and the Town. This highway link shall be provided at the earliest possible time.

- 7.2.4.2.6 The alignment shown for the proposed Highway 400-404 Link on Schedule E is conceptual in order to recognize a future route approved by the Province in accordance with the Environmental Assessment Act and related Controlled Access Highway designation.
- 7.2.4.2.7 Council supports a review of the proposed Highway 400-404 Link as it relates to the planned alignment in order to address local environmental and cultural heritage features and impacts on existing land uses.
- 7.2.4.2.8 Upon finalization of planning for the Highway 400-404 Link through the area north of Queensville Sideroad, following completion of the Environmental Assessment and other studies, Schedule E of this Plan will be reviewed to consider any consequential changes, including the provision of one or more north-south linkages between the Highway 400-404 Link and road network serving this community. Until this review is carried out, it is the intent of this Plan that potential alternative locations for such linkages should be maintained and that actions that would foreclose potential alternatives should be discouraged.

7.2.4.3 Regional Arterial Roads

The following policies apply to the roads designated as *Arterial Roads* on Schedule E.

- 7.2.4.3.1 Where feasible, the existing road right-of-way of Leslie Street through Sharon and Queensville, and Yonge Street through Holland Landing - River Drive Park should not be further widened, to ensure protection and preservation of their heritage streetscapes, with the exception of Leslie Street in Sharon as outlined in 7.2.4.3.2. Priority will be given to protecting existing heritage streetscapes using techniques such as variable rights-of-way, use of by-passes and innovative road cross section standards.
- 7.2.4.3.2 Changes to the Leslie Street right-of-way within the *Village Core Area* of Sharon shall only be permitted if justified through an Environmental Assessment process. Any changes shall be in keeping with Council's position that there shall only be two lanes of through traffic and that any change would relate only to turning movements at intersections.

- 7.2.4.3.3 The Town shall work with the Region of York to redesign the Regional arterial roads within *Local Centres* while maintaining the principles of the Urban Design for mainstreet areas, the Regional Streetscape Policy and the Regional Streets: Standards of Rights-of-Way and Boulevards publications. Such redesign shall also be in a manner that promotes traffic calming, improves the amenity of the area for pedestrians and minimizes impacts on the existing right-of-way.
- 7.2.4.3.4 The Environmental Assessment processes for the reconstruction of Second Concession, Doane Road and Queensville Sideroad shall consider the provision of public transit.
- 7.2.4.3.5 Doane Road, as identified on Schedule E, is subject to the Environmental Assessment process initiated by the Region of York and underway at the time of adoption and approval of this Plan. The alignment and reconstruction of Doane Road, with a full interchange at Highway 404, is required within the *planning horizon*.
- 7.2.4.3.6 Upon completion and approval of the Doane Road Environmental Assessment, the development of *Community Area* lands within the study area and generally described as the southwest quadrant of the Queensville Secondary Plan as identified on Schedule B-2, shall be subject to Council's review and approval of a revised Community Design Plan. The required Community Design Plan shall be prepared and submitted following the completion of the Doane Road Environmental Assessment and shall address phasing for the development of the area in accordance with the policies of Section 3.4 of this Plan.

7.2.4.4 **Collector Roads**

The following policies apply to the roads designated as *Major Collector Roads* on Schedule E.

- 7.2.4.4.1 In recognition of the Transportation Master Plan work completed in conjunction with this Plan, phases 1 and 2 of the Municipal Class Environmental Assessment process shall be deemed to be completed for the local collector road system identified on Schedule E.
- 7.2.4.4.2 The proposed collector roads shown on Schedule E are conceptual only and will be further defined through the completion of phases 3 and 4 of the Environmental Assessment process and/or Planning Act process.
- 7.2.4.4.3 The local collector road system identified on Schedule E shall be dedicated to the Town at no cost or expropriated to ensure the completion and connection of the planned road network.

- 7.2.4.4.4 The proposed North-South Sharon Collector Road is generally shown on Schedule E. Its primary function is to carry north-south traffic generated by existing and future levels of development in the vicinity of Sharon and Queensville. The final right-of-way and alignment have been determined through the required Environmental Assessment process.
- 7.2.4.4.5 Intersections on collector roads shall be spaced to appropriately provide for traffic movement, taking in to account safety devices such as traffic signals, and the objective of discouraging unnecessary through traffic on local roads.
- 7.2.4.4.6 The following policies apply to the lands outlined on Schedule B-5:
- i) In recognition of the need for the continued function of Green Lane as a high capacity Regional arterial road with bus rapid transit facilities, it is the policy of this Plan to protect for a continuous east/west major local collector road north of Green Lane, as shown conceptually on Schedule E, to facilitate additional traffic flows resulting from urban expansion as contemplated by this Plan.
 - ii) Community Design Plans shall include an implementation strategy that addresses construction timing and financing of the east/west major local collector road for the lands outlined on Schedule B-5, to the satisfaction of the Town, in consultation with York Region.
 - iii) Through the review and approval of *development* applications within the Green Lane Secondary Plan Area outlined on Schedule B-5, which require the construction of all or part of the east/west major local collector road in accordance with the implementation strategy referenced in (ii) above, the Town shall work with the appropriate landowners to secure and provide for the early delivery and construction of the east/west major collector road.
- 7.2.4.4.7 All major collector roads (including crossings of natural features and provincial freeways) shall be constructed prior to or concurrent with development as identified through approved phasing plans and deemed necessary by the Town and based on the recommendations of a Traffic Impact Study.

7.2.5 Railways

The Town recognizes the importance of rail infrastructure, as it will continue to play a key role in the long term economic growth of the Town with respect to public transit and commuter service, as well as goods movement.

7.2.5.1 Council shall work with the Canadian National Railway in order to provide additional safety features for the railway crossing of Princess Street in the community of Mount Albert and within the Urban Planning Area.

7.2.5.2 Prior to the approval of *development* applications that result in or permit residential *development*, schools or other sensitive *development*, the applicant shall be required to submit, for *development* within 75 metres of a railway right-of-way, a vibration study and, for *development* within 300 metres of a railway right-of-way, a noise study, to the satisfaction of the Town and appropriate railway authority:

- i) An analysis of noise and/or vibration and associated mitigation measures necessary to operate within the maximum noise level limits in accordance with Provincial standards, to the satisfaction of the Town and in consultation with the appropriate rail company. Such mitigation measures may include:
 - a. appropriate safety setbacks determined in consultation with the railway company that take into account provision for safety berms, topography and intervening structures between the railway rights-of-way, and the new residential development;
 - b. combined security and acoustical fencing of a minimum height necessary to prevent trespass onto the adjacent railway rights-of-way and to attenuate noise to acceptable levels. As a minimum requirement, chain link security fencing of 1.83 metres in height will be required along the common property boundary with the railway right-of-way;
- ii) Provision for the registration on title and insertion in Agreements of Purchase and Sale or Lease of a warning clause with regard to the existence of and potential impacts of rail use and operations and mechanisms to ensure the ongoing maintenance of the required measures.

7.2.6 Airports and Aircraft Landing Strips

Hare Field is an unpaved airport located immediately south of the community of Holland Landing.

Objectives

- i) The Town will protect the operation of the Hare Field Airport from encroachment that may impede its use. The Town will also enhance its economic function by encouraging uses that are compatible with the airport as well as with surrounding residential neighbourhoods and natural heritage resources

Policies

7.2.6.1 Proposed development applications in proximity to the Airport will be evaluated based on:

- i) aviation and passenger safety and their respective demands;
- ii) noise Exposure Forecast and Noise Exposure Projection contours;
- iii) the potential impacts to both on-site operations and existing or planned uses;
- iv) wildlife hazards.

7.2.6.2 The Town will consider the following limitations or implementation strategies in design guidelines for proposed developments in proximity to the Airport:

- i) the location of high employment *density* uses in relation to flight paths and public transit routes;
- ii) the use of appropriate development control mechanisms to implement appropriate building envelope and height restrictions.

7.3 WATER AND WASTEWATER SERVICING

The Town's Growth Management Strategy is predicated on the provision of publicly owned and operated services for the provision of domestic water and the collection and treatment of wastewater. With the exception of development in the Mount Albert *Settlement Area*, which is serviced through local water and wastewater services, all new development within the *Settlement Area* shall be connected to the Regional or local servicing network.

The policies of this Plan will ensure that the provision of services will be phased in such a manner to deliver the objectives of this plan to create *complete communities*.

7.3.1 General Policies

7.3.1.1 Municipally owned and operated water and wastewater services is the required form of servicing for *development* in *Settlement Areas*, as shown on Schedule A-1.

7.3.1.2 The Town shall work with the Region of York to decommission the Holland Landing lagoon system for sewage treatment as an essential first phase of servicing for the Town.

7.3.1.3 The Town shall maintain a Servicing Allocation Tracking and Assignment System for the purposes of assigning servicing allocation for growth and development. For the purposes of this policy, non-residential, institutional and employment development, where permitted, does not require the specific assignment of servicing allocation.

7.3.1.4 Notwithstanding any other policy of this Plan, no specific water and wastewater capacity allocation is required for the Employment Areas as identified on Schedule A-1. Notwithstanding the above, the Town shall work with York Region to ensure that the water conservation targets for the Employment Areas developed as part of the Town-wide water conservation program shall be met.

7.3.1.5 The Town shall maintain a specific amount of reserve capacity for servicing which is to be assigned to projects that, in the consideration of Council, satisfy the growth management objectives in Section 3.

7.3.1.6 Servicing infrastructure shall be planned and designed to accommodate long term growth beyond the *planning horizon* of this Plan, as set out in the Town's Water and Wastewater Master Plan.

7.3.1.7 The extension and improvement of services required to accommodate growth based on the *planning horizon* of this Plan will be carried out in accordance with capital budget provisions or separate agreements, and, wherever possible, it will be coordinated with other public works including extensions or improvements to the transportation and utility distribution systems.

7.3.1.8 The intent is to provide servicing to all existing partially and privately serviced development within the Urban Planning Area and the Mount Albert Greenbelt Settlement Area. It is recognized that, in some cases, *partial services* exist and will be permitted to continue until such time as individual services are replaced with a municipally owned and operated system.

7.3.1.9 Proposals for water and wastewater infrastructure within or crossing the *Greenbelt Protected Countryside* shall demonstrate that servicing can be provided in a manner that does not negatively impact ecological features and functions, or the quality and quantity of ground and

Deferral #2

surface water, including stream baseflow, and is sufficient to accommodate the proposed use(s), in accordance with the Natural Heritage System policies of this Plan.

- 7.3.1.10 No servicing shall be permitted with respect to any service which is external to the subdivision lands, unless approved by the Town.
- 7.3.1.11 The preparation of a Master Servicing Plan and/or Functional Servicing Plan, as required by Section 8.2 of this Plan, shall include studies to determine the most logical and economic methods of supplying the proposed development with water distribution and wastewater facilities.
- 7.3.1.12 All proposals for infrastructure within or crossing the Greenbelt Protected Countryside shall be subject to the water and sewage infrastructure policies of Section 4.2.2 of the Greenbelt Plan.

7.3.2 Municipal Water

- 7.3.2.1 A municipal water supply system shall be maintained and expanded as necessary by the Region of York to service the Community and Employment Areas within the Urban Planning Area and the Mount Albert Greenbelt *Settlement Area*. Sufficient water storage to provide an adequate emergency supply and fire protection shall also be provided by the Region of York.



- 7.3.2.2 All new development shall incorporate innovative water conservation measures, which may include elements identified by the Region of York and the Town's Thinking Green Development Standards.

7.3.3 Municipal Sewage Services

- 7.3.3.1 The Town shall work with the Region of York to undertake studies to reduce the extent and amount of inflow and infiltration in both Regional and Town owned and operated wastewater systems.
- 7.3.3.2 The Town shall encourage the use of gravity sanitary sewers whenever possible, as a cost-effective and energy-efficient alternative to maintaining and operating pumping or lift stations.
- 7.3.3.3 For a proposed *Settlement Area* expansion, establishment of a new *Settlement Area* or a *development* proposal outside of a *Settlement Area* that requires an increase in the existing rated capacity of a sewage treatment plant or the establishment of a new sewage treatment plant, an Environmental Assessment of the undertaking shall be completed or approved prior to giving any approvals for the proposal under the Planning Act or the Condominium Act.

- 7.3.3.4 No new municipal sewage treatment plant shall be established in the Lake Simcoe watershed unless:
- i) The new plant is intended to replace an existing municipal sewage treatment plant; or
 - ii) The new sewage treatment plant will provide sewage services to,
 - a. A *development* that is on partial services, or
 - b. A *development* where one or more subsurface sewage works or on-site sewage systems are failing.
- 7.3.3.5 New (private or municipal) sewage system infrastructure, wherever possible, should be located outside of *Significant Threat Areas '1' and '2'*.

7.3.4 Mount Albert Servicing

- 7.3.4.1 All existing and proposed development within the Greenbelt *Settlement Area* of Mount Albert, as shown on Schedule A-1, shall be serviced by municipal water and sanitary sewers.
- 7.3.4.2 It is the policy of this Plan to recognize the approved design capacity, serviceable population and Certificate of Approval for the Region of York's sewage treatment facility in the Community of Mount Albert within the context of the requirements of the Lake Simcoe Protection Plan and any associated phosphorous loading objectives.

7.3.5 Private Servicing

- 7.3.5.1 Development on private services may only be considered for permitted uses on an existing lot of record or to support development permitted within the *Greenbelt Protected Countryside*. Any such development proposal shall be required to undertake hydrogeological and other technical studies relating to soil conditions, groundwater stability and the suitability of the area for septic tank systems and tile beds to determine their impact on the future development and existing or proposed adjacent land uses and shall be subject to the approval of the Ministry of the Environment or the Town.
- 7.3.5.2 Outside of *Settlement Areas*, individual water or sewer systems will be the primary method of servicing where site conditions are suitable for the long-term provision of such services.

- 7.3.5.3 Municipal water and wastewater services referred to in this Plan shall not be installed on any street occupied by existing residential dwellings except as deemed appropriate by the Town. Where the service must be installed on that particular street in order to provide service to new development, existing residents will not be required to contribute to the cost of construction of the service until such time as they wish to connect to the same.
- 7.3.5.4 No new development shall be permitted on the basis of private wells or sewage systems within the *Settlement Area*. Replacements for existing wells or septic tanks will be permitted if necessary for health and/or safety purposes. New or expanded partial servicing is only permitted where such servicing is necessary to address failed individual on-site sewage or water services serving existing development.
- 7.3.5.5 Notwithstanding Section 7.3.5.4 and 7.3.1.1., Council may, only in consultation with the Region of York, permit the early development of lands on the basis of interim private servicing for permitted employment uses within *Employment Areas*, as well as institutional uses and community facilities within the *Settlement Area*, as long as appropriate agreements have been executed with the Town ensuring that the site will be serviced with full municipal services within a reasonable timeframe and in conformity with policy 7.3.5.11.
- 7.3.5.6 The Town may explore the provision of wastewater servicing to areas within existing *Settlement Areas* which are currently partially serviced, pursuant to the Local Improvement Act, Municipal Act or other instruments to finance such work through benefiting property owners.
- 7.3.5.7 Subject to the establishment of a stable funding source, the Town may undertake re-inspection programs to review, evaluate, and assess the performance of private sewage systems in existing development areas proximate to permanent streams tributaries of Lake Simcoe and the East Holland River as part of the implementation of the Lake Simcoe Protection Plan.
- 7.3.5.8 In the Oak Ridges Moraine Plan Area, the policies of Section 43 (sewer and water services), and Section 44 (*partial services*) and Section 45 (stormwater management), of the *Oak Ridges Moraine Conservation Plan* shall apply, in addition to the policies of this Plan.
- 7.3.5.9 In accordance with Section 44 of the Oak Ridges Moraine Conservation Plan, the construction or expansion of *partial services* in the Moraine Area is prohibited unless such construction or expansion is necessary to address a serious health or environmental concern that is identified by the local medical officer of health, the Town, the Region of York or other designated authority.

- 7.3.5.10 Existing areas designated *General Employment* at Oriole Drive/Sluse Road, Toll Road/Centennial Road, and Bales Drive and at other scattered locations as shown on Schedules B, B-1 and C, are serviced by private sanitary sewage disposal systems. Such private systems shall conform to the standards and requirements of the Ministry of the Environment.
- 7.3.5.11 Subject to the policies of the Lake Simcoe Protection Plan, a new on-site sewage system or subsurface sewage works shall not be permitted within 100 metres of the Lake Simcoe shoreline, other lakes, or any permanent stream except in the following circumstances:
- i) A proposal for an on-site sewage system or subsurface sewage works that would serve an agricultural use, an agricultural-related use or a public open space;
 - ii) A proposal for an on-site sewage system or subsurface sewage works that would replace or expand the capacity of an existing on-site sewage system or subsurface sewage works that will serve a use that would have been permitted by the applicable zoning by-law, as of the effective date of the Lake Simcoe Protection Plan; or
 - iii) A proposal for an on-site sewage system or subsurface sewage works that relates to a development proposal for only one dwelling, where the proposal would have been permitted by the applicable zoning by-law, as of the effective date of the Lake Simcoe Protection Plan.
- 7.3.5.12 No new non-municipal sewage treatment plant shall be established in the Lake Simcoe watershed unless the person applying to establish the plant can demonstrate that:
- i) The plant will result in a net reduction of phosphorus loadings to the watershed from the baseline conditions for the property that would be serviced by the new plant; or
 - ii) The undertaking that the plant will serve will not add phosphorus loadings to the Lake Simcoe watershed.

7.4 STORMWATER MANAGEMENT

To ensure the health of the watersheds and subwatersheds in the Town and in downstream areas, stormwater management is required for all new development areas, infill and redevelopment projects in accordance with the policies of this Plan.

The policies of this Section are intended to promote and implement effective stormwater management techniques that will help to reduce erosion; avoid downstream flash flooding; reduce nutrient, siltation and sediment loading; sustain *fish habitat*; and help to improve the quality of Lake Simcoe and its tributaries.

Objectives

- i) Ensure that stormwater management systems are designed and constructed in accordance with sound environmental and engineering best practices;
- ii) Pursue and implement sound stormwater management practices that will ensure adequate protection from flooding and erosion, maintain and/or improve water quality and enhance the environmental, aesthetic and recreational potential of watercourses;
- iii) Reduce phosphorous loading to Lake Simcoe and its tributaries.

Policies

- 7.4.1 The Town shall develop and adopt a set of guidelines for alternative development standards and Low Impact Development criteria that promote the use of infiltration, bioswales and other alternatives to piped solutions to stormwater management.
- 7.4.2 The Town shall require Enhanced Protection Level (in accordance with MOE's Stormwater Management Planning and Design Manual, 2003) for all new stormwater management facilities and stormwater management practices that will limit the post development stormwater run-off flows to a level at or below pre-development flows for the two (2) year through one hundred (100) year events.
- 7.4.3 Stormwater management ponds are prohibited in the Natural Heritage System, unless otherwise approved by the Conservation Authority.

The Stormwater Management Treatment Approach



Source Controls



Conveyance Controls



'End of Pipe' Controls



Bioretention
Natural Resources conservation
Service. (2008) Urban Conservation

- 7.4.4 The preparation of comprehensive master environmental servicing plans are required as a component of Secondary Plans and *major development* or re-development to minimize stormwater volume and contaminant loads, and maximize infiltration through an integrated treatment approach, which may include techniques such as rainwater harvesting, runoff reduction of solids and materials at source, phosphorus reduction, constructed *wetlands*, bioretention swales, green roofs, permeable surfaces, clean water collection systems, and the preservation and enhancement of native vegetation cover. Such plans shall also demonstrate how stormwater pond discharges and sanitary sewers and related pipes can be located outside of *Significant Threat Areas '1' and '2'*, if possible.
- 7.4.5 The design and sizing of stormwater management facilities and studies referenced in this Section shall consider long-term growth and development within the subwatershed as determined by the Town.
- 7.4.6 All stormwater management facilities shall be oriented, designed and constructed to integrate with any adjacent natural heritage features.
- 7.4.7 All stormwater management facilities shall be naturalized with the opportunity for public pedestrian pathways to complement the adjacent natural features and area and designed to the satisfaction of the parkland dedication required by the Plan.
- 7.4.8 All stormwater management facilities shall be designed to remove a minimum of 80% of suspended solids.
- 7.4.9 It is recognized that reciprocal arrangements between the Town and adjacent municipalities may be necessary to accommodate the flow of stormwater across municipal boundaries. For stormwater flows that cross municipal boundaries, (a) master drainage plan(s) and agreement(s) shall be subject to review and acceptance by the receiving municipality and appropriate agencies. These plans and agreements shall address, among other things, the quality and quantity of water received. A master drainage agreement for the watershed in which development is proposed, but not individual project drainage agreements, shall be required as a condition of development approval.
- 7.4.10 The Town shall prepare comprehensive Stormwater Management Master Plans for specific subwatersheds or development areas within the Town, in consultation with the Conservation Authority and Ministry of the Environment and Climate Change as required under the Lake Simcoe Protection Plan.

7.4.11 Within all *Secondary Plan Areas*, a Stormwater Management Master Plan shall be included in the Secondary Plan process undertaken as part of the development approvals process. Stormwater Management Master Plans shall:

- i) Review and refine the extent of the existing floodplain mapping;
- ii) Manage the quality of stormwater run-off as part of the regular stormwater management program in accordance with the Ministry of the Environment 2003 Stormwater Management Planning and Design Manual and the Lake Simcoe Protection Plan, as may be amended;
- iii) Establish preliminary quantity and quality targets for storm water, which will, among other things, ensure no increase in flows from predevelopment levels;
- iv) Establish requirements for erosion control and sediment control plans during construction and post construction;
- v) Establish a hierarchy of source, lot-level, conveyance and end-of-pipe controls;
- vi) Minimize and, where possible, consolidate the number of stormwater treatment facilities;
- vii) Undertake a flooding and erosion study to identify and mitigate downstream flooding and erosion impacts resulting from the proposed development;
- viii) Provide details on size and location of stormwater management facilities;
- ix) Establish a monitoring program for long-term assessment of drainage impacts of development;
- x) Demonstrate through an evaluation of anticipated changes in the water balance between pre-development and post-development, how such changes shall be minimized;
- xi) Demonstrate through an evaluation of anticipated changes in phosphorus loadings between pre-development and post-development, how the loadings shall be minimized.



Rain barrel
Rainsaver. (2008)

7.4.12 In areas with Subwatershed Stormwater Management Master Plans, proponents of the development must show how development is consistent with the Study and/or Master Drainage Plan to the satisfaction of the Town and the Conservation Authority, and in consultation with the Ministry of the Environment and Climate Change. Functional Servicing Studies submitted as a condition of draft plan of subdivision approval shall demonstrate this consistency and provide detail on stormwater management pond sizes, and design.

- 7.4.13 In areas where there is no Stormwater Management Master Plan either in place or required by this Plan, applications for *development* or *site alteration* shall be supported by a Stormwater Management Plan that includes:
- i) the facilities required for controlling the quantity and quality of stormwater runoff, including their size, location, and capacity;
 - ii) pre-and post-development discharge calculations;
 - iii) the measures necessary to control erosion, sedimentation and site stability during and after construction;
 - iv) the storm sewer and outfalls to the receiving watercourses;
 - v) the environmental impacts of stormwater management facilities on any adjacent Natural Heritage System features;
 - vi) Best Stormwater Management Practices and innovative measures for greater quality controls;
 - vii) Any specific alternative development features to maximize on-site infiltration and Low Impact Development techniques;
 - viii) Demonstration of how pre-development recharge rates will be maintained to the greatest extent possible by implementing *best management practices* such as LID (low impact development) techniques;
 - ix) Means of directing the discharge of stormwater, where possible, outside of *Significant Threat Areas '1' and '2'*.
- 7.4.14 Every owner and operator of a new stormwater management works in the Lake Simcoe watershed shall be required to inspect and maintain the works on a periodic basis.
- 7.4.15 Every owner and operator of a new priority stormwater management works in the Lake Simcoe watershed shall be required to monitor the operation of works, including monitoring the quality of the effluent from the works, on a periodic basis.
- 7.4.16 Applications for *development* and *site alteration* in the *Greenbelt Protected Countryside* shall be accompanied by a Stormwater Management Plan which demonstrates that
- i) Planning, design, and construction practices will minimize vegetation removal, grading and soil compaction, sediment erosion and impervious surfaces;
 - ii) Where appropriate, an integrated treatment approach shall be used to minimize stormwater management flows and structures through such measures as lot level controls and conveyance techniques, such as grass swales; and
 - iii) Applicable recommendations, standards or targets within watershed plans and water budgets are complied with.

7.4.17 New stormwater management ponds should be located, where possible, outside of *Highly Vulnerable Aquifer* areas and *Significant Groundwater Recharge Areas*.

7.4.18 A salt management plan may be required as part of a complete application. Such a plan may include, but not be limited to, mitigation measures regarding the design of parking lots, roadways and sidewalks to minimize the need for repeat application of road salt and directing stormwater discharge outside of *Significant Threat Areas '1', '2' and '3'*, *Significant Groundwater Recharge Areas* and *Highly Vulnerable Aquifers*, where possible or to storm sewers and provisions to hire certified contractors.

Oak Ridges Moraine

7.4.19 In the Oak Ridges Moraine Plan Area, the policies of Sections 45 (stormwater management), Section 46 (stormwater management plans), and Section 47 (rapid infiltration basins and columns) of the Oak Ridges Moraine Conservation Plan shall apply, in addition to the policies of this Plan.

7.5 WELLHEAD PROTECTION QUANTITY AREAS, SIGNIFICANT GROUNDWATER RECHARGE AREAS AND AREAS OF HIGH AQUIFER VULNERABILITY

In order to ensure the long term viability of our water systems, there are water quantity threats to our groundwater and surface water body sources that are addressed in the South Georgian Bay Lake Simcoe (SGBLS) Source Protection Plan. The taking of water from a municipal aquifer or surface water body and not returning the amount of water to that source could deplete the available water supply to our communities. Land uses such as industrial, agricultural and aggregate extraction below the water table, requiring pumping operations can also reduce water supply. Development should maintain pre-development recharge rates to the greatest extent possible by implementing *best management practices* such as LID (low impact development) techniques.

Groundwater Recharge Areas are critical to the maintenance of aquifers, as well as contributing to stream baseflows and the maintenance of streams, *wetlands* and associated plant and animal communities.

Aquifer Vulnerability refers to the shallow groundwater aquifer's susceptibility to contamination from both human and natural sources. Areas where there is high aquifer vulnerability within the Oak Ridge Moraine need to be protected, in order to reduce contamination and protect our groundwater.

Wellhead Protection Quantity Areas (WHPA-Q)

- 7.5.1 The *Wellhead Protection Quantity Area* (ie. WHPA-Q) is identified on Schedule 'J' to this Plan.
- 7.5.2 An application for *major development* shall also be accompanied by an *Infiltration Management Plan* with the objective of having no net reduction in recharge that assesses development recharge and maintains recharge to the greatest extent possible through *best management practices*.
- 7.5.3 If on-site water balance cannot be achieved, within the *Wellhead Protection Quantity Area* shown on Schedule J, proponents shall demonstrate through the *Infiltration Management Plan* how off-site recharge enhancement to compensate for any predicted loss of recharge, in consultation with the Conservation Authority.
- 7.5.4 Proposals for new *major development* within the *Wellhead Protection Quantity Area* are permitted if:
- i) The development does not require a new or amended Permit to Take Water from the Ministry of the Environment and Climate Change; or
 - ii) The Ministry of the Environment and Climate Change determines that the new or amended Permit to Take Water required for the new development to proceed will not result in a significant drinking water threat.

Groundwater Recharge Areas

- 7.5.5 Areas of significant groundwater recharge, as shown on Schedule K, shall be protected to ensure the ecological and hydrological integrity of the watershed.
- 7.5.6 A *Significant Groundwater Recharge Area* is an area identified:
- i) As a *significant ground water recharge area* by any public body for the purposes of implementing the PPS;
 - ii) As a *significant ground water recharge area* in the assessment report required under the Clean Water Act, 2006 for the Lake Simcoe and Couchiching/Black River Source Protection Area; or,
 - iii) By the Conservation Authority in partnership with the Ministry of the Environment and Climate Change and the Ministry of Natural Resources and Forestry as an ecologically *significant*

groundwater recharge area in accordance with the guidelines established under the Lake Simcoe Protection Plan.

- 7.5.7 Areas of significant groundwater recharge and discharge can have implications for development. As such, more detailed study through a *Natural Heritage Evaluation* shall be required through Secondary Plan studies and prior to approval of any site specific applications to identify and refine groundwater recharge/discharge areas, to assess impact from development and to protect the hydrological integrity of significant groundwater recharge and discharge function.
- 7.5.8 The hydrogeological studies required in Section 7.5.6 shall:
- i) characterize the groundwater system (i.e., stratigraphy, aquifer zones, groundwater flow, vertical hydraulic gradients, etc.);
 - ii) characterize shallow soils hydraulic conductivity and infiltration potential;
 - iii) characterize sensitivity to contamination;
 - iv) define recharge/discharge conditions;
 - v) identify groundwater /surface water interactions (i.e. cold water fisheries, *wetlands*, ponds fed by groundwater);
 - vi) define the influence boundaries;
 - vii) assess impact of proposed site development with water balance analysis (i.e. pre- and post-development scenarios);
 - viii) preferred mitigation options;
 - ix) demonstrate that pre-development recharge rates and hydraulic function will be maintained.
- 7.5.9 The hydrogeological studies completed at the Secondary Plan stage shall assess the sensitivities of an area, identify critical areas, define the influence boundaries, ensure the hydrological integrity of the areas are protected, provide recommendations for mitigation measures, set out policies on permitted uses or lot restrictions and identify criteria to assess subsequent applications. Prior to draft plan of subdivision approval, a subsequent study shall be required to refine the impact assessment with more detailed recommendations for site design and mitigation measures. Such studies shall be completed to the satisfaction of the Town in consultation with the Conservation Authority

7.5.10 Outside of the Oak Ridges Moraine area, an application for major development within a *Significant Groundwater Recharge Area* shall be accompanied by a *Natural Heritage Evaluation* that demonstrates that the quality and quantity of groundwater in these areas and the function of the recharge areas will be protected, improved or restored.

Highly Vulnerable Aquifers

7.5.11 An application for *major development* within *Highly Vulnerable Aquifers*, as identified on Schedule L, and *Wellhead Protection Area C* involving the manufacturing, handling and/or storage of bulk fuel or chemicals (activities prescribed under the Clean Water Act), shall be accompanied by a *Contaminant Management Plan*, as deemed necessary by the Municipality, the Conservation Authority or the Region of York.

7.5.12 Within *Significant Groundwater Recharge Areas* and *Highly Vulnerable Aquifers*, *best management practices* (BMPs) are encouraged for all development proposals that involve the:

- i. manufacturing, handling and/or storage of *organic solvents* and dense *non-aqueous phase liquids* (DNAPLs); and
- ii. application, storage and/or handling of road salt on private roadways, parking lots, and pedestrian walkways while recognizing that maintaining public safety is paramount.

All development proponents are encouraged to contact the Conservation Authority to determine appropriate *best management practices* prior to making such applications.

Areas of High Aquifer Vulnerability on the Oak Ridges Moraine

7.5.13 The following uses, with the exception of *existing uses* permitted by Section 6(1) of the Oak Ridges Moraine Conservation Plan, will be prohibited in Areas of High Aquifer Vulnerability identified on Schedule I to this Plan:

- i) Generation and storage of hazardous waste or liquid industrial waste;
- ii) Waste disposal sites and facilities, organic soil conditioning sites, and snow storage and disposal facilities;
- iii) Underground and above-ground storage tanks that are not equipped with an approved secondary containment device;
- iv) Storage of a contaminant listed in Schedule 3 (Severely Toxic Contaminants) to Regulation 347 of the Revised Regulations of Ontario, 199 (See Appendix 5 to this Plan).

7.5.14 The Town shall encourage restrictions on haulage routes for the transportation of chemicals and volatile materials in such areas.

7.5.15 Schedule I is based on mapping provided by the Province of Ontario. Where new information is produced by the Province, refinements may be made to this schedule without an amendment to this Plan.

7.6 WELLHEAD PROTECTION

Wellhead Protection Areas are zones established by the Region of York, in the vicinity of domestic water supply wells where land uses must be carefully planned to protect the quality and quantity of the water supply. Certain land use may be restricted or even prohibited from locating in these areas because of their potential to impact groundwater and drinking water quality. Such restrictions shall be applied within the *Wellhead Protection Areas* based on *time-of-travel* for groundwater to reach the municipal well and the relative threat posed by certain land use/activities in proximity to such wellheads.

Municipal drinking water comes from lakes, rivers, streams and underground sources (aquifers) located across the province of Ontario. Drinking water source protection is about protecting both the quality and the quantity of drinking water sources, now and into the future.

Objectives

- i) Protect groundwater quality from degradation;
- ii) Ensure sources of water are not compromised in the future as a result of land use decisions.
- iii) Protect the quality and quantity of the municipal water supply from incompatible uses and sources of contamination in partnership with the Province, York Region, and the Conservation Authority to implement the Source Protection Plan.

Policies

7.6.1 The *Wellhead Protection Areas* delineated on Schedule G are based on *time of travel* zones as follows:

100 Metre Zone	<i>Wellhead Protection Area A</i>
0-2 Year Zone	<i>Wellhead Protection Area B</i>
2-5 Year Zone	<i>Wellhead Protection Area C</i>
5-10 Year Zone	<i>Wellhead Protection Area C1</i>
10-25 Year Zone	<i>Wellhead Protection Area D</i>

7.6.2 The areas identified could change due to future refinement based on a better understanding of the groundwater flow regime. Changes to the *Wellhead Protection Areas* or policies will require an amendment to this Plan.

- 7.6.3 Any applications for development within *Wellhead Protection Areas A, B and C* are subject to the provisions of the South Georgian Bay Lake Simcoe (SGBLS) Source Protection Plan where certain land use activities may be prohibited.
- 7.6.4 In *Wellhead Protection Areas A, B, C, and D*, a *Source Water Impact Assessment and Mitigation Plan* will be prepared and approved by York Region prior to the establishment of land uses that involve the storage and/or manufacture of:
- i) petroleum-based fuels and or solvents;
 - ii) pesticides, herbicides, fungicides or fertilizers;
 - iii) construction equipment;
 - iv) inorganic chemicals;
 - v) road salt and contaminants as identified by the Province;
 - vi) the generation and storage of hazardous waste or liquid industrial waste, and waste disposal sites and facilities;
 - vii) organic soil conditioning sties and the storage and application of agricultural and non-agricultural source organic materials; and,
 - viii) snow storage and disposal facilities.
- 7.6.5 The expansion of existing incompatible activities, as outlined in 7.6.4 is prohibited within the 100m (WHPA-A) pathogen zone, as shown on Schedule G.
- 7.6.6 The expansion of existing incompatible activities, as outlined in 7.6.4, within the 100m to five (5) year *time of travel* zones (WHPA-A, WHPA-B, & WHPA-C), as shown on Schedule G, will be discouraged but may be permitted subject to an approved *Source Water Impact Assessment and Mitigation Plan*.
- 7.6.7 Redevelopment of incompatible activities, as outlined in 7.6.4, within Wellhead Protection Zones to more compatible uses is encouraged subject to an approved *Source Water Impact Assessment and Mitigation Plan*.
- 7.6.8 Residential dwelling units where there is the storage and use of incidental volumes of *dense non-aqueous phase liquids (DNAPL)* for personal/domestic use are exempt from Section 7.6.4 of this Plan.
- 7.6.9 Any applications for a land use other than low density residential in *Wellhead Protection Area A, B and C* will require a Section 59 notice issued by the Risk Management Official as part of the complete application requirements under the Planning Act, Condominium Act and Ontario Building Code Act.

On the Oak Ridges Moraine

- 7.6.10 Notwithstanding 7.6.4, new land uses which involve the storage and manufacturing of materials or uses detailed in 7.6.4 are prohibited within *Wellhead Protection Areas*.
- 7.6.11 In the zero (0) to two (2) year *time of travel* zone the storage of animal manure, undertaking of animal agriculture and the storage of agricultural equipment for other than personal or family use is prohibited for new land uses.
- 7.6.12 Every person who carries on a use listed in Sections 7.6.10 and 7.6.11, as an owner or operator, shall be required to prepare and maintain a site management and contingency plan that is aimed at reducing or eliminating the creation of the materials referred to above, and their release into the environment, which shall be reviewed and approved by the Region of York in consultation with the Town.
- 7.6.13 The Town shall consider and encourage restrictions on haulage routes for the transportation of chemicals and volatile materials through designated *Wellhead Protection Areas*.
- 7.6.14 In the case of a conflict between the *Wellhead Protection Area* policies in this Plan and the Oak Ridges Moraine Conservation Plan, the more restrictive policies shall apply.

South Georgian Bay Lake Simcoe Source Protection Plan Significant Threats

For the purposes of implementing the policies in this Section, land uses and/or activities that may pose a risk to the quality of municipal drinking water supplies are divided into four *Significant Threat* categories according to the level of risk. The four *Significant Threat* categories relate to where the *Significant Threat Area* policies apply from the Source Protection Plan relative to the vulnerability of the underlying groundwater to contamination.

- 7.6.15 For the purposes of Section 7, *Significant Threat Areas* correspond to the following Wellhead Protection Zones, as delineated in Schedule G-1:

<i>Significant Threat Area 4</i>	<i>Wellhead Protection Area A, B & C</i>
<i>Significant Threat Area 3</i>	<i>Wellhead Protection Area A & B with a vulnerability score of 8</i>
<i>Significant Threat Area 2</i>	<i>Wellhead Protection Area A & B with a vulnerability score of 10</i>
<i>Significant Threat Area 1</i>	<i>Wellhead Protection Area A with a vulnerability score of 10</i>

7.6.16 Within *Significant Threat Area '4'*, facilities for the handling, storage, processing and manufacturing of *dense non-aqueous phase liquids* (DNAPLs) are prohibited.

7.6.17 Within *Significant Threat Area '3'*, the following land uses are prohibited:

- i) All of the prohibited uses in Section 7.6.16;
- ii) Waste Storage Sites & Facilities for the Landfilling of Municipal Waste and/or Solid Non-hazardous Industrial or Commercial Waste; and,
- iii) Waste Disposal Sites where Liquid Industrial Waste is injected into a well.

7.6.18 Within *Significant Threat Area '2'*, the following land uses are prohibited:

- i) All of the prohibited uses in Section 7.6.16 and 7.6.17;
- ii) Waste Water Treatment Plant & Disposal Facilities (includes lagoons, communal/municipal sewage treatment facilities, large sewage vaults at sewage pumping stations) but exclude facilities regulated under the Nutrient Management Act;
- iii) Waste Storage and Disposal Sites & Facilities for hazardous liquid industrial waste at landfills and transfer stations;
- iv) Waste Storage and Disposal Sites and Facilities for wastes described in the clauses for p, q, r, s, t and u of the definition of hazardous waste (O.Reg 347) at landfills and transfer stations as outlined in the Assessment Reports;
- v) Waste Storage and Disposal Sites for PCB Waste;
- vi) Waste Storage, Treatment and Disposal Sites & Facilities for Tailing from Mines;
- vii) Petroleum Refining Waste Sites and Facilities for Land farming;
- viii) Hazardous Waste Storage, Treatment and Disposal Sites and Facilities;
- ix) Road Salt Storage Facilities where the quantity is more than 5,000 tonnes;
- x) Snow Storage Facilities and Disposal Sites (includes parking lots):
 - a. at or above grade where the storage area is more than 1 hectare in area, except in emergency scenarios
 - b. below grade where the storage area is more than 0.01 hectares in area
- xi) Non-residential, Industrial, Commercial, Institutional, Agricultural and Multi-residential Liquid Fuel and Fuel Oil Storage Facilities where the fuel is stored partially or below grade where the fuel quantity is more than 250 Litres or 2,500 Litres above grade which includes, but is not necessarily restricted to the following establishments:

- a. Permanent or mobile fuel or gasoline retail outlets
- b. Gasoline Stations
- c. Bulk plants
- d. Marinas
- e. Private fuel outlets
- f. Farms
- xii) Establishments or Facilities for the handling, storage and processing of *organic solvents* which includes, but not necessarily restricted to the following:
 - a. Automotive sales and service establishments which use degreasers, paints, enamels, cleaners and adhesives containing *organic solvents*
 - b. Establishments which store, use or sell cleaning supplies and glass cleaners which contain *organic solvents*
- xiii) Agricultural Storage Buildings used for agricultural source material (ASM) which includes, but is not necessarily restricted to the following materials:
 - a. Animal manure including bedding materials
 - b. Milk house wash water
 - c. Mushroom compost
 - d. Regulated compost
 - e. Animal yard run-off and manure
- xiv) Commercial Fertilizer Storage Facilities for retail sale or storage where the total mass in any form (liquid or solid) is more than 2,500 kg
- xv) Residential Dwelling Units where fuel oil storage of more than 250 L of fuel oil is located partially or below grade
- xvi) Agricultural uses which include livestock grazing and pasturing that generates nutrient units at an annual rate that is greater than 0.5 nutrient units/acre
- xvii) Storage Facilities which contain pesticides for retail sale or storage in relation to its use in extermination where the total mass in any form (liquid, solid or gas) is more than 250 kg, and
- xviii) Establishments where pesticides are manufactured, processed or wholesaled for retail and extermination where the total mass is more than 2,500 kg.

7.6.19 Within *Significant Threat Area '1'*, the following land uses are prohibited:

- i) All of the prohibited uses noted within Sections 7.6.16, 7.6.17 and 7.6.18;
- ii) Agricultural outdoor confinement or farm-animal yards where the number of confined animals would generate more than 300 nutrient units/hectare/year, and

- iii) Storage Facilities for Non-Agricultural Source Material (NASM) – Category 1.

7.7 ENERGY PRODUCTION AND RELATED INFRASTRUCTURE

7.7.1 District Energy

The Town's Community Energy Plan has identified that alternative energy solutions are necessary to achieve the Town's energy and greenhouse gas reduction targets for the *planning horizon* of this Plan. As the majority of the Town's growth is focused within the Urban Area, there is an opportunity to implement community energy in conjunction with new development.

Objectives

- i) Encourage energy efficient building design and construction techniques that minimize space heating and cooling energy consumption;
- ii) Encourage the establishment of district energy or an appropriate alternative within the Urban Area;
- iii) Promote the development of renewable energy production facilities such as wind, solar, and geothermal sources.

Policies

7.7.1.1 The Town shall work with the development industry and/or other partners to undertake District Energy Feasibility Studies as part of the Secondary Plan or Community Design Plan process, with particular focus on the following areas identified on Schedule A-1 to this Plan:

- i) GO Transit Station / Major Local Centre
- ii) *Post-Secondary Institution*
- iii) *Employment Areas* adjacent to 400-series Highways
- iv) *Queensville Major Local Centre*

7.7.1.2 The Town will pursue funding partnerships with other government and non-government agencies to encourage the establishment of *district energy* services within the Urban Area.

7.7.1.3 Where a *district energy system* is available for hook-up, *development* shall incorporate the necessary infrastructure for district energy in the detailed engineering design stage, including hydronic systems and pre-servicing with insulated pipes within a dedicated trench in the public right-of-way.

District energy is an energy-efficient method of heating and cooling buildings. District energy systems produce hot or chilled water at a central plant or series of plants located within the community. The water is then piped underground to individual buildings within a designated area for heating, cooling or process use. District energy can save money for users, conserve resources and reduce greenhouse gas emissions.

District energy. International District Energy Association. (2008) IDEA Press Room

"According to the Ontario Ministry of Energy, approximately 34% of Ontario's electricity supply is generated with fossil fuels, leading to emissions of greenhouse gases and criteria air contaminants. These emissions contribute to global effects such as climate change, and local effects, such as poor air quality, which endanger the species on this planet."
- York Region Energy Program

7.7.2 Renewable Energy Systems

The Town will explore the potential of renewable energy technologies to contribute to the overall goals of the Town's Community Energy Plan and address the objectives of the Green Energy Act.

Objectives

- i) Encourage the use and implementation of *renewable energy systems*, such as wind, solar, geothermal or other clean technologies;
- ii) *Renewable energy systems* shall be designed and constructed so as to minimize impacts on adjacent land uses, the environment and agricultural operations.



Wind Turbines

Policies

7.7.2.1 Those renewable energy undertakings that are exempted from Planning Act approvals are subject to the Green Energy and Green Economy Act, 2009.

7.7.2.2 The development of new *renewable energy systems* are categorized according to the scale of electrical production and include:

- i) *Individual Renewable Energy Generating Systems* – Individual Generating Systems are *renewable energy systems* that generate electricity only for an individual property or building and do not contribute to the electricity grid;
- ii) *Large-Scale Renewable Energy Generating Systems* – Large Scale Generating Systems are more intensive *renewable energy systems* being comprised of one or more generating units and provide electricity into the provincial transmission grid.

Individual Renewable Energy Generating Systems

7.7.2.3 The establishment of an *Individual Renewable Energy Generating System* will be permitted in the Town's Zoning By-law as structures or facilities accessory to the principle use of the property.

7.7.2.4 The Town will promote and encourage the use of *Individual Renewable Energy Generating Systems* for both existing and new development through:

- i) The establishment of an expedited and cost-effective process for building permits and other development approvals as required;
- ii) Partnerships with the Provincial Government of Ontario to advance on-site renewable energy technology.

Green Energy Act

Ontario's goals for the adoption of alternative energy include:

- phase out coal-fired generation by 2014, or earlier
- 48% of Ontario's electricity supply to come from conservation and renewable sources by 2025

- 7.7.2.5 The design and construction of new development shall be designed to accommodate the installation of *Individual Renewable Energy Generating Systems*, such as photovoltaic (PV) or solar hot water heating.
- 7.7.2.6 The Town will encourage the use of renewable energy generating systems consistent with the targets of the Community Energy Plan.
- 7.7.2.7 New or expanded *renewable energy systems* should be designed and constructed to minimize impacts on adjacent land uses in order to prevent adverse impacts from odours, noise and other contaminants and minimize risk to public health and safety.

Large-Scale Renewable Energy Generating Systems

- 7.7.2.8 The development of *Large-Scale Renewable Energy Generating Systems* using solar energy shall be permitted in all land use designations, with the exception of the *Environmental Protection Area* designation and shall be encouraged to locate within the *Agricultural/Long Term Growth Area*.

- 7.7.2.9 *Large-Scale Renewable Energy Generating Systems* using wind energy may be permitted in all land use designations but should be directed to lands within *Prime Agricultural* and *Rural Area* designations in order to reduce the potential for land use conflicts in *Settlement Areas*.

- 7.7.2.10 Sites for *Large-Scale Renewable Energy Generating Systems* will have access to a public road with the existing design capacity to accommodate construction and maintenance vehicles needed for the Systems.

- 7.7.2.11 Sites for *Large-Scale Renewable Energy Generating Systems* will have sufficient area to provide appropriate setbacks from sensitive residential and institutional land uses to provide safety and/or minimize other potential impact in accordance with the Green Energy Act.

7.7.3 **Electric Power Generation Facilities**

- 7.7.3.1 The development of electric power facilities shall occur in an orderly manner to facilitate the efficient and reliable provision of adequate electric power.

- 7.7.3.2 The proponent of the proposed facility shall consult with the Town on the location of any new electric power facilities.

- 7.7.3.3 Non-renewable fuel-based electric power facilities may be permitted through a site specific amendment to this Plan provided that the



Gorrie, Peter (2007) Clean, but very expensive Electricity. Solar Powered

planning of all such facilities is carried out having regard to the other policies of this Plan and fulfills the following requirements:

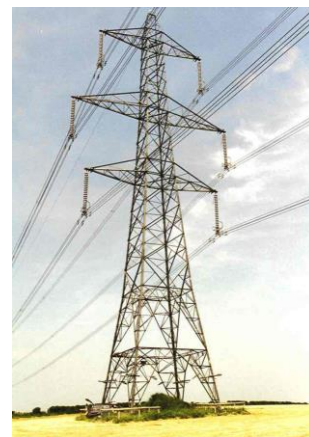
- i) Submission and approval of technical reports including, but not limited to, air and noise emissions, water resources, land uses and environmental impact;
- ii) All mitigation commitments surrounding air and noise emissions, water resources and environmental impacts, shall be implemented as set forth in the reports, including those approved by the Town and the Region of York;
- iii) The facility shall not result in any plume-related fogging or icing of public roads and other sensitive land uses. The applicant shall conduct a plume study as part of the environmental report (if applicable) to the satisfaction of the Town;
- iv) The facility shall be designed and constructed to implement applicable Emergency Response Plan requirements;
- v) Careful attention to architectural and urban design characteristics shall be given to all details in the design and review of facility to ensure compatibility with the existing community;
- vi) All applications for electric power facilities shall be subject to Site Plan approval.

7.8 TELECOMMUNICATIONS, UTILITY AND TECHNOLOGY INFRASTRUCTURE

The continual advancement of telecommunications technology, coupled with the need for rapid information transfer, will have a significant impact on the future development and economic vitality of the Town. Through coordination, shared use and innovation, utility corridors can be provided efficiently, cost effectively and in a manner that supports the quality of life of the Town's communities.

Objectives

- i) Promote and encourage innovative telecommunications systems within the Town to serve local businesses and residents and future development;
- ii) Minimize the impacts of telecommunications and transmission facilities on people, wildlife, surrounding land uses, and the environment.



*Transmission Line
University of Western
Ontario. (2008)
Tower Research.*

Policies

- 7.8.1 The Town will facilitate the coordination between growth management and the maintenance and expansion of the telecommunication sector, in terms of both technological advancement and service provision.
- 7.8.2 Prior to approval of development, the Town and proponents of development / redevelopment shall work with energy communication providers early in the planning process to ensure that adequate utility services and telecommunication networks are or will be established to serve the anticipated development and that these networks can be phased in and can be constructed, maintained, operated and installed in a manner that is cost effective, efficient and minimizes disruption.
- 7.8.3 Public and private utilities will be permitted in all land use designations and will be installed, where possible, within public road allowances. Where facilities cannot be located in a public road allowance, the provision of easements shall be permitted provided that their location does not detract from the function, amenity or safety of adjacent land uses.
- 7.8.4 Any future high voltage transmission lines should avoid existing residential areas and *significant* natural features and will be encouraged to locate among existing utility corridors or other rights-of-way, such as roads and railways, in order to minimize the fragmentation of properties.
- 7.8.5 Transmission lines should be coordinated with existing lines where feasible and, if above ground, should be designed so that the height is appropriate for the scale of the community.
- 7.8.6 All utility and transmission facilities within *Settlement Areas* shall be planned for and installed so they are grouped or clustered, where feasible, and placed so as to not visually detract from the streetscape. Where feasible, lines are to be installed underground particularly within *Village Core Areas* and the Green Lane Secondary Plan Area, so as to minimize their visual impact on the area. Additionally, the Town shall encourage telecommunication and utility providers to consider innovative methods of placing infrastructure on or within streetscape features such as lamp posts and transit shelters.
- 7.8.7 All utilities and telecommunication service providers shall be located in a common trench or corridor, wherever feasible.
- 7.8.8 The Town shall strongly encourage the co-location of telecommunications facilities with existing structures, where feasible, to minimize the proliferation of telecommunication towers and structures within the Town.

7.9 WASTE MANAGEMENT AND DIVERSION

Similar to other municipal services, certain municipal resources are required to manage the solid waste generated by residences and businesses in the Town. Reducing the volume of solid waste through a diversion program will help to ensure a sustainable natural environment and provide for the efficient use of municipal resources.

Objectives

- i) Continue to support and/or develop and implement programs to further promote waste diversion;
- ii) Work with recycling service providers to help develop and implement a Source Separated Organics pick-up recycling program for industrial, commercial, institutional, and multi-unit residential developments;
- iii) Encourage community involvement in reducing solid waste through the support of the Environmental Advisory Committee and other organizations.

Recycling, Source Separated Organics and Waste Diversion

- 7.9.1 Waste management will include, but not be limited to, waste diversion (composting and recycling), waste disposal and waste as a potential resource. The Town will continue to support and/or develop and implement programs to further promote waste diversion.
- 7.9.2 A recycling collection box system or equivalent will be available throughout the Town.
- 7.9.3 Proponents of new multi-unit and condominium developments will be required to submit a waste management plan demonstrating best practice of residential waste management through on-site separation and storage for all recyclables as addressed by the single residential unit municipal program(s). Multi-unit residential developments shall be required to incorporate three-stream waste collection capabilities.
- 7.9.4 Proponents of industrial, commercial and institutional developments will be required to submit a waste management plan demonstrating best practice of residential waste management through on-site separation and storage for all recyclables.
- 7.9.5 The Town shall work with recycling service providers to develop and implement a Source Separated Organics pick-up recycling program for multi-unit residential, industrial, commercial and institutional developments.

- 7.9.6 The Town shall work with the Region of York to develop and promote public or private programs to implement industrial, commercial, and institutional waste diversion and gradually implement targets and requirements for waste diversion.
- 7.9.7 Waste audit and waste reduction plans (as defined in Ontario Regulation 102/94) shall be required as a background study to be submitted with development applications.
- 7.9.8 The Town shall encourage the exploration and implementation of innovative neighbourhood scale waste diversion initiatives and provide streamlined approvals as well as support developments that incorporate such elements.

8 IMPLEMENTATION

The key to realizing the vision of East Gwillimbury in 2031 is through the implementation of the direction and policies contained in this Plan, in a consistent manner throughout the *planning horizon*. A series of tools will be used to implement the policies of this Plan. Generally, the Official Plan will be implemented through the use of specific powers conferred by the *Planning Act*, general powers pursuant to the *Municipal Act* and any other relevant provincial and/or municipal legislation. The intent of the means and methods identified is to ensure that both public and private decisions will be made in conformity with this Plan.

Objectives

- i) Provide the appropriate tools to implement the policies of the Plan;
- ii) Provide policies for the establishment of required committees and guidance for the activities of these committees;
- iii) Identify studies that may be required in order to refine the policies and direction of this Plan and in support of development proposals;
- iv) Establish policies for the monitoring of residential and non-residential growth;
- v) Provide mechanisms to monitor the achievement of the sustainable growth measures of this Plan.

8.1 COMPLETE APPLICATION AND PRE-CONSULTATION

In addition to the general policies contained within this Section, the Town may establish additional criteria for each type of Planning Act application through the enactment of a by-law authorized under this Section and the Planning Act.

8.1.1 The requirements for additional reports, studies and drawings beyond the prescribed information required under Sections 22(4), 34(10.1), 51(17) and 53(2) of the Planning Act, and any related amendments thereto, that will constitute the requirements for a complete application will be determined at or following the pre-consultation meeting and may include, but not be limited to:

- i) Natural Heritage Evaluation study to address the Natural Heritage System policies of this Plan;

In this Section:

- 8.1 Complete Application & Pre-Consultation
- 8.2 Development Approval Process
- 8.3 Pre-Servicing Requirements
- 8.4 Additional Studies Required & Peer Reviews
- 8.5 Zoning By-laws
- 8.6 Conditions of Zoning
- 8.7 Interim Control By-law
- 8.8 Temporary Use By-law
- 8.9 Holding Zones
- 8.10 Site Plan Control
- 8.11 Plans of Subdivision, Consents & Part Lot Control
- 8.12 Development Permit System
- 8.13 Development Agreements
- 8.14 Community Improvement
- 8.15 Density Bonus By-law or Density Transfers
- 8.16 Land Dedication and Acquisition
- 8.17 Cash in Lieu of On-Site Parking
- 8.18 Fill & Site Alteration
- 8.19 Public Works
- 8.20 Official Plan Review
- 8.21 Amendments to this Plan
- 8.22 Monitoring and Reporting on Official Plan Performance

- ii) Tree Inventory and Preservation Plan;
- iii) Cultural Heritage / Archaeological Resources Report;
- iv) Sustainability Assessment Report ;
- v) Planning Justification;
- vi) Market Impact Study;
- vii) Urban Design Plan;
- viii) Transportation Impact Analysis and Transportation Demand Management Report;
- ix) Servicing and Infrastructure Plans;
- x) Stormwater Management Plan;
- xi) Fiscal Impact Analysis;
- xii) Community Facilities and Services Needs Assessment;
- xiii) Agricultural Impact Study;
- xiv) Subwatershed Study;
- xv) Noise and/or Vibration Study;
- xvi) Landform Conservation Area Plan;
- xvii) Mineral Aggregate Study;
- xviii) Concept Plans and/or Drawings;
- xix) Natural Hazards Study;
- xx) *Source Water Impact Assessment and Mitigation Plan;*
- xxi) *Contaminant Management Plan;*
- xxii) *Infiltration Management Plan;*
- xxiii) Salt Management Plan;
- xxiv) Mobility Plan;
- xxv) and any information deemed appropriate by the Town.

8.1.2 The Town shall require reports, studies and drawings as part of a complete application to provide information pertaining to the lands that are subject to a development application(s) and the adjacent areas to assist the Town in evaluating a development application. The specific scope of the reports and studies to be submitted by an applicant will be identified at the pre-consultation meeting outlined in Section 8.1.8.

8.1.3 The level of detail required for all requested studies shall be of a level that demonstrates conformity to the applicable Secondary Plan and Community Design Plan and allows for a complete and thorough review of all aspects of the development.

8.1.4 The proponent shall be responsible for all costs associated with the preparation of the required studies.

8.1.5 Development applications that are submitted to the Town without the required studies, reports, plans or other required information and/or prior to a pre-consultation meeting in accordance with Section 8.1.8 shall be considered incomplete

- 8.1.6 During the course of the review process for any development application that has been deemed to be a complete application, additional reports, studies and drawings may be required in order to address specific issues and to better enable the Town to make informed decisions in the best interests of the proposed development and the broader public interest. These additional requirements will not affect the original date of the complete application.
- 8.1.7 All information may be required to be submitted in both an electronic format and hard copy so that it may be more easily made available for review.
- 8.1.8 Prior to an application for development, applicants shall attend a pre-consultation meeting with Town staff. The purpose of the mandatory pre-consultation meeting is to enable the proponent of a development application and the Town to discuss the requirements for a complete application pursuant to this Plan. Where appropriate, other public agencies will be invited to the pre-consultation meetings to identify any interests, issues and requirements.

8.2 DEVELOPMENT APPROVAL PROCESS

Secondary Plans, Community Design Plans, Plans of Subdivision, Zoning By-laws and Site Plan approval implement the policies contained within this Plan by coordinating the completion of detailed environmental, sustainable development, servicing, transportation, fiscal, urban design guidelines and growth management analysis and approvals.

This Section and Figure 8.1 outline the development approval process in East Gwillimbury. It is recognized that at the date of adoption of this Plan various development proposals submitted to the Town may be at various stages of the approval process. Unless specifically stated, nothing in this Plan requires these applications to be re-submitted. In addition, nothing in this Section shall prevent a landowner from submitting a development application. However, Council shall refrain from making a final decision on such application until the preceding process approvals are granted.

8.2.1 Secondary Plans

The purpose of the Secondary Plan and Community Design Plan process is to:

- i) Coordinate the overall delivery of services and infrastructure;
- ii) Identify the layout of arterial and collector and strategic local roads;
- iii) Establish the configuration, location, character and size of land uses in conformity with Schedule A-1: the Urban Structure Plan;

- iv) Identify and consider the layout and function of open space corridors, valley lands, *woodlands* and other natural features and functions;
- v) Determine the land uses, densities and development patterns prior to the approval of plans of subdivision or amendments to the Zoning By-law or Development Permit By-law.

8.2.1.1 The Town shall recognize the existing Secondary Plans completed for the communities of Sharon, Queensville, Holland Landing, and Mount Albert as identified on Schedules B and C-1. These existing Secondary Plan areas may be required to complete a Community Design Plan or Urban Design Guidelines in accordance with Section 8.2.2.

8.2.1.2 Development of land within a Secondary Plan Area identified on Schedule B shall not occur until such time as a Secondary Plan and Community Design Plan (if required) are adopted and/or approved by Council.

8.2.1.3 A Secondary Plan shall be required to be adopted by Council prior to any development of lands being permitted. If in the opinion of Council the proposed Secondary Plan conforms to the intent and polices of this Plan, the Secondary Plan may be adopted by Council in the form of an amendment to this Plan pursuant to the provisions of the Planning Act.

The Secondary Plan shall conform to the underlying land use classifications as shown on Schedule A-1 of the this Plan and shall establish the location of proposed land uses, the location of arterial and collector roads and any site specific policies that may be required to implement this Plan.

8.2.1.4 Detailed land use designations and development policies for the Secondary Plan Study Area B-4 shown on Schedule B will be subject to Council's adoption of an amendment to this Plan. The detailed land use study process to be undertaken in support of such an amendment will consider the following matters:

- i) Establish this area as a Development Permit Area for the purposes of expediting employment land growth and economic development;
- ii) A high degree of urban design in accordance with the policies under Section 3.3 of this Plan;
- iii) The completion of a feasibility study for the provision of a *District Energy System*;
- iv) To require flexible and adaptable employment lands that include street patterns and building design and siting that allow for redevelopment and intensification.

Note: Various states of the development approvals process may be streamlined and/or processed concurrently.

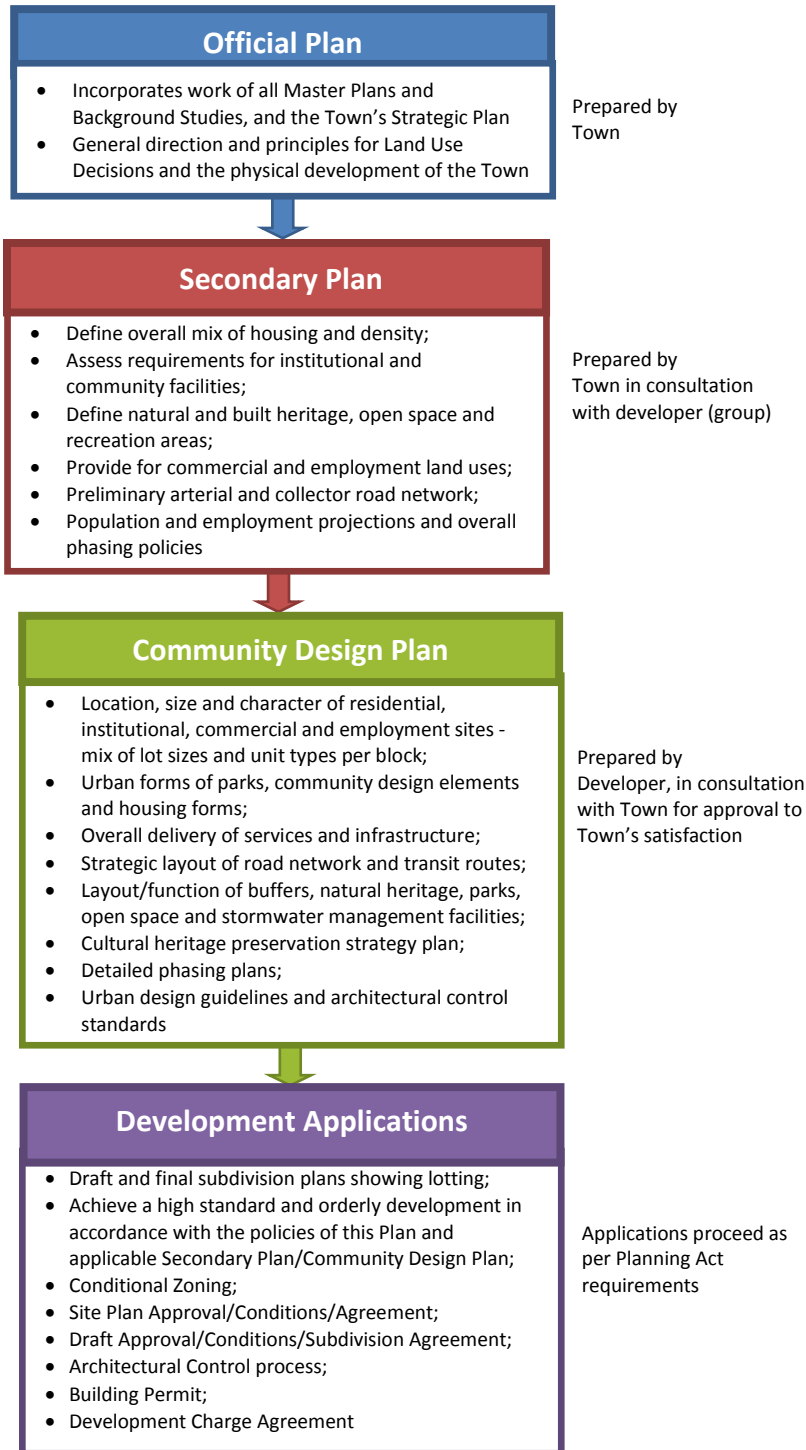


Figure 8.1 Development Approvals Process

8.2.1.5 Further detailed Secondary Plan studies and amendments to this Plan for *Community Areas* will identify appropriate locations for:

- i) low, medium, and high density residential; mixed use; office; institutional; and commercial retail uses;
- ii) parks, schools and other community uses.

The location of parks, schools and other community uses shall be identified as part of the Secondary Plan process and finalized through the Community Design Plan process.

8.2.1.6 The boundary and extent of the Natural Heritage System shall be clearly and accurately delineated as part of a *Natural Heritage Evaluation*, to be completed as part of the Secondary Plan approval process.

8.2.1.7 The Town shall require the preparation of Financial Impact Studies as part of major land use development proposals and Secondary Plans or Community Design Plans. This analysis shall be coordinated among the Town, the Region of York, the school boards and other relevant agencies and shall include but not be limited to:

- i) an assessment of local and Regional service costs, including transportation, water, sewer, emergency services, community and health services;
- ii) operating and capital budgets, and the financing implications related to the impact on tax levy, user rates and Development Charges; and
- iii) the ability of the development to financially and technically provide for the required servicing infrastructure in order to allow the development to proceed on a timely basis.

8.2.1.8 With the exception of the studies required to delineate the boundary of the Natural Heritage System, the level of detail and amount of information required for the approval of a Secondary Plan, shall be of a level that demonstrates that the proposed land use scheme is in general conformity to the policies of this Plan.

8.2.1.9 A preliminary phasing plan shall be required as part of the Secondary Plan submission, which shall address the requirements of Section 3.4 of this Plan and the following:

- i) Describe the manner in which the subject lands will be serviced with water, wastewater, utility and transportation networks;
- ii) Outline how the proposed plan conforms to the Urban Structure of this Plan, shown on Schedule A-1;

- iii) Generally describe the timing of each stage of the development.

8.2.2 Community Design Plan

The Community Design Plan provides a description of the proposed development scheme for a Secondary Plan Area.

At a minimum the Community Design Plan shall address the policies of this Plan and the York Region Official Plan pertaining to:

- i) Sustainable community development and energy conservation;
- ii) *Complete communities*;
- iii) Environmental protection;
- iv) District energy feasibility;
- v) Energy efficiency;
- vi) Transportation and transit networks;
- vii) Servicing concepts;
- viii) Phase 1 archaeological study and heritage impact statement;
- ix) Growth management analysis;
- x) Urban and neighbourhood structure, form and design;
- xi) Public realm design, including preliminary facility fit plans for parks;
- xii) General phasing and staging policies including establishing priorities and setting specific growth targets and limitations in accordance with Section 3;
- xiii) Community vision including the overall urban form, character, connections and relationships between various components of the community;
- xiv) A community concept map to include layout of arterial, collector and local roads, transit routes, trails, development blocks, land uses, community design elements, built form, buffers, parks and open space and stormwater management facilities;
- xv) Other elements are noted in Figure 8.1;
- xvi) The community energy plan criteria outlined in policy 5.6.10 of the York Region Official Plan.

8.2.2.1 The Community Design Plan shall only be approved by Council once a Secondary Plan is completed and Council approves an amendment to this Plan. Community Design Plans are done on a smaller scale/lane area than a Secondary Plan Area.

- 8.2.2.2 The Community Design Plan, as approved by Council, shall form the basis for the approval of Plans of Subdivision and amendments to the Zoning By-law. No Plan of Subdivision shall be approved until such time as the applicable Community Design Plan is approved by Council.
- 8.2.2.3 Detailed engineering and servicing designs at the Community Design Plan and/or subdivision stage shall incorporate where necessary, piped services to accommodate district energy to service the development within the Secondary Plan Area.
- 8.2.2.4 Appropriate sites for *convenience commercial uses* shall be identified through the Community Design Plan process to provide a limited range of convenience type retail and services to provide for weekly and daily needs within neighbourhoods.
- 8.2.2.5 As a Community Design Plan will have an impact on the manner in which the Town develops, public participation shall be required during the approval process in the form of a public open house.
- 8.2.2.6 Notice of the public open house shall be given in a time frame Council deems appropriate and posted on the Town's website and/or by regular mail to:
- i) all landowners within the Community Design Plan area;
 - ii) all landowners within a minimum 120 metres of the boundary of the lands within the proposed Community Design Plan;
 - iii) any person who requests to be notified;
 - iv) all public and quasi public authorities that may be required to approve any aspect of the future development.
- 8.2.2.7 The Town shall make available to the public for review a copy of the proposed Community Design Plan and all supporting documents within the notification period.

8.3 PRE-SERVICING REQUIREMENTS

When processing applications for approval of plans of subdivision, Council may permit pre-servicing, grading and earth works, including the installation of underground infrastructure. Where the owner of lands wishes to proceed to service lands prior to the registration of a Plan of Subdivision, they may do so at the sole discretion of the Town and subject to the execution of the Town standard Pre-servicing Agreement. The developer shall assume all risks associated with the construction activities on their land. The following elements outline the Town policy on pre-servicing:

- 8.3.1 The engineering drawings shall be approved and signed by the Town Engineer on behalf of the Town.

- 8.3.2 A Tree Inventory and Preservation Plan shall be submitted and approved prior to pre-servicing, to assess the location and quality of trees and vegetation, and assist in organizing the land uses and development in order to retain good quality trees wherever possible. A Tree Preservation Plan shall include an inventory, assessment and tree conservation plan for the forest and vegetation resources located in the development area. Where appropriate, tree protection measures shall be used to protect those trees from the impacts of construction activities.
- 8.3.3 No pre-servicing shall be permitted with respect to any service which is external to the subdivision lands, unless approved by the Town.
- 8.3.4 The appropriate permits as required through the conditions of draft plan approval shall be secured prior to the initiation of any construction works. Such permits shall typically include, as a minimum:
- i) Lakes and Rivers Improvement Act Permit from the Ministry of Natural Resources;
 - ii) Cut and Fill Permit from the local Conservation Authority;
 - iii) Ontario Water Resources Act Permit from the Ministry of the Environment;
 - iv) Archaeological requirements of the Ministry of Culture;
 - v) Certificate of Approval from the Ministry of the Environment, where required;
 - vi) Permit to Take Water from the Ministry of the Environment, where required.
- 8.3.5 Adequate securities in a form acceptable to the Town shall be posted to cover costs under the following areas:
- i) Restoration of lands with fill, topsoil and seed and mulch, should the development be halted at any given time during the pre-servicing phase;
 - ii) 100% of the cost of services and the Town Engineer's inspection fees.
- A detailed assessment of the grading works required to restore the lands must be undertaken and approved to precisely determine the actual amount of the letter of credit required. The amount shall be approved by the Town Engineer.
- 8.3.6 The applicant(s) shall post adequate insurance to the satisfaction of the Town to protect the Town in the amount of a minimum of \$5,000,000 for any single occurrence.

- 8.3.7 Once the subdivision agreement has been executed, an assessment will be undertaken to determine the value of the letter of credit for the development, intended to replace the letter of credit posted for the pre-servicing agreement. The letter of credit for the subdivision would normally be calculated at 100% of the works not completed and 10% of the work certified to be completed, in addition to all other contingency items normally identified under the Town Standard Subdivision Agreement.
- 8.3.8 The Town shall ensure that the following measures are incorporated into subdivision and site plan agreements and applied during site alteration:
- i) Keep the removal of vegetation, grading and soil compaction to the minimum necessary to carry out the *development* activity;
 - ii) Removal of vegetation shall not occur more than 30 days prior to grading or construction;
 - iii) Put in place structures to control and convey runoff;
 - iv) Minimize sediment that is eroded offsite during construction’
 - v) Seed exposed soils once construction is complete and seasonal conditions permit; and
 - vi) Ensure erosion and sediment controls are implemented effectively and in accordance with Ministry of the Environment requirements.

8.4 ADDITIONAL STUDIES REQUIRED AND PEER REVIEWS

Certain supporting studies, information and materials will be required as part of the development approval process or as part of a detailed planning study as identified in this Plan. The need and timing of such supporting studies, information and materials will be determined by the Town on a site-specific basis in consideration of the site’s land use context and regard to the policies of this Plan.

- 8.4.1 At its sole discretion, and at any time, the Town may determine that a report, study or any other submission be subject to a peer review.
- 8.4.2 Where any study is required as part of the development approval process, the proponent shall be responsible for all costs associated with the preparation of said document and any required revisions of the required documents and may be responsible for the cost associated with any required peer review.

8.5 ZONING BY-LAWS

8.5.1 A Zoning By-law(s) and/or Development Permit By-law pursuant to the provisions of the Planning Act shall be used to implement the policies of this Plan by regulating the use of land and the location of buildings or structures, and may be more restrictive than this Plan, where appropriate.

8.5.2 The Zoning By-law may regulate and establish standards related to items such as, but not limited to:

- i) Permitted land uses;
- ii) Minimum and maximum *density* of development;
- iii) Minimum and maximum building height;
- iv) Building massing;
- v) Minimum and maximum building setbacks from streets and features within the Natural Heritage System;
- vi) Landscape and buffer area requirements;
- vii) Minimum and maximum parking requirements;
- viii) Any other item required to implement the policies of this Plan.

8.6 CONDITIONS OF ZONING

Pursuant to the provisions of the Planning Act, Council may permit the use of land or the erection, location or use of buildings or structures and impose one or more prescribed conditions.

8.6.1 In determining the conditions to be applied to the use of land or the erection, location or use of buildings or structures the required conditions should be in keeping with the intent of this Plan and be based on policies related to the specific use(s) contained within this Plan and the *Zoning By-law*.

8.6.2 Where a condition is prescribed pursuant to this Section and the Planning Act, the Town may:

- i) Require the owner of the lands subject to the implementing *Zoning By-law* to enter into an agreement with the Town relating to the conditions of approval;
- ii) Require the agreement be registered on title against the land to which it applies;
- iii) Enforce the agreement against the owner and subject to applicable legislation, any and all subsequent owners of the land.

8.7 INTERIM CONTROL BY-LAW

From time to time it may be necessary for the Town to limit and prohibit development in certain areas of the Town or to limit and prohibit certain types of uses while studies occur or in response to unforeseen circumstances.

The Town may pass interim control by-laws pursuant to Section 38 of the Planning Act where the Town has directed a study be undertaken of land use planning policies in the Town or in any defined area(s) of the Town.

8.8 TEMPORARY USE BY-LAW

The Town may pass by-laws pursuant to the Planning Act in order to authorize the temporary use of any land, buildings or structures for any purpose set out in such by-laws, including a use that may not comply with the designation of this Plan, provided however that Council is satisfied that the principles and criteria outlined in Section 4.15.5 are met.

8.9 HOLDING ZONES

The Town may zone lands to include a Holding symbol “H” as provided for in the Planning Act. Holding provisions may be used in conjunction with a specific zoning category or site specific Zoning By-law in order to specify the permitted uses of the lands when the Holding Symbol is removed by amendment to the Zoning By-law. The by-law will also specify the uses permitted on the lands prior to removal of the Holding symbol. Such uses may include *existing uses* and a limited range of uses compatible with the intended future use of the lands.

8.9.1 The use of holding provisions shall include, but not be limited to the following situations:

- i) where adequate services to meet the needs of the proposed development are not available, and will not be available until service expansions or improvements are approved and implemented. The removal of the holding provision may occur at such time as adequate services are available;
- ii) where such lands are affected by adverse environmental effects or other constraints on development which can be resolved to the Town's satisfaction. Upon resolution of the adverse environmental effects or other constraints on development to the Town's satisfaction;
- iii) where the development of such lands may impose adverse financial effects upon the Town. Upon resolution of such adverse financial effects to the Town's satisfaction, the Town shall amend the Zoning By-law to remove the holding symbol;

- iv) where the phasing of development or redevelopment is deemed necessary by the Town, including phasing provisions of this Plan related to availability of sanitary sewage treatment capacity, transportation requirements or other matters to ensure the development of *complete communities*;
- v) Where the development is proceeding by Plan of Subdivision, upon the completion of all conditions of Draft Plan Approval, the Holding symbol may be removed;
- vi) where the development of the land requires a development agreement or site plan agreement, until such time as the required agreement has been executed and registered on title.

8.10 SITE PLAN CONTROL

Pursuant to Section 41 of the Planning Act, the Town designates all of the land within the Town as a Site Plan Control Area.

Through a Site Plan Control By-law passed under Section 41 of the Planning Act, Council will identify specific types of development subject to and exempt from Site Plan Control. Uses specifically excluded from the Site Plan Control Area are:

- i) Agricultural and farm related buildings or structures that are utilized in farming operations and which by their nature do not directly serve the public and/or do not charge public use fees. *Agricultural uses* located in *Environmental Protection Area* designation, and commercial or industrial operations in the *Rural* or *Prime Agricultural Area* designations, such as, but not limited to, farm equipment sales and service, farm supply sales, and off-farm agricultural storage, service or supply establishments or similar *secondary uses*, are not subject to this exemption;
- ii) Single family detached dwellings and residential buildings containing less than three dwelling units, that are not located in *Environmental Protection Area* designation or *Oak Ridges Moraine* designation, or have a *home occupation* conducted therein under the provisions of the Zoning By-law, or are within a heritage conservation district or designated under the Ontario Heritage Act.

Site Plan Control is an important means of implementing the policies of this Plan, including the functional and well-designed development which support and advance the urban design policies under Section 3.3 of this Plan. The Town shall require that Site Plan submissions show and describe in adequate detail the location, design, massing of buildings, structures and exterior open spaces, public access areas then layout of parking and service areas, site landscaping and their relationship to adjacent properties and the public realm.

- 8.10.1 In accordance with the matters outlined under Section 41(4) of the Planning Act, the Town shall consider design elements which promote sustainable development within the public right of way, boulevard, and sidewalks adjacent to the site including landscaping, surface treatment and permeable paving materials, street furniture, curb ramps, waste and recycling containers, lighting and bicycle parking and storage facilities.
- 8.10.2 The Town shall support and promote the use of the Integrated Design Process (IDP) as part of the process for the submission of Site Plan applications that assembles the necessary disciplines to address the policies of this Plan as it relates to:
- i) Energy efficiency targets for building design, as outlined in the Town's Thinking Green Development Standards;
 - ii) Urban design objectives of this Plan and any applicable guidelines adopted or approved by the Town;
 - iii) Engineering design elements which advance and address the sustainable development policies of this Plan for stormwater management and water and wastewater services within an emphasis on water conservation measures;
 - iv) The exploration of potential on-site renewable energy resources, such as geothermal, heat-source recovery, solar and wind that could be employed to address the policies of this Plan;
 - v) Transportation Demand Management features and site design to support the active transportation policies of this Plan with reference to pedestrian and cycling both within and external to the development.
- 8.10.3 In accordance with the Planning Act, the owner of land may, as a condition of approval of plans, be required to enter into a Site Plan agreement and provide to the satisfaction and at no expense to the Town any or all of the matters listed in Section 41(7) of the Planning Act.

- 8.10.4 Plans and drawing submitted for approval shall include all information and requirements as stated in Section 41(1) of the Planning Act.
- 8.10.5 An application for site plan approval under Section 41 of the Planning Act is not required to comply with the Oak Ridges Moraine Conservation Plan if it relates to land in respect of which any of the following was commenced before November 17, 2001 and approved after that date:
- i) an application for an amendment to a zoning by-law;
 - ii) an application for approval of a plan of subdivision under Section 51 of the *Planning Act*; and,
 - iii) an application for approval or exemption from approval for a plan of condominium under Section 9 of the *Condominium Act, 1998*.
- 8.10.6 The Town may establish a Committee of Council to review and provide advice to Council with respect to site plan applications. Details relating to the Committee's role, purpose and authority will be established through the passing of a municipal by-law.
- 8.10.7 Council may delegate its approval authority, in whole or in part, to a member of staff.

8.11 PLANS OF SUBDIVISION, CONSENTS AND PART LOT CONTROL

- 8.11.1 A Plan of Subdivision, rather than a *Consent* to sever land for development purposes, shall generally be deemed necessary in each of the following cases:
- i) A new lot cannot be created under the provisions of Section 8.11.5;
 - ii) The extension of a public road allowance or other major road work is required;
 - iii) The extension or creation of municipal services is required.
- 8.11.2 The Town shall recommend for approval only those applications for *Consent*, Plan of Subdivision Approval or Part Lot Control By-law, which:
- i) comply with the provisions of this Plan (including an approved Secondary Plan and/or Community Design Plan), the Zoning By-law and of any agreement registered against the title of the subject land that the Town or other approval authority is party to;
 - ii) have regard for the relevant provisions of the Planning Act, the Agricultural Code of Practice and any other regulations, guidelines or policies deemed relevant by the Town;
 - iii) have no negative effect on the financial position of the Town;

- iv) can be adequately provided with the utilities and services and other infrastructure required by this Plan.
- 8.11.3 As part of the granting of any *Consent*, Plan of Subdivision or Part Lot Control By-law, conditions as may be authorized under the Planning Act, respecting, but not limited to, the following:
- i) the fulfilment of the financial requirements of the Town;
 - ii) the execution of works respecting public roads, sidewalks, servicing, drainage, grading and landscaping;
 - iii) the dedication of lands to the Town for park purposes, or, as an alternative, the payment of cash-in-lieu of such dedication as may be acceptable to the Town;
 - iv) the dedication, where applicable, of appropriate road widenings, easements, or reserves;
 - v) the submission, to the authority having jurisdiction, of a Plan of Survey suitable for registration against the title of the subject land;
 - vi) the entering into of one or more agreements regarding, but not limited to, the above which may be registered against the title of the subject lands;
 - vii) the establishment of a time limit for fulfilling the conditions of approval in accordance with the provisions of The Planning Act.
- 8.11.4 New multiple units or multiple lots for residential dwellings, whether by plan of subdivision, condominium or severance, shall not be permitted in the *Greenbelt Protected Countryside*.
- 8.11.5 In some cases minor adjustments to lot lines and the creation of lots may be desirable. The small scale of these types of land division does not require a Plan of Subdivision. The following Section provides guidance with respect to items to be considered when determining if a *consent* to sever is the appropriate approval process and the items that should be considered.

It is the intent of this Plan that *Consents* regarding the conveyance of lands under the Planning Act may only be granted in the following circumstances:

- i) To create residential lots on lands having a *Residential* designation and appropriate zoning provided no lot could be further divided into additional lots under the Zoning By-law provisions relating thereto. The subject property shall not have more than two additional lots conveyed there from;

- ii) To create lots for uses in *Commercial, Employment, and Institutional* designations, or for public purposes for lands having an appropriate designation, provided the owner enters into an agreement as described in Section 8.13;
- iii) To add lands to an abutting lot where appropriate to correct encroachments, allow additional development, augment existing lot areas, or to create a land assembly for subsequent development, provided the conveyance does not lead to the creation of an undersized or irregularly shaped lot for the purpose for which it is being used;
- iv) To sever off one of two single family detached dwellings legally located together on one subject property into a new lot, with the exception of secondary dwellings for farm help, provided all other policies of this Plan are complied with;
- v) In the *Environmental Protection Area* designation only to provide an opportunity to protect and enhance *significant* natural heritage features, provided a new building lot is not created;
- vi) Extensions of municipal roads or services are not required;
- vii) The proposed lot shall have access to a public road maintained on a year-round basis;
- viii) Generally, the creation of lots fronting on arterial roads or major collector roads shall be discouraged. Where such access onto an arterial road is considered necessary and appropriate, the *Consent* may be permitted in accordance with the requirements set by the appropriate road authority;
- ix) All parcels of land shall be of an adequate size for the use proposed, having regard to the topography of the land, the siting of proposed buildings and points of access. Where municipal services are not available, regard shall be given to the suitability of the soil conditions for adequate potable private water supply, and for the installation of a satisfactory private sewage disposal system which complies with the standards of the Ministry of the Environment or the Town;
- x) In the *Oak Ridges Moraine Plan Area*, conformity with the policies of Section 4.12 and the policies of the relevant land use designation;
- xi) All lots shall be well proportioned and be an appropriate size and shape relative to the land use proposed for the lot, the impacts of the area's physical, natural and social characteristics and the development constraints arising therefrom.
- xii) A new lot may not be created within *Significant Threat Areas '1' and '2'* for any development which requires a large on-site sewage system (greater than 10,000 L/day).

- xiii) Subject to all other policies of this Plan, a lot may be created within *Significant Threat Areas '1' and '2'* for any development which requires a small on-site sewage system (less than 10,000 L/day) subject to the Ministry of the Environment and Climate Change guidelines for individual septic systems for lands.

8.11.6 Lot creation is permitted only in the following circumstances in the *Greenbelt Protected Countryside, Oak Ridges Moraine and Agricultural/Long Term Growth Area*, for the range of uses permitted by this Plan, the Greenbelt Plan and Oak Ridges Moraine Conservation Plan:

- i) Acquisition of land for infrastructure purposes, subject to the infrastructure policies of section 4.2 of the Greenbelt Plan and Section 41 of the Oak Ridges Moraine Conservation Plan;
- ii) To facilitate conveyance to public bodies or non-profit entities for natural heritage conservation, provided it does not create a separate lot for a residential dwelling;
- iii) Minor lot line adjustments or boundary additions, provided they do not create a separate lot for a residential dwelling and there is no increased fragmentation of a *key natural heritage feature* or *key hydrologic feature*;
- iv) *Agricultural uses* where the severed and retained lots are intended for *agricultural uses* and provided the minimum lot size is 40 acres within *Holland Marsh Specialty Crop Area* and 100 acres within the *Prime Agricultural Area, Agricultural/Long Term Growth Area & Oak Ridges Moraine*;
- v) Existing or new *agriculture-related uses*, such as farm-related commercial and farm-related industrial uses that are small in scale and directly related to the farm operation and required to be in close proximity to the farm operation. In these cases, the new lot will be limited to the minimum size needed to accommodate the use, including a sewage and water system appropriate for such a use;
- vi) Severance of an existing residence surplus to a farming operation as a result of farm consolidation, provided no additional residence can be constructed on the retained farmland, the lot will be limited to the minimum size needed to accommodate the dwelling (including individual private sewage and water systems) and subject to the following criteria:

Size of 1956 Landholding	Maximum Number of Consents for Non-farm Residential Purposes Permitted for the Period Commencing January 1, 1956
Less than 20 hectares (50 acres)	0
20 hectares (50 acres) to 40.06 hectares (99 acres)	1
40.07 hectares (100 acres) or greater	2

For the purposes of this subsection, the following words and phrases shall mean:

- (a) '1956 Landholding' means those lands held by the owner or his predecessors in title from January 1, 1956 to the date of application for consent, and shall include any parcels of land which may have been the subject matter of a severance either with or without consent or by operation of law, but shall not include lands which have been added to the 1956 Landholding by the doctrine of merger or by operation of law.
- (b) 'Consent' means a consent given by the Land Division Committee or Committee of Adjustment, or other relevant authority, for the creation of one new lot; in the event that a consent results in the creation of more than one new lot, there shall be deemed to be one consent given in respect of each lot created; furthermore, for the purposes of this subsection, each lot which is severed from the 1956 Landholding with or without Consent by operation of law shall be deemed to have been severed by a Consent.
- (c) 'Lot' shall have the meaning ascribed to it in the Town's Zoning By-law.
- (d) 'Consent for non-farm residential purposes' means a Consent as defined above to sever a lot from the 1956 Landholding.

8.11.7 Notwithstanding 8.11.6(v) of this Plan, a consent for an *agricultural-related use* is not permitted on the Oak Ridges Moraine.

8.11.8 The Committee of Adjustment is the approval authority for *Consents* in the Town.

- 8.11.9 A parcel of land related to a land assembly for future development may be created that does not comply with the access and frontage requirements of this Plan provided either:
- i) access to the parcel will be appropriately provided for on a proposed Plan of Subdivision that has draft approval;
 - ii) appropriate access and frontage will be available when the Town lifts an abutting reserve it holds and/or when the Town assumes an abutting road right-of-way on a registered Plan of Subdivision.
- 8.11.10 Any Zoning By-law or Minor Variance respectively passed or granted to permit approval of a *Consent* shall come fully into force under the provisions of the Planning Act prior to the final clearance being given to register the *Consent*, Plan of Subdivision or Part Lot Control By-law against the title of the subject land.

8.12 DEVELOPMENT PERMIT SYSTEM

The Town may through a by-law passed pursuant to Section 70.2 of the Planning Act, establish a development permit system for one or more specific areas of the Town.

- 8.12.1 The following areas are described as proposed development permit areas and may be designated as such by a Development Permit By-law passed by Council pursuant to the provisions of the Planning Act and associated regulations:
- i) Lands within the Oak Ridges Moraine (as shown on Schedule C of this Plan);
 - ii) Lands within *Employment Areas* (as shown on Schedule A-1 of this Plan).
- 8.12.2 Within an area for which a Development Permit By-law has been enacted, the Zoning By-law and site plan control will not apply where criteria established through the Development Permit By-law have been met.
- 8.12.3 Except for those classes of development for which the Development Permit By-law specifies that no development permit is required, a development permit will be required prior to undertaking any *development or site alteration* within defined areas.
- 8.12.4 As may be provided in the Development Permit By-law, a development permit may be issued to permit *site alteration* and/or, as a discretionary use, any use not specifically listed as a permitted use in the Development Permit By-law, provided that the proposed use is similar to and compatible with the listed permitted uses, that the proposed *site alteration* and/or use would have no adverse impact on

adjoining properties and that the proposed *site alteration* and/or use would maintain the intent, principles and policies of this Plan.

- 8.12.5 The Development Permit By-law may provide that a development permit may be issued to permit *site alteration* and/or discretionary uses (or expansion of *existing uses*) provided certain criteria set out in the Development Permit By-law are met.
- 8.12.6 For the evaluation of proposed *site alteration* and/or discretionary uses, the By-law will include, but shall not be limited to, the following criteria for lands within the Oak Ridges Moraine development permit area:
- i) that the proposal is desirable in order to avoid hardship;
 - ii) that it would have no adverse impact on adjoining properties; and
 - iii) that it would maintain the intent, principles and policies of this Plan.
- 8.12.7 For the evaluation of proposed discretionary uses, the By-law will include, but shall not be limited to, the following criteria for lands within the Employment Corridor development permit area:
- i) that the proposal is desirable in order to meet employment population targets set out in this Plan;
 - ii) that the proposal meets green standards set out in this Plan;
 - iii) that the proposal would have no adverse impact on adjoining properties;
 - iv) that the proposal would maintain the intent, principles and policies of this Plan.
- 8.12.8 The Development Permit By-law may allow certain specified variances to the standards specified in the Development Permit By-law. Such variations may be permitted only if they have satisfied the policies pertaining to the applicable policies of the Plan.
- 8.12.9 As may be provided in the Development Permit By-law, a development permit may be issued which varies a development standard by an amount as may be specified in the Development Permit By-law, provided that the variation in the standard would result in the appropriate development or use of the land and is minor. In this regard, minor means that the proposed building or structure would have no adverse impact on adjoining properties, and that it would maintain the intent, principles and policies of this Plan. In particular, consideration shall be given to the implementation of design principles outlined in Section 3.3 of this Plan, for the respective development permit area to which the proposal would apply.

- 8.12.10 Any proposal for a use that is not listed as a permitted or discretionary use in the Development Permit By-law or that exceeds the limit of variation permitted in the Development Permit By-law will require an amendment to the Development Permit By-law.
- 8.12.11 Council may delegate to staff the approval or issuance of development permits. Limits on and criteria for such delegation will be established in the Development Permit By-law or other municipal by-laws.

8.13 DEVELOPMENT AGREEMENTS

Since it is the policy of this Plan that the cost of new development shall have minimal impact on existing taxpayers, no development shall proceed and no Secondary Plan or phase within a Secondary Plan will be brought forward unless in compliance with the following:

- 8.13.1 Landowner Agreements based on the Secondary Plan and the findings of any supporting studies may be required. Landowner Agreements shall provide for the equitable distribution of costs of land and community infrastructure facilities that are required in order for development to occur within the Plan. Property owners may be required to enter into and be in compliance with the terms of one or more Landowner Agreements as a condition of development approvals, including a draft plan of subdivision, *consent*, site plan, building permit or any other development approval that allows land within the Secondary Plan to be developed for a purpose or intensity other than its former development.
- 8.13.2 Where a Landowner Agreement is required by the Town and is in place, the Town may require notification in writing from the Trustee of the Landowner group that the obligations of the Landowner Agreement have been satisfied, prior to providing final approval for any lands proposed for the development area.
- 8.13.3 Agreements may be registered against the land to which they apply, and the Town or the Region of York shall enforce the provisions thereof against current and subsequent owners of the land.
- 8.13.4 The costs of all services, roads, and other facilities within a proposed development, necessary to serve that development, shall be borne by the developer. As a condition of draft plan approval of a subdivision, and/or a plan of condominium, or approval of a site plan application, the developer shall enter into an agreement with the Town and, if required, the Region of York, to provide for the construction of such works within the development.

8.13.5 To the extent that the capital facilities, services, and studies referred to above benefit new development outside the area of any specific development plan, Council shall use financial mechanisms as outlined in this Plan to require appropriate reimbursement by benefiting owners prior to development approvals, to those persons developing who have financed these capital facilities, services, and studies.

8.13.5.1 In order to ensure that the costs of capital facilities and services (including the non-growth share thereof) under the jurisdiction of the Town, and the cost of any pre-development studies are borne fairly among all development benefiting therefrom, Council shall implement such measures as are appropriate. Such measures shall be imposed on benefiting landowners within the Town, and include without limitation, the following:

- i) Front-ending agreements registered against benefitting lands, which may include arrangements that require the benefiting owners to assume their proportionate share of the front-ender's obligations;
- ii) Requirements that developers make accelerated Development Charge payments;
- iii) Services in lieu of Development Charge agreements;
- iv) Conditions of development approvals (including conditions of approval of draft plans of subdivisions), and/or agreements requiring owners of lands which will benefit from the provision of such facilities, services, and studies to enter into cost-sharing agreements. Such cost-sharing agreements will be registered against the title to benefitting lands, will run with the lands, and will be enforceable against all subsequent owners;
- v) Conditions of development approvals and/or agreement requiring the owners of development lands that will benefit from the installation of services and facilities and/or from pre-development studies to reimburse any developer of lands, who front-ended the costs thereof;
- vi) Prohibiting any lands benefitting from the facilities, services, and studies provided by any developer in the *Settlement Area* from connecting into any Town services, including water, sewer, and storm water facilities until such time as the benefitting landowner has entered into arrangements satisfactory to the Town (including, without limitation, a front-ending agreement, cost sharing agreement, or direct reimbursement), to ensure that developers who front-ended

the costs of such facilities, services, and/or pre-development studies are, or will be, properly reimbursed.

8.14 COMMUNITY IMPROVEMENT

The Town may through the passing of a by-law under Section 28 of the Planning Act define all, or a portion of the Town, as a *Community Improvement Area*. *Community Improvement Areas* may be defined by Council for the purpose of carrying out improvements. The Town may partner with the Region of York in the Community Improvement Plan. The following criteria are to be used as a basis for selecting areas:

- i) A general situation of under-utilized buildings or buildings in poor condition;
- ii) The status of municipal services such as sidewalks, lighting, roads and parkland;
- iii) The degree of non-conforming and incompatible land uses in the area;
- iv) Areas where physical features such as rivers and *wetlands* present opportunities for municipal improvements which would encourage redevelopment and improved community recreational facilities;
- v) Areas with deficient public and private parking facilities.

8.14.1 All of the lands within the *built boundary* as shown on Schedule A-1, and lands located within the communities of Holland Landing – River Drive Park, Mount Albert, Queensville and Sharon may be designated as *Community Improvement Areas*.

8.14.2 Community improvements may be undertaken by Council through any of the following:

- i) Designation of community improvement project areas;
- ii) Preparation of community improvement plans;
- iii) Acquisition of land by the Town;
- iv) Creation, approval and enforcement of a property standards by-law;
- v) Use of public funds from local, provincial and federal funding programs;
- vi) Use of private donations;
- vii) Encouragement of rehabilitation;
- viii) Designation of buildings or districts under the Ontario Heritage Act.

8.14.3 As part of a Community Improvement Plan, Council may prepare a capital works program in order to assess the immediate and long-term requirements and plan the major expenditure within the financial resources of the Town. The program will be revised and updated as required.

8.14.4 Council may levy against benefiting properties all or part of the cost of municipal services and facilities.

8.15 DENSITY BONUS BY-LAW OR DENSITY TRANSFERS

Pursuant to Section 37 of the Planning Act, the Town may enact a Zoning By-law to allow increases in height and *density* of development beyond those permitted by this Plan and the Zoning By-law in exchange for facilities, services, or matters of public benefit as set out in the Section 37.

8.15.1 The Town may encourage the use of bonus provisions with regard to the following matters:

- i) provision of a wide range of housing types including special needs, assisted or other low-income housing;
- ii) provision of parkland dedication beyond the requirements of the Plan;
- iii) protection of natural features such as woodlots, beyond the Natural Heritage System requirements of this Plan outlined in Section 5;
- iv) improved access to public transit;
- v) provision of public areas and walkways and connections to external public walkways/trail systems;
- vi) provision of public parking;
- vii) provision of community and open space facilities such as small parks, day care centres, schools, community centres and recreational facilities, and other municipal facilities such as firehalls and libraries;
- viii) conservation of *heritage features*;
- ix) protection or enhancement of significant views;
- x) innovative sustainable development that exceeds the requirements of the Town's Thinking Green Development Standards.

8.15.2 Authorized increases in height and *density* shall not result in a scale or intensity of development that would exceed the capacity of available or planned community facilities and infrastructure within the area of the proposed development.

8.15.3 Any facilities, services or matters obtained through height and *density* bonusing shall be logically applied to areas impacted by bonusing provisions so that the impacted neighbourhood or community realizes benefits obtained through *density* bonusing.

- 8.15.4 Bonus provisions shall be considered where the bonus *density* and height conforms to the intent of the Plan and the increase in height and *density* is compatible with adjacent existing or proposed development. The resulting development must continue to represent good planning.
- 8.15.5 An agreement relating to the bonus provisions shall be required between the landowner and the Town.
- 8.15.6 *Density* transfers for the purpose of clustering development in a manner that assists in the preservation or conservation of landscape features, such as areas of trees, slopes or other desirable features, may be permitted within and between residential development sites without an amendment to this Plan.
- 8.15.7 Council may adopt appropriate procedures and protocols regarding application of these policies.

8.16 LAND DEDICATION AND ACQUISITION

- 8.16.1 The Town may acquire land to implement any element of this Plan in accordance with the provisions of the *Municipal Act*, the *Planning Act*, or any other Act through, but not limited to, the following measures:
- i) The land dedication and cash-in-lieu provisions of The Planning Act;
 - ii) Subsidies for open space acquisition from other levels of government or agencies;
 - iii) Funds allocated in the capital budget;
 - iv) Donations, gifts, contributions or bequests of individuals or corporations;
 - v) Expropriations.
- 8.16.2 Where additional land is required for road widening, extensions, water and wastewater infrastructure, such land will be dedicated wherever possible, in the course of approving draft plans of subdivision or condominium, *consents* or site plan agreements, without requiring an amendment to this Plan.
- 8.16.3 Where a proposed development is within the designated Site Plan Control Area, the dedication of the widening needed to achieve the road, sight triangles, turning lanes, as well as water and wastewater infrastructure allowances to meet the Town and Regional standards, may be required as a condition of approval. Such dedication will be granted to the appropriate authority free of all charges and encumbrances.

- 8.16.4 In general, road widenings will be required in equal widths from the centre line on each side of the road allowance except where certain circumstances require a greater dedication on one side of the road, such as topographical constraints, the preservation of historical features, minimum setbacks of buildings, the previous pattern of dedication, etc.
- 8.16.5 The Town may also require additional road widening dedications for turning lanes, sight triangles, cuts, fills, and streetscaping, to meet the current engineering standards of the Town or Region of York in accordance with the requirements of Section 7.2 of this Plan as a condition of site plan approval.

8.17 CASH IN LIEU OF ON-SITE PARKING

Pursuant to Section 40 of the Planning Act, Council may enter into an agreement to exempt an owner from a requirement to provide on-site parking otherwise required in accordance with the Zoning By-law.

- 8.17.1 The Town may identify any portion or the entire Town as being an area eligible for the use of cash in lieu of parking.
- 8.17.2 All monies collected from cash in lieu of parking shall be placed into an appropriate fund pursuant to the provisions of the Planning Act and Municipal Act.
- 8.17.3 The Town may establish specific criteria and other administrative procedures related to calculating the amount to be paid and the types of situations where this section may be applied.

8.18 FILL AND SITE ALTERATION

The Town considers it in the public interest to regulate the dumping and placing of fill and *site alteration* in order to ensure that existing drainage patterns are maintained and that any changes to existing drainage patterns essential to accommodate development are appropriate to protect environmental features and to prevent the importation of hazardous materials.

Objectives

- i) Prevent the disruption and destruction of landscape features caused by such means as mass grading and other extensive land alteration activities;
 - ii) Adopt policies to control and regulate fill and *site alteration*.
- 8.18.1 The Town's Fill and *Site Alteration* By-law regulates and may require a permit to be obtained for the placing or dumping of fill and *site alteration* of the grade of the land.

- 8.18.2 The Town's Fill and *Site Alteration* By-law outlines general requirements, exemptions, permit conditions, application and public process requirements, as well as policies for administration and enforcement.
- 8.18.3 As a condition of draft plan of subdivision approval, applicants shall identify planning, design, grading and construction practices that minimize mass grading, disturbance to landform character, existing trees, *significant* vegetation and steep slopes, and the substantial import/export of fill.
- 8.18.4 The removal of topsoil and vegetation should be discouraged and limited to activities associated with permitted land uses. Removal of topsoil and/or vegetation, or other alterations of the land, such as grading, which are associated with a proposed land use change, shall be prohibited unless such change receives approval under the Planning Act or as authorized by legislation.

8.19 PUBLIC WORKS

The Town shall prepare a capital works program for construction of infrastructure required to support the growth contemplated by this Plan, in order to assess the immediate and long term requirements and plan major expenditures within the financial resources of the Town. The program will be monitored, reviewed and updated as required, as growth occurs.

- 8.19.1 Prior to the construction of significant municipal capital works, Council shall approve the capital expenditure with detailed funding sources and require that a multi-year budget plan be prepared.
- 8.19.2 Prior to the commencement of a significant municipal capital project, Council shall receive a detailed fiscal report on the operating costs of the proposed facilities or works.
- 8.19.3 Substantial sums of money will be required over a long period of time to implement the policies of this Plan. Short and long term capital and operating programs and budgets that are consistent with the objectives and policies of this Plan will be adopted and annually revised by the Town to determine the source of funds and establish priorities.
- 8.19.4 The Town will work with the Region of York, local school boards, and other service providers to coordinate ten year capital plans regarding projected growth, to be reviewed on a regular basis.

8.20 OFFICIAL PLAN REVIEW

8.20.1 The Town shall conduct comprehensive reviews of this Plan at least every five (5) years to ensure:

- i) The policies and targets of this Plan are being met;
- ii) The objectives and policy directions remain realistic and appropriate with regard to changing social, economic, environmental and technological circumstances;
- iii) *Intensification* and *density* targets are being met or exceeded;
- iv) This Plan conforms with Provincial Plans and Region of York Official Plan;
- v) Progress is being made towards sustainable community development, including energy and water efficiency, and waste reduction;
- vi) The protection of agricultural and rural lands;
- vii) The enhancement of the Natural Heritage System.

8.20.2 Council shall hold a public meeting at least once every five years to consider the need for a general review of the Plan or significant components of it. The views of the public will be sought at this meeting.

8.20.3 The Town will work with the Region of York to monitor growth and associated forecasts and ensure that the policies within this Plan are updated to accommodate forecasted growth.

8.20.4 Without limiting the items to be considered in a *municipal comprehensive review*, the following items shall form the basis for consideration of conversion of *Employment Area* land:

- i) there is a need for the conversion;
- ii) the Town will meet the employment forecasts allocated to the Town by the Region of York;
- iii) the conversion will not adversely affect the overall viability of the *Employment Area*, and achievement of the Town's intensification and density targets;
- iv) there is existing or planned infrastructure to accommodate the proposed conversion;
- v) the lands are not required over the long term for employment purposes for which they are designated;
- vi) cross-jurisdictional issues have been considered.

Such application will only be considered as part of a *municipal comprehensive review*.

8.21 AMENDMENTS TO THIS PLAN

8.21.1 In addition to amendments initiated by the Town, Council shall consider requests for amendments to the Plan in accordance with relevant policies and criteria. In considering the merits of an amendment to the land use designations shown on Schedules B, B-1, B-2, B-3, C-1 and C, or to the policies or provisions of this Plan, Council shall have regard for the following:

- i) the need for the proposed change in use to meet the goals of this Plan;
- ii) the physical suitability of the land for the proposed use;
- iii) the adequacy of the existing and proposed road network in relation to the development of such proposed areas;
- iv) the convenience and accessibility of the site for vehicular and pedestrian traffic and the traffic safety in relation thereto; and
- v) the adequacy of all applicable municipal services;
- vi) the compatibility of such proposed use with uses in the surrounding area;
- vii) the potential effect of the proposed use on the financial position of the affected municipalities and boards;
- viii) the effect of the proposed use on the population level and the social character of the community.

8.21.2 Technical or housekeeping changes to this Plan can be undertaken without amendment. Such changes include, but are not necessarily limited to, the following:

- i) To change the numbers of sections or the order of sections in the Plan, without adding or deleting sections;
- ii) To consolidate approved Official Plan Amendments in a new document without altering any approved policies or maps;
- iii) To correct grammatical or typographical errors which do not affect the intent or purpose of policies, regulations or maps;
- iv) To re-illustrate maps or reword policies for the purposes of clarity that would serve to aid understanding, without affecting the intent or purpose of the policies, regulations or maps,
- v) To change reference to legislation where the legislation has changed;
- vi) To translate measurements to different units of measure;
- vii) To add base information to maps to show existing and approved infrastructure;

- viii) To alter language or punctuation to obtain a uniform mode of expression throughout the Plan.

8.22 MONITORING, REPORTING AND MEASURING PERFORMANCE OF THE PLAN

On-going monitoring is important to ensure the continued relevance of the Plan and the effectiveness of its provisions to meet evolving planning challenges. In this way, economic or social changes or other factors which indicate a need for specific amendments or general review can be identified.

8.22.1 The Town shall develop measuring and reporting tools to monitor the implementation of this Plan and progress towards targets established in this Plan, including:

- i) Residential development and *intensification* within the *built boundary*;
- ii) Non-residential development and employment linkage targets;
- iii) Energy and water efficiency standards, greenhouse gas reductions and other sustainable development policies in this Plan and the Community Energy Plan;
- iv) Environmental targets and the enhancement and *connectivity* of the Natural Heritage System.

8.22.2 In consultation with the Conservation Authority, Provincial ministries, the Region of York and other interested groups and organizations, the Town will encourage the establishment of environmental monitoring programs in order to measure the effectiveness of the environmental policies of this Plan.

8.22.3 The Town may establish an advisory committee to assist with implementation of the policies of this Plan.

8.22.4 On an annual basis, Town Council will assess growth-related capital requirements and overall operating costs to ensure the Town is managed in a financially sustainable manner.

8.22.5 As part of the annual business plan and budget process, Council will review and approve current year operating and capital expenditures and receive a ten year capital forecast.

9 INTERPRETATION

9.1 GENERAL POLICIES

When determining conformity with this Plan, reference should be made to both the policies contained in the text of this Plan and the designations shown on the Schedules. All policies of this Plan must be considered together to determine conformity. Individual policies should not be read or interpreted in isolation.

In this Section:
9.1 *General Policies*
9.2 *Transition & Non-Conforming Uses*
9.3 *Definitions*
9.4 *Special Provisions & Exceptions*

The boundaries between various land uses, specific quantities, proportions, dates and locations of this Plan represent the desired intent of the Town but are not to be considered as rigid, absolute standards. Sufficient flexibility is intended to permit minor variations without the necessity of a formal amendment to the Plan.

Schedules A to I of this Plan are graphical expressions or representations of various policies of this Plan. To ascertain the policies applying to a particular area, all of the Schedules of the Plan must be consulted. Schedules B and C indicate the general land use designations, and the remaining Schedules should be considered overlays that impose further restrictions or indicate additional detail. The policies will take precedence in the case of any discrepancy between the text and the Schedules of this Plan.

The Appendices provide background information related to the interpretation and implementation of policies, but are not part of the approved Plan. The Appendices may be modified at any time without requiring an amendment to this Plan.

External Boundaries

9.1.1 The boundaries of the *Settlement Areas* as shown on Schedule A-1 are fixed where they are identified by a municipal street, rail line, parcel fabric as it exists on the day of adoption of this Plan, lots and/or concession blocks, or, other clearly identifiable physical features and can be changed only by an amendment to this Plan through a *municipal comprehensive review*, in accordance with Section 3.4.5.

Internal Boundaries

9.1.2 It is intended that the boundaries between designations, as shown on Schedules B through C-1, shall be considered as general only, except where the boundary follows roads, railways, property boundaries, lot lines, rivers, topographic features and other definite physical barriers.

They 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 this Plan. Other than such minor adjustments, no areas or zones, except as provided in this Plan, shall be created that do not conform to this Plan.

Schematic or Symbolic Designations

- 9.1.3 The identification of proposed schools, proposed parks, and *Convenience Commercial* locations are intended to represent a general schematic location only, and are not indicative of a specific size, shape or location of facility. Where proposed schools and parks are shown in close proximity, it is intended that they will be planned for adjoining lands where certain open space and recreation facilities may be provided and utilized in common.

Road Locations

- 9.1.4 The location of roads as indicated on Schedule E shall be considered as approximate only. Amendments to this Plan will not be required in order to make adjustments or deviations to the location of roads, subject to the completion of the required Environmental Assessment process and/or Planning Act application process and provided that the general intent of this Plan is maintained.

Environmental Constraints

- 9.1.5 The location of the environmental features and constraint areas as indicated on Schedule D, with the exception of floodplain areas, shall be considered as approximate only. It is intended that detailed studies (ie. Natural Heritage Evaluation) undertaken at the time of development proposals will establish more specific boundaries, in order that appropriate land uses, performance standards, restrictions or regulations may be established for affected areas. No formal amendment to this Plan will be required in order to make minor adjustments indicated by such detailed studies provided that the general intent of this Plan is maintained.

Uses

- 9.1.6 Except where stated restrictively, the permitted uses identified for each land use designation are intended to illustrate the range of activities in that designation and allow for uses that, in the opinion of Council, are similar in relevant particulars to named uses. Wherever a use is provided for, it is intended that uses, buildings or structures normally incidental, accessory and essential to that use shall also be permitted. Specific uses and related regulations shall in any case, be defined for an area at such time as the Zoning By-law comes into effect.

Notwithstanding the above, *major retail* uses are only provided for in the *Commercial Mixed Use* designation.

Numerical Provisions

- 9.1.7 The interpretation of the numerical figures, except for densities, can be varied within 5% of the figures in the text and such minor variation will not require an amendment.
- 9.1.8 Minor variations in the required width of rights-of-way for the road classifications according to Schedule E and Section 7 of this Plan, including the required dimensions of sight triangles, may be permitted without amendment to this Plan provided:
- i) all other provisions of this Plan are complied with;
 - ii) detailed engineering, planning, environmental and other studies have been carried out that document, to the satisfaction of the Authority having jurisdiction, the rationale for making the variations.

9.2 TRANSITION AND NON-CONFORMING USES

Non-conforming uses are legally established *existing uses* that do not conform to the Official Plan or Zoning By-law. The long term intent of this Plan is to ensure that all uses eventually conform to the Plan.

- 9.2.1 This Plan recognizes legally existing and approved land uses as they exist at the time this Plan is approved.
- 9.2.2 All *existing uses* lawfully used for such purposes on the day prior to December 16, 2004 in the Greenbelt – Protected Countryside and June 2, 2009 in accordance with the Lake Simcoe Protection Plan, are permitted.
- 9.2.3 Development applications received on or after the date of this Plan's approval shall be subject to the policies of this Plan.
- 9.2.4 Proponents with pending applications at the time of this Plan's approval shall be encouraged to work with the Town to re-examine the proposed applications based on the policies of this Plan.
- 9.2.5 Outside of *Greenbelt Settlement Areas*, expansions to existing buildings and structures, accessory structures and uses, and/or conversions of legally *existing uses* that bring the use more into conformity with this Plan are permitted subject to a demonstration of the following:
- i) The use does not expand into a *key natural heritage feature*, *key hydrologic feature*, and any minimum *vegetation protection zone* associated with a feature or the *Lake Simcoe shoreline*, unless there is no other alternative in which case any expansion shall be

limited in scope and kept within close geographical proximity to the existing structure;

- ii) Notwithstanding section 4.2.2.6 of the Greenbelt Plan, new municipal services are not required in the *Greenbelt Protected Countryside*.

9.2.6 Expansions to existing agricultural buildings and structures, residential dwellings, and *accessory uses* to both, may be considered within a *key natural heritage feature*, *key hydrologic feature*, and any minimum *vegetation protection zone* associated with these features or the *Lake Simcoe shoreline*, if it is demonstrated that:

- i) There is no alternative and the expansion, alteration or establishment is directed away from the feature and *vegetation protection zone* to the maximum extent possible;
- ii) The impact of the expansion or alteration on the feature and its functions is minimized to the maximum extent possible.

9.2.7 Expansion, maintenance and/or replacement of existing infrastructure is permitted, subject to the infrastructure policies of section 4.2 of the Greenbelt Plan within the Greenbelt – Protected Countryside.

9.2.8 Where non-conforming uses or activities are reasonably compatible with other complying uses in the vicinity, such uses may be zoned in the implementing *Zoning By-law* in accordance with their present use and performance standards and all other applicable circumstances without amending the Plan provided:

- i) The Zoning will not permit any change of use or performance standard that will aggravate any situation detrimental to adjacent complying uses;
- ii) The proposed or *existing use* does not constitute a danger of nuisance to surrounding uses by virtue of a hazardous nature, poor property conditions, traffic generation, or similar characteristics;
- iii) The proposed or *existing use* does not pollute air and water or create noise to the extent of interfering with the ordinary enjoyment of the property;
- iv) The proposed or *existing use* does not interfere with desirable development or enjoyment of adjacent areas that are, or will be, in conformity with this Plan;
- v) Where the use or activity is discontinued, any rezoning may only take place in accordance with the applicable *land use designation* and respective land use policies;

- vi) When a non-conforming use constitutes a danger, gives rise to noise and/or pollution, and/or interferes with the ordinary enjoyment of adjacent property, it shall not be placed into a zone that permits the use.

9.2.9 Where there is a conflict between the policies of this Plan and other planning documents and legislation, such as the Greenbelt Plan, the Oak Ridges Moraine Conservation Plan and the Region of York Official Plan, the more restrictive policies shall apply. This Plan and implementing Zoning By-law cannot be more restrictive than the Greenbelt Plan as it relates to agriculture, mineral aggregate and wayside pits, with the exception of lot creation policies as set out in the Greenbelt Plan.

Lake Simcoe Protection Plan

9.2.10 For lands outside of the *Greenbelt Protected Countryside*, construction of a building on an existing lot of record is permitted, provided it was zoned for such as of June 2, 2009, or where an application for an amendment to a zoning by-law is required as a condition of a severance granted prior to June 2, 2009.

Greenbelt Plan

9.2.11 For lands within the Greenbelt – Protected Countryside, the following policies shall apply:

- i) Single detached dwellings are permitted on existing lots of record provided they were zoned for such as of the date the Greenbelt Plan came into force, or where an application for an amendment to a Zoning By-law is required as a condition of a severance prior to December 14, 2003 but which application did not proceed;
- ii) Where an Official Plan or Zoning By-law was amended to specifically designate land uses prior to December 16, 2004, the approval may continue and further applications required under the Planning Act or Condominium Act to implement the Official Plan approval are not required to conform to the Greenbelt Plan and are permitted in this Plan.

Oak Ridges Moraine

9.2.12 Existing legally established uses are permitted in all land use designations within the Oak Ridges Moraine and for greater clarity, nothing in this Plan applies to prevent within the Moraine:

- i) the use of any land, building or structure for a purpose prohibited by the Oak Ridges Moraine Conservation Plan, if the land, building or structure were lawfully used for that purpose on November 15, 2001 and continues to be used for that purpose;
- ii) the erection or use prohibited by the Oak Ridges Moraine Conservation Plan of a building or structure for which a permit has been issued under subsection 8(2) of the *Building Code Act, 1992* on or before November 15, 2001, if:
 - a. the permit has not been revoked under subsection 8(10) of the *Building Code Act, 1992*, and
 - b. the building or structure when erected is used and continues to be used for the purpose for which it was erected.

9.2.13 Nothing in the Oak Ridges Moraine Conservation Plan applies to prevent the expansion of an existing building or structure on the same lot, or the expansion of an institutional use in all land use designations within the Moraine, if the applicant demonstrates that:

- i) there will be no change in use;
- ii) the expansion will not adversely affect the ecological integrity of the Moraine Area; and,
- iii) where the *existing use* has adverse effects on the ecological integrity of the Moraine Area, the use is being brought into closer conformity with the *Oak Ridges Moraine Conservation Plan*.

Notwithstanding the foregoing:

- i) an existing *mineral aggregate operation* or an existing wayside pit within the *Oak Ridges Moraine Natural Core Area* designation may not be expanded beyond the boundary of the area under license or permit;
- ii) minor expansion to existing buildings and structures may be permitted without an amendment to the Zoning By-law provided that the addition does not intrude into any area identified on Schedule D as a *Key Natural Heritage* or *Hydrologically Significant Feature* and the expansion complies with all the other applicable regulations of the Zoning By-law; and,

- iii) new *accessory uses*, buildings and structures, including swimming pools, related to existing residential uses may be permitted in accordance with the applicable regulations of the Zoning By-law. Provided that the accessory building does not intrude into any area identified on Schedule D as a *Key Natural Heritage* or *Key Hydrologic Feature*.
- 9.2.14 Nothing in the Oak Ridges Moraine Conservation Plan applies to prevent the reconstruction, within the same location and dimensions, of an existing building or structure that is damaged or destroyed by causes beyond the owner's control. The reconstructed building or structure shall be deemed to be an existing building or structure if there is no change in use and no *intensification* of use.
- 9.2.15 Nothing in the Oak Ridges Moraine Conservation Plan applies to prevent the conversion of an *existing use* to a similar use, if the applicant demonstrates that the conversion:
- i) will bring the use into closer conformity with the Oak Ridges Moraine Conservation Plan; and
 - ii) will not adversely affect the ecological integrity of the Moraine Area.
- 9.2.16 Nothing in the Oak Ridges Moraine Conservation Plan applies to prevent the use, erection or location of a single dwelling and *accessory uses* in the Oak Ridges Moraine Plan Area provided that the use, erection and location would have been permitted by the applicable zoning by-law on November 15, 2001, where the applicant demonstrates, to the extent possible, that the use, erection and location will not adversely affect the ecological integrity of the Moraine Area. Prior to the establishment of a single dwelling under these circumstances, the landowner may be required to apply and receive approval for a Site Plan Development Agreement as authorized by Section 41 of the Planning Act to ensure that the single dwelling has no negative impacts on the ecological integrity of the Oak Ridges Moraine.
- 9.2.17 Nothing in the Oak Ridges Moraine Conservation Plan applies to prevent the use, erection or location of a building or structure if,
- i) the use, erection and location were authorized by the approval of an application that was commenced before November 17, 2001 and approved after that date;
 - ii) the use, erection and location were authorized by the approval of an application that was commenced after November 17, 2001 and decided in accordance with subsection 17(1) of the *Oak Ridges Moraine Conservation Act, 2001*.

9.2.18 An application for site plan approval under Section 41 of the Planning Act is not required to comply with the Oak Ridges Moraine Conservation Plan if it relates to land in respect of which any of the following was commenced before November 17, 2001 and approved after that date:

- i) an application for an amendment to a zoning by-law;
- ii) an application for approval of a plan of subdivision under Section 51 of the *Planning Act*; and,
- iii) an application for approval or exemption from approval for a plan of condominium under Section 9 of the *Condominium Act, 1998*.

9.3 DEFINITIONS

In this By-law the word "shall" is mandatory and not permissive. Words used in the present tense shall include the future; words used in the singular number shall include the plural and words used in the plural number shall include the singular. The word "used" shall include "intended to be used", "arranged" and "designed".

The height of buildings may be regulated by number of storeys or height in metres from finished grade. Where storeys is used to regulate height, any fully enclosed habitable space or fully enclosed space used for common purposes, but excluding roof top mechanicals, that is located above the finished grade shall be considered a storey.

The Oak Ridges Moraine Conservation Plan, Greenbelt Plan and Lake Simcoe Protection Plan include extensive definitions of terms which are found throughout this document. However, where questions of interpretation arise, regard should be had to the appropriate Provincial Plan itself.

Accessory Use – A use naturally and normally incidental to, subordinate to or exclusively devoted to a principal use and located on the same lot therewith, including *home occupation* uses and home industries. A residential unit for the owner, manager or caretaker of a commercial, residential, recreation or institutional use shall be considered an accessory use.

Accessory Apartments – one self-contained dwelling unit created through converting part of or adding onto an existing dwelling.

Adjacent Lands – those lands contiguous to a *key natural heritage feature* or *key hydrologic feature* where it is likely that *development* or *site alteration* can reasonably be expected to have an impact on the feature. Generally, adjacent lands are considered to be within 120 m from any part of the feature.

Adult Entertainment Parlour - any premises or part thereof in which there is provided, in pursuance of a trade, calling, business or occupation, *Goods or Services Appealing to, or Designed to Appeal to, Erotic or Sexual Appetites or Inclinations.*

Adult Entertainment Use - includes an *Adult Entertainment Parlour, Adult Video Store, Adult Specialty Store* and *Body Rub Parlour*, whether any such use is a primary land use or an *accessory use.*

Adult Specialty Store - a retail establishment specializing in the sale of *Goods* and materials *Appealing to, or Designed to Appeal to, Erotic or Sexual Appetites or Inclinations.*

Adult Video Store - an establishment where pre-recorded video tapes, video discs, films and/or slides *Appealing to, or Designed to Appeal to, Erotic or Sexual Appetites or Inclinations,* or depicting sexual acts, are offered for rent or sale. An Adult Video Store shall not include facilities for the screening or viewing of such products.

Affordable:

- i) In the case of ownership housing, the least expensive of:
 - a. Housing for which the purchase prices results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low or moderate income households; or
 - b. Housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area
- ii) In the case of rental housing, the least expensive of:
 - a) A unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or
 - b) A unit for which the rent is at or below the average market rent of a unit in the regional market area.

For the purposes of this definition, ‘low- and moderate-income households’ means, in the case of ownership housing, households with incomes in the lower 60% of the income distribution for the regional market area or, in the case of rental housing, households with incomes in the lowest 60% of the income distribution for renter households for the regional market area.

Agricultural Uses – The growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; equestrian uses; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

Agricultural-related Uses – Farm-related commercial and farm-related industrial uses that are small scale and directly related to the farm operation and are required in close proximity to the farm operation.

Ancillary Uses – small scale retail and commercial uses that primarily serve the business functions on employment lands. *Major retail* is not considered an ancillary use.

Appealing to, or Designed to Appeal to, Erotic or Sexual Appetites or Inclinations - when used to describe *Goods* or *Services*, includes,

- a) *Goods* or *Services* of which a principal feature or characteristic is the nudity or partial nudity of any person; and
- b) *Goods* or *Services* in respect of which the word "nude", "naked", "topless", "bottomless", "sexy", or any other word, picture, symbol or representation having like meaning or implication is used in any advertisement.

Areas of Natural and Scientific Interest (ANSI) – areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.

Backlotting – development design which involves rear lot lines abutting public rights-of-way, parks and/or open spaces.

Bed and Breakfast Establishments – A single detached dwelling in which a maximum of three rooms are provided with or without meals for hire or pay for the traveling public.

Best Management Practices – methods, facilities and structures which are designed to protect or improve the environment and natural features and functions from the effects of development or interference.

Body Rub - includes the kneading, manipulating, rubbing, massaging, touching or stimulating, by any means, of a person's body or part thereof but does not include medical or therapeutic treatment given by a person duly qualified, licensed or registered to do so under the laws of the Province of Ontario.

Body Rub Parlour - includes any premises or part thereof where a *Body Rub* is performed, offered or solicited in pursuance of a trade, calling, business or occupation, but does not include any premises or part thereof where *Body Rubs* are performed for the purpose of medical or therapeutic treatment and are performed by persons duly qualified, licensed or registered to do so under the laws of the Province of Ontario.

Built Boundary - The limits of the developed urban area (identified on Schedule A-1) as defined by the Minister of Energy and Infrastructure in accordance with Policy 2.2.3.5 of the Provincial Growth Plan for the Greater Golden Horseshoe.

Built-Up Area - All land within the *built boundary* as defined by the Growth Plan and identified on Schedule A-1.

Cemeteries – religious or commercial enterprises that include the in-ground or above-ground internment of human remains.

Community Improvement Area - A specific area within the Town, the community improvement of which in the opinion of the council is desirable because of age, dilapidation, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason, for which a study area is contemplated under Section 28 of the Planning Act.

Community Scale Commercial Uses – A retail, office or service commercial use whose market area is limited to the community and the surrounding area in which it is located, with individual units being less than 1,858 square metres in size.

Complete Community - Complete communities meet people's needs for daily living through an entire lifetime by providing convenient access to an appropriate mix of jobs, local services, a full range of housing, and community infrastructure including *affordable* housing, schools, recreation and open space for their residents. Convenient access to public transportation and options for safe, non-motorized travel is also provided.

Connectivity – The degree to which *key natural heritage* or *key hydrologic features* are connected to one another by links such as plant and animal movement corridors, hydrologic and nutrient cycling, genetic transfer, and energy flow through food webs.

Contaminant Management Plan – a report that demonstrates how development proposals involving the manufacturing, handling and/or storage of bulk fuels or chemicals (activities prescribed under the Clean Water Act) that demonstrates safety measures will be implemented in order to help prevent contamination of groundwater or surface water supplies. The Contaminant Management Plan must include a list of all chemicals used on the subject lands and within any structures and demonstrate how the risk of release to the environment will be mitigated and managed.

Consent – a consent given by the Committee of Adjustment or other relevant authority, for the creation of one new lot; in the event that a consent results in the creation of more than one new lot, there shall be deemed to be one consent given in respect of each lot created.

Convenience Commercial Use – small-scale commercial uses intended to serve a limited convenience function within neighbourhoods or higher density housing developments. Such uses shall be no larger than 1 hectare in size and have a total gross leasable floor area no greater than 1,000 m². Automobile service stations are not considered a convenience commercial use.

Cultural Heritage Resources – resources that contribute to our understanding of our past, including:

- i) Archaeological resources such as artifacts, archaeological sites and marine archaeological sites.
- ii) Built heritage resources, which means one or more *significant* buildings, structures, monuments, installations or remains associated with architectural, cultural, social, political, economic or military history and identified as being important to a community.
- iii) Cultural heritage landscape, which means a defined geographical area of heritage *significant* which has been modified by human activities and is valued by a community. It involves a grouping(s) of individual heritage elements, which together form a *significant* type of heritage form, distinctive from that of its constituent elements or parts.

Dark Sky Compliant - outdoor lighting fixtures that direct sufficient light downward and minimize light pollution and glare.

Dense Non-Aqueous Phase Liquid (DNAPL) - Chemicals that are both denser than water and do not dissolve readily in water. Because of these traits, DNAPL's tend to sink below the water table and only stop when they reach impenetrable bedrock. This makes them difficult to locate and clean up. DNAPL's of concern include: 1, 4-Dioxane, Tetrachloroethylene/Perchloroethylene (PCE), Trichloroethylene (TCE), Vinyl Chloride (VC) and Polycyclic Aromatic Hydrocarbons (PAHs).

Density - density is to be calculated on net hectares. Net hectare is defined as the area of land measured in hectares utilized for buildings and lots, but excluding all public roads and widening, public parks, open space blocks, school sites, local commercial areas, places of worship and other public lands.

Department Store - engaged in retailing a wide range of the following new products with no one merchandise line predominant; apparel; furniture, appliances, and home furnishings; paint; hardware; toiletries; cosmetics; photographic equipment; jewelry; toys; and sporting goods. Merchandise lines are normally arranged in separate departments.

Designated Greenfield Area - The area within a *Settlement Area* that is not within the *built-up area*. Where a *Settlement Area* does not have a *built boundary*, the entire *settlement area* is considered designated greenfield area.

Developable Area – includes all lands available for *development* for both private and public uses, including residential and employment uses, open space and infrastructure (eg. Local and Regional streets and stormwater management ponds). The *developable area* excludes:

- iv) Environmental features identified in Places to Grow: Growth Plan for the Greater Golden Horseshoe;
- v) the Town's Natural Heritage System, including *key natural heritage features* and *key hydrologic features*;
- vi) major infrastructure right-of-ways (ie. existing 400-series highways and finalized route alignments for extensions of future 400-series highways, utility lines and rail lines);
- vii) *existing uses* (eg. *cemeteries*, estate subdivisions).

Development – the creation of a new lot, a change in land use, or the construction of buildings and structure, requiring approval under the Planning Act, but does not include:

- viii) activities that create or maintain infrastructure authorized under an Environmental Assessment, Planning Act or Condominium Act process;
- ix) works subject to the Drainage Act.

District Energy System – a system of infrastructure providing thermal energy (heating and/or cooling) through a piped system, from a central plant, or network of plants to buildings for which such infrastructure is owned, operated and managed either by the Town or by the Town in partnership with private parties subject to the approval of Council. Such system may include electricity generation and distribution through the process of co-generation or combined heat and power (CHP).

Existing Use – use legally established prior to the date that this Plan came into force. Existing agricultural accessory buildings and structures including farm dwellings can expand on the same lot subject to the provisions of the Zoning By-law.

Farm Related Tourism Establishment – a commercial farm that provides, as an *accessory use*, educational and active opportunities to experience the agricultural way of life in the Town. Such activities may include farm machinery and equipment exhibitions, farm-tours, petting zoos, hay rides, sleigh rides, processing demonstrations, pick your own produce, farm theme playground for children and small scale educational establishments that focus on farming instruction. Overnight camping, amusement parks and recreational uses are not permitted under this definition.

Fish Habitat – spawning grounds and nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life process, as defined in the *Fisheries Act*.

Floor Space Index (FSI) – the ratio of gross floor area of a building to its respective lot area.

Forest Management or Forestry – the management of *woodlands*, including *accessory uses* such as the construction and maintenance of forest access roads and maple syrup production facilities,

- a) for the production of wood and wood products, including maple syrup;
- b) to provide outdoor recreation opportunities;
- c) to maintain, and where possible, improve or restore conditions for wildlife; and,
- d) to protect water supplies.

Garden Suite – a separate, self-contained residential structure, designed to be portable and contain one dwelling unit, which is

- a) physically separate from the principal dwelling unit with which it is associated;

- b) used for the housing of person(s) with identified special needs or elderly parent(s) of an occupant of the principal dwelling unit.

Goods - in the context of *adult entertainment uses* includes books, magazines, pictures, slides, film, disks, phonograph records, pre-recorded magnetic tape and any other viewing or listening matter, clothing and accessories.

Habitat of Endangered Species, Threatened Species and Special Concern Species – areas identified by regulation under the Endangered Species Act

Heritage Features - For the purpose of this Plan, a heritage feature shall be any building identified by Heritage East Gwillimbury through the Town's Inventory of Historic Buildings, any building designated pursuant to Part IV of the Ontario Heritage Act, all buildings and the associated landscape of lands within a Heritage Conservation District pursuant to Part V of the Ontario Heritage Act, and/or any site designated by the federal government.

High-Occupancy Vehicle (HOV) Lanes – reserved rights-of-way for public transit vehicles and other vehicles (such as emergency, taxis or multiple-person vehicles)

Highly Vulnerable Aquifer - As defined under the Clean Water Act, it is an aquifer that can be easily changed or affected by contamination from both human activities and natural processes as a result of:

- a) its intrinsic susceptibility, as a function of the thickness and permeability of overlaying layers, or
- b) by preferential pathways to the aquifer.

Holland Marsh Specialty Crop Areas – Areas designated using evaluation procedures established by the province, as amended from time to time, where specialty crops such as tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soil lands are predominantly grown, usually resulting from:

- a) Soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both; and/or
- b) A combination of farmers skilled in the production of specialty crops, and of capital investment in related facilities and services to produce, store, or process specialty crops.

Home Industry – A small scale industrial use, such as a carpentry shop, a metal working shop, antique restoring, and landscaping services, that provides services or products to the surrounding community and which is an *accessory use* to an *agricultural use* or a single detached dwelling.

Home Occupation – An occupation that provides a service as an *accessory use* within a dwelling unit performed by one or more of its residents. Such activities shall not include an *adult entertainment use*.

Infiltration Management Plan - A report that demonstrates how the development proposal maintains pre-development recharge rates and does not impair groundwater quality.

Intensification – the development of a property, site or area at a higher *density* than currently exists through:

- a) redevelopment, including the reuse of brownfield sites;
- b) the development of vacant and/or underutilized lots within previously developed areas;
- c) infill development; and
- d) the expansion or conversion of existing buildings.

Key Hydrologic Features – include, but are not limited to:

- a) Permanent and intermittent streams;
- b) Lakes (and their littoral zones);
- c) Seepage areas and springs, and;
- d) *Wetlands*

Key Natural Heritage Features – include, but are not limited to:

- i) *Significant habitat of endangered species, threatened species and special concern species;*
- ii) *Fish habitat;*
- iii) *Wetlands;*
- iv) *Life Science Areas of Natural and Scientific Interest (ANSIs);*
- v) *Significant valleylands;*
- vi) *Significant woodlands;*
- vii) *Significant wildlife habitat;*
- viii) Sand barrens, savannahs and tallgrass prairies; and
- ix) Alvars.

Major development – development consisting of:

- a) the creation of four or more lots;
- b) the construction of a building or buildings with ground floor area of 500 metres or more; or,
- c) the establishment of a *major recreational use* as described in Section 38 of the *Oak Ridges Moraine Conservation Plan*.

Major Office – freestanding office buildings of 10,000 m² or greater, or with 500 jobs or more.

Major Recreational Uses – Recreational uses that require large-scale modification of terrain, vegetation or both and usually also require large-scale buildings or structures, including but not limited to the following: golf courses, serviced campgrounds, serviced playing fields and ski hills.

Major Retail – includes retail big box stores, retail warehouses and shopping centres serving the community. For the purposes of this definition, a shopping centre is not a collection of *ancillary uses* that primarily serve the business functions on employment lands.

Mineral Aggregate Operation:

- a) An operation, other than wayside pits and quarries, conducted under a licence or permit under the *Aggregate Resources Act*, or successors thereto; and
- b) Associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete, or the production of secondary related products.

Minimum Distance Separation Formula – Formulae developed by the Province to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

Municipal Comprehensive Review – an Official Plan review or an Official Plan amendment, that:

- a) Is completed by the Town in consultation with the Region of York;
- b) Is adopted by the Town and approved by the Region of York;
- c) Comprehensively applies the policies of this Plan, the Region of York Official Plan and the Growth Plan for the Greater Golden Horseshoe; and,
- d) Includes a land budget analysis as determined by the Town and the Region.

Natural self-sustaining vegetation – Vegetation dominated by native plant species that can grow and persist without direct human management, protection or tending.

Normal Farm Practices – A practice, as defined in the *Farming and Food Production Protection Act, 1998*, that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or makes use of innovative technology in a manner consistent with proper advanced farm management practices. Normal farm practices shall be consistent with the *Nutrient Management Act, 2002* and regulations made under that Act.

Organic Solvent – A substance, usually a liquid, capable of dissolving another liquid. Organic solvents include carbon tetrachloride, chloroform, methylene chloride (dichloromethane) and pentachlorophenol.

Partial Services - Municipal sewage services or private communal sewage services and individual on-site water services; or municipal water services or private communal water services and individual on-site sewage services (PPS, 2005).

Pathogen Threats – drinking water quality threats that are related to conditions or activities that have the potential to introduce living micro-organisms that cause disease into the groundwater. Sources of pathogens include, but are not limited to, septic systems, animal manure, sewage systems and stormwater management ponds.

Place of Worship, Community Scale: Places of Worship which are intended to serve their surrounding residential neighbourhoods. They typically have small structures, compatible in scale with the neighbouring community, which allow them to blend in with their surrounding residential areas.

Place of Worship, Regional Scale - Places of Worship that draw their membership from a regional area. Regional-scale Places of Worship tend to have large structures, substantial in scale compared to its neighbouring community, and are more specialized in function.

Planning Horizon – 2031 represents the planning term of this Plan, as regulated by the Provincial Growth Plan.

Population-related Employment - a variety of retail commercial and institutional uses that generate jobs associated with serving the needs of the Town's resident and employment populations. These jobs occur in a variety of land use designations described in this Plan.

Renewable Energy Systems – The production of electrical power from an energy source that is renewed by natural processes including, but not limited to, wind, water, a biomass resource or product, solar and geothermal energy, or as more specifically defined by the Green Energy Act.

Renewable Energy Generating Systems, Individual - *Renewable energy systems* that generate electricity only for the property owner and do not contribute to the electricity grid.

Renewable Energy Generating Systems, Large Scale - More intensive *renewable energy systems* (including *accessory uses* such as transmission lines, distribution, meteorological towers both temporary and permanent, and transformer stations) being comprised of one or more generating units and provide electricity into the provincial transmission grid in keeping with Provincial policies and regulations regarding renewable energy technologies.

Secondary Suites – A single accessory dwelling unit in a house that consists of one or more rooms that are designed, occupied or intended for use, including occupancy, by one or more persons as an independent and separate residence in which cooking, sleeping and sanitary facilities are provided for the exclusive use of such person(s).

Secondary Uses – Uses secondary to the principal use of the property, including but not limited to, *home occupations, home industries*, and uses that produce value-added agricultural products from the farm operation on the property.

Securement – the process whereby lands that are identified as being of ecological values and/or the existence or function of which are threatened by a land use activity, are acquired or otherwise secured by the government or conservation agency for protection and/or enhancement.

Services:

- a) In the context of *adult entertainment uses* includes activities, facilities, performances, exhibitions, viewings and encounters but does not include the exhibition of film approved under the Theatres Act.

Settlement Area – Means urban areas and rural settlement areas within the Town that are:

- a) Built up areas where development is concentrated and which have a mix of land uses; and
- b) Lands designated in this Official Plan for development, as shown on Schedule A-1 to this Plan.

Significant:

- a) In regard to *wetlands* and life science *areas of natural and scientific interest*, an area identified as provincially significant by the Ontario Ministry of Natural Resources using evaluation procedures established by the Province, as amended from time to time;
- b) In regard to the *habitat of endangered species, threatened species and special concern species*, means the habitat, as approved by the Ontario Ministry of Natural Resources, that is necessary for the maintenance, survival and/or the recovery of naturally occurring or reintroduced populations of endangered species, threatened species or special concern species, and where those areas of occurrence are occupied or habitually occupied by the species during all or any part(s) of its life cycle;
- c) In regard to *woodlands*, an area which is ecologically important in terms of features such as species composition, age of trees and stand history, functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history. The Province (Ontario Ministry of Natural Resources) identifies criteria relating to the foregoing; and,
- d) In regard to other features, such as valleylands, and areas in Section 3.2.4 of the Greenbelt Plan, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of the Natural Heritage System. The Province (Ontario Ministry of Natural Resources) identifies criteria relating to the foregoing;
- e) In regard to cultural heritage and archaeology, resources that are valued for the important contribution they make to our understanding of the history of a place, an event, or a people.

Significant Groundwater Recharge Area (SGRA) - The area where an aquifer is replenished from:

- a) natural processes, such as the infiltration of rainfall and snowmelt and the seepage of surface water from lakes, streams and wetlands,
- b) from human interventions, such as the use of stormwater management systems, and
- c) whose recharge rate exceeds a threshold specified in the Clean Water Act.

Significant Threat – a condition or activity that has a high potential to negatively impact the quality and/or quantity of groundwater that supplies a municipal well.

Significant Threat Area '1' - The geographic location of the 100 metre pathogen zone around a wellhead (WHPA-A) with a *vulnerability score* of 10 as identified in the SGBLS Source Protection Plan for the purposes of describing a vulnerable area.

Significant Threat Area '2' - The geographic location of the area containing portions of a wellhead (WHPA-A and WHPA-B) with a vulnerability score of 10 as identified in the SGBLS Source Protection Plan for the purposes of describing a vulnerable area.

Significant Threat Area '3' - The geographic location of the area containing portions of a wellhead (WHPA-A and WHPA-B) with a vulnerability score of 8 as identified in the SGBLS Source Protection Plan for the purposes of describing a vulnerable area.

Significant Threat Area '4' - The geographic location of the area around a wellhead described as *Wellhead Protection Area C* (WHPA-C) as identified in the SGBLS Source Protection Plan for the purposes of describing a vulnerable area.

Site Alteration – activities such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

Source Water Impact Assessment and Mitigation Plan – A report completed by a qualified person that examines the relevant hydrologic pathways and qualitatively evaluates the level of risk associated with the land uses or land use activities that may pose a threat to the quantity or quality of a municipal drinking water supply. It is a plan for the mitigation and management of the identified risk, and outlines an emergency response to be executed in the event that a risk is realized.

Time of Travel – the estimated time required for groundwater to move from a given location in an aquifer to the intake of a water well. A *wellhead protection area* is typically divided into several time of travel zones.

Vegetation Protection Zone – A vegetated buffer area surrounding a *key natural heritage feature* or *key hydrologic feature* within which only those land uses permitted within the feature itself are permitted. The width of the vegetation protection zone is to be determined when new development or *site alteration* occurs within 120 metres of a *key natural heritage feature* or *key hydrologic feature*, and is to be sufficient size to protect the feature and its functions from the impacts of the proposed change and associated activities that will occur before, during, and after, construction, and where possible, restore or enhance the feature and/or its function.

Vulnerability Score - A 10-point score for all land within a *Wellhead Protection Area* for every municipal well for every surface water intake based upon the susceptibility of it becoming contaminated and reflects the surrounding environmental conditions associated with the aquifer (horizontal and vertical time of travel through the subsurface) or water body (time it takes to reach a water intake).

Wellhead Protection Area (WHPA) – the surface and subsurface area surrounding a water well or well field that supplies a municipal water system and through which contaminants are reasonably likely to move and eventually reach the water well or well field.

Wellhead Protection Quantity Area (WHPA-Q) – An area that has been identified as critical to maintaining water balance and allowing municipal wells and groundwater to become replenished and is also identified as the *Wellhead Protection Area Quantity* (WHPA-Q1 and Q2 which share the same geographic boundary) under the Clean Water Act as illustrated in the SBGLS Source Protection Plan.

Wetland – Land such as a swamp, marsh, bog or fen (not including land that is being used for agricultural purposes and no longer exhibits wetland characteristics) that:

- i) is seasonally or permanently covered by shallow water or has the water table close to or at the surface;
- ii) has hydric soils and vegetation dominated by hydrophytic or water-tolerant plants; and,
- iii) has been further identified, by the Ontario Ministry of Natural Resources or by any other person, according to evaluation procedures established by the Ministry of Natural Resources, as amended from time to time.

Wildlife Habitat – Areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual life cycle; and areas that are important to migratory *and* non-migratory species.

Woodlands –Treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of *wildlife habitat*, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. *Woodlands* include treed areas, woodlots or forested areas.

9.4 SPECIAL PROVISIONS AND EXCEPTIONS

Special Provisions and Exceptions recognize policies that do not necessarily conform with, but pre-date this Plan. Nothing in this Plan is intended to preclude uses and permissions noted in this Section of the Plan.

9.4.1 Part of Lots 103, 104, and 105, Concession 1 E.Y.S

Notwithstanding Section 4.10, the lands of Part of Lots 103, 104 and 105, Concession 1 E.Y.S. and designated *Agricultural/Long Term Growth Area* on Schedule B may be developed and used for a four-storey office, treatment and residential care facility. The facility is permitted to operate initially on private servicing, but shall be designed to be pre-serviced to accommodate future on-site municipal servicing. The site plan process shall be undertaken in accordance with Sections 5.1.8 and 5.1.9.

9.4.2 Part of Lot 1, Concession 5

The lands in Part of Lot 1, Concession 5 and designated *Rural Industrial Area* on Schedule C shall be developed and used in accordance with the following provisions:

- (a) Notwithstanding the provisions of Section 4.2 in respect to commercial uses, the subject property shall only be used for the following uses:
 - Nursery or Greenhouses;
 - Garden Centre and Outdoor Sales Area
 - Landscaping Service as an *Accessory Use*.
- (b) The following provisions shall apply with respect to outside storage:
 - Outside storage of trees, shrubs, plants, gardening and landscaping supplies, equipment and furnishings shall be permitted as an *accessory use* to an operating commercial use located within an existing building on the property;
 - Outside storage of trees, plants, shrubs, equipment and supplies normally associated with an operating nursery shall be permitted;
 - An outside storage area shall consist of no more than 35 percent of the total lot area designated *Rural Industrial Area*, excluding any nursery area;
 - Outside display and sale of trees, shrubs, plants, gardening and landscaping supplies, equipment and furnishings may be

permitted closer than 20 metres to any street line in any portion of any yard, subject to an approved site plan;

- No materials in an outside storage area, other than trees and shrubs, may exceed 5 metres in height.

(c) Any use or development on the subject lands is subject to all other provisions of this Plan.

9.4.3 Holland Landing Prestige Employment Area

Lands within the Holland Landing Secondary Plan and designated *Prestige Employment* on Schedule B-1 shall be developed and used in accordance with the following provisions:

- (a) Commercial uses which serve the specialize needs of residents, employees, tourists and the travelling public may be permitted, including;
 - I. Automotive commercial uses, such as service stations, automobile, recreational vehicle or trailer sales and service, car rental outlets, and other uses which require large parcels of land with high exposure to traffic such as building material outlets, gardening supply and nursery centres;
 - II. Restaurants, hotels and motels;
 - III. Cinemas, bowling alleys and other entertainment, recreation or fitness sues, equipment rental outlets, office equipment and supply stores, financial institutions and offices;
- (b) For sites located adjacent to Yonge St (Highway 11), large format specialized retail outlets servicing a wide trade area accessible those this high visibility location are also permitted, subject to the study requirements below. Uses more appropriately accommodated within *Village Core Areas* or *Community Commercial Areas* are not permitted.
- (c) When an application is made for a Zoning By-law amendment to permit the development of large-format specialized retail outlets in accordance with subsection (b), the following studies may be required:
 - I. Traffic impact study, in order to assess, to the satisfaction of the Town and the Region of York, the traffic implications of the proposed development upon adjacent roads and identify any new or improved facilities or other design measures required to resolve potential traffic problems.

- II. Market study, in order to establish, to the satisfaction of the Town, that the proposed development is justified and viable and that there are no long-term negative impacts to the planned function of the *Village Core Areas* and other retail locations in the Town. Such study shall provide sufficient detail to identify the characteristics and sizes of facilities that should be specified in the amending By-law.
- (d) In developing sites located adjacent to Yonge St and other high visibility sites, and sites in proximity to Residential uses, particular attention to the design of sites and buildings will be required. In particular:
- I. Extensive landscaping and buildings of a high aesthetic quality will be encouraged in order to take full advantage of prominent sites in re-enforcing the desired character and prestige of the *Prestige Employment* designation; and
 - II. Outdoor storage uses and display areas shall only be permitted when appropriately located, screened and/or buffered, and when authorized by appropriate provisions in the Zoning By-law for the particular site.

9.4.4 Part of Lot 101, Concession 1 EYS (Northeast corner of Yonge St & Green Lane)

The lands in Part of Lot 101, Concession 1 EYS shall be developed and used in accordance with the following provisions:

- a) Permitted uses shall be in accordance with those permitted in the *Commercial Mixed Use Areas*, as per Section 4.3.4.1 of this Plan;
- b) Development on this site shall be subject to the Town's review and approval of Urban Design Guidelines pertaining to such matters as built form, site design, massing, signage, pedestrian linkages, streetscaping, landscaping features, traffic circulation, and provisions for public transit.
- c) Development on this site shall be subject to the Town's review and approval of a Phasing Plan which demonstrates how the long term development of the site can be achieved in accordance with the general and specific policies of the *Major Local Centre* provisions outlined in Section 3.2.3.2.1 of this Plan.
- d) *Intensification* of the site is encouraged to accommodate residential and mixed use *development* in accordance with the policies of Section 3.2.3.2.1(1).
- e) Retail and commercial *intensification* of the site is encouraged along the northern boundary to accommodate a *Pedestrian Oriented Retail Priority Area* in accordance with the policies of Section 3.2.3.2.1(i).

9.4.5 Part of Lot 5, Concession 3

Land in Part of Lot 5, Concession 3 and designated *General Employment Area* on Schedule B shall be developed and used in accordance with the following provisions:

- (a) lands, buildings and structures shall be used for manufacturing, assembly, processing, fabrication, any activity connected with the motor vehicle trade other than a motor vehicle scrap yard, business and professional office. These permitted uses also include commercial uses incidental to the permitted industrial uses. The following automotive uses are excluded: scrap yards, body shops, paint shops, motor vehicle storage facilities, motor vehicle sales facilities, bus or truck depots and washing facilities;
- (b) in the event access and/or services to the site are provided from the northerly extension of Ringwell Drive in the Town of Newmarket, suitable arrangements shall be made, including entering into agreements with the Town of Newmarket if necessary, respecting cost-sharing and maintenance of the northerly extension of Ringwell Drive in the Town of East Gwillimbury, prior to any development taking place;
- (c) outside storage of goods, materials and equipment may be permitted provided adequate fencing, screening, and/or buffering exists;
- (d) this land be developed on the basis of municipal water supply, municipal sanitary sewers, storm sewers, curbs, paved roads, hydro services;
- (e) development of this land is contingent upon the provision of municipal water supply and municipal sanitary sewage services to this site; and,
- (f) all other provisions of this Plan shall apply to this site.

9.4.6 Part of Lot 5, Concession 3

Lands in Block 1, Plan 65M-3568 and Block 5 and Part of Block 6, Plan 65M-3568 and designated *General Employment Area* on Schedule B shall be developed and used in accordance with the following provisions:

- i) The policies of Section 9.4.5 of this Plan are applicable to these lands;
- ii) Permitted uses shall include office, employment, commercial and retail uses, as set out in the implementing Zoning By-law. Scrap yards, body shops, paint shops, motor vehicle storage facilities, bus or truck depots and washing facilities are prohibited uses;
- iii) The development shall incorporate a high standard of urban design and landscaping to enhance the gateway location at Green Lane/Harry Walker Parkway intersection and building massing will be encouraged to create visual focal points from the street;

- iv) Prior to submission of any site plan application, the owner(s) shall prepare an urban design and/or streetscape plan for the plan of subdivision, to establish entrance features, design and landscaping of boulevards and single lane roads, landscaped strips, and fencing, to the satisfaction of the Town and Region of York. Any costs associated with the preparation of said plan and possible peer review, on behalf of the Town, shall be borne by the owner(s);
- v) Prior to Site Plan approval to permit any proposed development, the Town Engineer may require the proponent to undertake a traffic study to analyze the traffic implications of the proposed development upon adjacent roads, in the Town of East Gwillimbury and the Town of Newmarket, and detail any design measures required to resolve any potential traffic problems;
- vi) Development of the subject lands is subject to sanitary sewage constraints and restrictions of the Town of East Gwillimbury and Town of Newmarket; and,
- vii) Prior to any development approvals on any individual block in the plan of subdivision, the Town of East Gwillimbury in consultation with the Town of Newmarket may require to their satisfaction, preparation and submission of a sanitary sewer servicing report in accordance with the existing Servicing Extension Agreement between the two municipalities.

9.4.7 Part of Lot 6, Concession 4 (Northwest corner of Herald Rd & Warden Ave)

Notwithstanding any other policies of this Plan or any designations, categories or areas shown on Schedules C, the lands described as 18364 Warden Avenue, being Part of Lot 6, Concession 4, in the Town and which are identified as a "Special Provision Area" on Schedule C, shall be permitted to develop as an estate residential subdivision in accordance with the transitional policies of Sections 17(1) (as amended through Bill 27, *the Greenbelt Protection Act, 2004*) and 15(3) of the Oak Ridges Moraine Conservation Act, 2001. Specifically, the lands shall be developed in accordance with Section 5 of this Plan regarding natural vegetative buffers; the provisions of By-law Number 97-50, as amended by By-law 2002-43, and the conditions of draft approval for subdivision 19T-89054. Any changes to the development that require a rezoning or minor variance shall conform to the applicable provisions and schedules of this Plan with respect to the Oak Ridges Moraine Conservation Plan.

9.4.8 Part of Lot 1, Concession 4

The lands in Part of Lot 1, Concession 4 and designated *Rural Industrial Area* on Schedule C shall be developed and used in accordance with the following provisions:

- (a) Notwithstanding the provisions of Section 4.2 in respect to commercial uses, the subject property shall only be used for the following uses:
 - (i) Veterinary clinic and *accessory uses*
 - (ii) One single detached dwelling for occupation by the owner of the veterinary clinic or a permanent staff person of the veterinary clinic
 - (iii) An accessory apartment dwelling
 - (iv) A boarding kennel accessory to the veterinary clinic, but does not include any municipal animal pound facility
 - (v) Notwithstanding iv), a municipal cat pound facility
- (b) Any use or development on the subject lands is subject to all other provisions of this Plan.

9.4.9 Part of Lot 1, Concession 4

Land in Part of Lot 1, Concession 4 and designated *Rural Industrial Area* on Schedule C shall be developed and used in accordance with the following provisions:

- (a) Notwithstanding the provisions of Section 4.2, outside storage can consist of not more than 33% of the lot area designated *Rural Industrial Area*.
- (b) All other provisions of this Plan shall apply to this site.

9.4.10 Part of Lot 1, Concession 4

Land in Part of Lot 1, Concession 4 and designated *Rural Industrial Area* on Schedule C shall be developed and used in accordance with the following provisions:

- (a) Notwithstanding the provisions of Section 4.2, outside storage can consist of not more than 37% of the lot area designated *Rural Industrial Area*.
- (b) All other provisions of this Plan shall apply to this site.

9.4.11 Part of Lot 1, Concession 4

Land in Part of Lot 1, Concession 4 and designated *Rural Industrial Area* on Schedule C shall be developed and used in accordance with the following provisions:

- (a) Notwithstanding Section 4.2, permitted uses are limited to office uses.
- (b) No expansion or enlargement to the existing office building, or new building construction, shall be permitted.

9.4.12 Part of Lot 1, Concession 4

(101 Bales Dr)

The lands in Part of Lot 1, Concession 4 identified as 101 Bales Drive, and designated *Rural Industrial Area* on Schedule C shall be developed and used in accordance with the following provisions:

- (a) In addition to the existing permissions, the use of the lands shall generally be developed for a dry batch plant for ready mix concrete and other accessory and related uses such as offices, a hopper, silo, conveyor belt, truck washing pad, parking area, outside storage of mineral aggregate.
- (b) The policies contained in Sections 4.2.2.2 shall not apply to the subject lands provided such aggregate storage is only in conjunction with the additional permitted uses above.
- (c) The policies contained herein shall be implemented by way of a site specific zoning by-law.
- (d) The proposed industrial uses shall be subject to Site Plan Control and agreement(s) which display a high degree of attention to landscaping and buffering given the nature of the additional permitted use and outside storage areas.
- (e) The subject lands shall be developed on the basis of Municipal water and the provision of such service shall be at the sole cost of the owner.
- (f) All other relevant policies of the Official Plan shall apply to the lands shown on Schedule C attached hereto.

9.4.13 Part of Lot 2, Concession 4

The lands in Part of Lot 2, Concession 4 designated *Rural Industrial Area* on Schedule B shall be developed and used in accordance with the following provisions:

- (a) Lands, buildings and structures shall be used for manufacturing, assembly, processing, fabrication and warehouses. These permitted uses also include commercial or other uses that are incidental to permitted industrial uses such as offices, or cafeteria services for on site employees, and the sale of products manufactured on the premises. The following automotive uses are excluded: scrap yards, body shops, paint shops, motor vehicle storage facilities, bus or truck depots and washing facilities. All such uses shall be dry in nature, meaning that all uses which rely on water and/or discharge for processing, assembly, fabricating, repairing, packaging, warehousing and/or wholesaling processes and/or uses that generate more than 4500 litres per day of employee or consumer sanitary waste shall be prohibited;
- (b) Development shall only proceed by Plan of Subdivision and individual lots shall not have direct access to Woodbine Avenue;
- (c) That development of these lands is contingent upon the provisions of municipal water and the Plan of Subdivision shall not be released for registration until the Town and the Region of York are satisfied that adequate arrangements have been made in the Subdivision Agreement to ensure the provision of municipal water. The water distribution system shall be installed and fully operational to the satisfaction of the Town prior to the execution of the Site Plan Agreements and the release of building permits;
- (d) That vegetative buffer strips, a minimum width of 30 metres or to the top of bank, whichever is greater, shall be provided along the streambanks of the Black River and be designated and zoned to ensure they remain in a naturally vegetated, undisturbed state;
- (e) That a preliminary stormwater management plan has been reviewed and approved by the appropriate approval authorities prior to the approval of any draft Plan of Subdivision.
- (f) That development may proceed by individual sewage disposal systems provided that a hydrogeological assessment has been reviewed and approved by the Region of York prior to approval of any draft Plan of Subdivision.

- (g) That the owner enter into a tripartite performance agreement between the Town of East Gwillimbury and the Region of York assuring construction, which agreement shall be included in the standard Subdivision Agreement with the Town; and,
- (h) All other provisions of this Plan shall apply to this site.

9.4.14 Part of Lots 1,2 and 10, Concession 4

The lands in Part of Lots 1, 2, and 10, Concession 4 designated *Rural Industrial Area* on Schedule C shall be developed and used in accordance with the following provisions:

- (a) In addition to the uses permitted in Section 4.2.2, the following uses are also permitted:
 - ♦ Commercial uses that provide repair, service, and eating facilities for the travelling public such as vehicular service facilities, drive-in or fast food restaurants, and other similar uses; and,
 - ♦ Commercial uses that serve the farm community or utilize its produce such as farm implement dealers, feed mills, farm or garden supply outlets, agricultural or nursery produce warehousing, greenhouses, veterinary clinics and produce sales outlets.

9.4.15 Part of Lot 12, Concession 8

The development of the land subject to this policy for Village Core Area uses shall only be considered following the completion of a Natural Heritage Evaluation to the satisfaction of the Town and the Lake Simcoe Region Conservation Authority. The Natural Heritage Evaluation shall identify the scale and extent of natural heritage features on the site, define development limits and identify replacement, restoration and enhancement measure, as necessary.

9.4.16 Part of Lot 1, Concession 8

Notwithstanding any other policies of this Plan to the contrary, on the lands identified as 5550 Davis Drive, a severance of a residence surplus to a farming operation as a result of farm consolidation shall be permitted, provided that the lands are re-zoned to prohibit a residence from being constructed on the retained farmland.

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9.4.17 Part of Lot 20, Concession 3

The lands in Part of Lot 20, Concession 3 and designated *Low Density Residential* on Schedule B-2 may be developed and used in accordance with the following provisions:

- (a) A portion of the lands in Part of Lot 20, Concession 3 are designated *Neighbourhood Commercial* and shall not extend beyond a depth of approximately 50 metres from the Queensville Sideroad right-of-way.
- (b) Notwithstanding the provisions of section 4.3.7, an implementing Zoning By-law Amendment may permit the development of one small scale motor vehicle service station with small scale accessory retail component; subject to site plan approval to the satisfaction of the Town of East Gwillimbury.
- (c) An implementing Zoning By-law Amendment, as described in section 9.4.18 (b), shall specify the minimum and/or maximum number of gas pump islands and the maximum area of gas bar canopy and gas bar convenience retail to ensure that the planned function of *Neighbourhood Commercial* areas is achieved and maintained.
- (d) One drive-through facility may complement the *Neighbourhood Commercial* uses on the Subject Lands due to the close proximity of the Queensville Sideroad interchange of Highway 404 and the gateway location to the Queensville community. However, due to the potential for impact on the neighbourhood setting, the drive-through facility shall conform with Section 3.3 *Urban and Public Realm Design* and shall adhere to the following design criteria:
 - i) Buildings are encouraged to be located close to the public street providing a consistent street edge and safe pedestrian environment between the primary building entrance and the public street;
 - ii) Sufficient vehicle stacking spaces shall be provided on site so as not to impede traffic flow to and from the site;
 - iii) Stacking lanes are to be located at the side or rear of buildings rather than a wrap-around lane;
 - iv) Stacking lanes and audio and video devices are encouraged to be located to minimize potential impacts and adverse effects on adjacent areas;
 - v) Landscaping is to be provided to appropriately screen vehicle headlamps from public view and/or surrounding land uses.
- (e) It is recognized that the Region of York intends to commence an Environmental Assessment for the reconstruction of Queensville Sideroad. Future site plan approval may be subject to specific requirements of that Environmental Assessment.

- (f) It is recognized that the Schedule B-2 anticipates a North/South Local Collector Road and that a width of 23-26 metres will be required for the North/South Local Collector Road.

9.4.18 Part of Lot 101, Concession 1 EYS

Lands in Part of Lot 101, Concession 1 EYS, more specifically Part 1 on 65R-37475 and designated High Density Residential on Schedule B-5, the property may be used for a future well house and potable water treatment facility site on lands that would otherwise be developable and shall continue to be included as net developable hectares for the purposes of calculating density in accordance with policy 4.4.4.2.

The density rights encumbered by this infrastructure may be transferred to the abutting lands directly to the west, designated High Density Residential on Schedule B-5.

9.4.19 Part of Lot 12, Concession 2

The lands in Part of Lot 12, Concession 2 in the Town of East Gwillimbury and designated *High Density Residential* shall be developed and used in accordance with the following additional provisions:

- (a) Townhouses may be permitted in association with one or more apartment buildings and/or retirement homes, provided, in the entire area designated *High Density Residential*:
- i. A minimum of 50% of the dwelling units are located in apartment buildings and/or retirement homes;
 - ii. At least one apartment building/retirement home is built prior to or at the same time as the townhouses; and,
 - iii. The combined density conforms to policy 4.4.4.2.
- (b) The permitted maximum building height for land up to 60 metres north of Mount Albert Road, measured from the property line, is 7 storeys. The permitted maximum building height for lands beyond 60 metres of the property line along Mount Albert Road is 3 storeys.
- (c) The permitted maximum Floor Space Index is 1.37 across the entire lands.