

THE BLUE PRINT



Town of The Blue Mountains Official Plan

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TABLE OF CONTENTS

LAND ACKNOWLEDGEMENT	1
STRUCTURE OF THE PLAN.....	2
PART A COMMUNITY VISION, STRATEGIC OBJECTIVES AND LAND USE CONCEPT	
INTRODUCTION	5
A1 THE COMMUNITY VISION AND GUIDING PRINCIPLES	6
A1.1 GUIDING PRINCIPLES	9
A2 THE COMMUNITY STRUCTURE.....	11
A2.2 SETTLEMENT AREAS	13
A2.3 OTHER COMPONENTS OF THE COMMUNITY STRUCTURE.....	14
A3 GOALS AND STRATEGIC OBJECTIVES	14
A3.1 SUSTAINABLE DEVELOPMENT	15
A3.2 NATURAL ENVIRONMENT	18
A3.3 CLIMATE CHANGE ACTION	19
A3.4 GROWTH AND SETTLEMENT	20
A3.5 URBAN COMMUNITY CHARACTER	20
A3.6 RURAL AND OPEN SPACE CHARACTER	22
A3.7 AGRICULTURE	22
A3.8 ECONOMIC DEVELOPMENT.....	23
A3.9 TOURISM AND RECREATION	25
A3.10 INFRASTRUCTURE.....	26
A3.11 AFFORDABLE AND ATTAINABLE HOUSING.....	27
A3.12 MINERAL AGGREGATE RESOURCES	28
A3.13 CULTURAL HERITAGE AND INDIGENOUS CONSULTATION.....	29
A4 THE LAND USE CONCEPT	30
A4.1 URBAN DESIGNATIONS	30
A4.2 RURAL COUNTRYSIDE DESIGNATIONS	33
A4.3 ENVIRONMENTAL AND OPEN SPACE DESIGNATIONS	33
PART B LAND USE DESIGNATIONS	
B1 LAND USES PERMITTED IN ALL LAND USE DESIGNATIONS.....	36
B2 GENERAL POLICIES	37
B2.1 ADULT ENTERTAINMENT ESTABLISHMENTS.....	37
B2.2 COMMERCIAL RESORT ACCOMMODATIONS.....	38
B2.3 COMMERCIAL USE	39

B2.4	PRIVATE RECREATIONAL USES	39
B2.5	SHORT-TERM ACCOMMODATION USES	40
B2.6	DRIVE-THROUGH SERVICE FACILITIES	42
B2.7	ADDITIONAL RESIDENTIAL UNITS	43
B2.8	ACCESSORY USES	44
B2.9	GARDEN SUITES	45
B2.9	CONVERTED DWELLINGS.....	44
B2.10	HOME OCCUPATION USES	45
B2.11	NIAGARA ESCARPMENT PLAN	45
B2.12	CANNABIS PRODUCTION FACILITIES.....	45
B2.13	BUILDING HEIGHT	46
B2.14	EXISTING RESIDENTIAL NEIGHBOURHOODS	48
B2.15	INFILL DEVELOPMENT	48
B2.16	INTENSIFICATION CRITERIA	49
B2.17	GREENFIELD CRITERIA.....	51
B2.18	EMPLOYEE HOUSING	51
B3	URBAN LAND USE DESIGNATIONS	52
B3.1	COMMUNITY LIVING AREA.....	52
B3.2	URBAN EMPLOYMENT AREA	57
B3.3	DOWNTOWN AREA.....	59
B3.4	COMMERCIAL CORRIDOR	65
B3.5	HARBOUR AREA.....	68
B3.6	INSTITUTIONAL AREA	69
B3.7	RESIDENTIAL/RECREATIONAL AREA	71
B3.8	RECREATIONAL COMMERCIAL AREA	81
B3.9	RESORT COMMERCIAL AREA.....	83
B3.10	THE BLUE MOUNTAIN VILLAGE RESORT AREA	84
B3.11	RECREATIONAL SKI	91
B3.12	CRAIGLEITH VILLAGE COMMUNITY.....	93
B3.13	FUTURE SECONDARY PLAN AREAS	103
B3.14	SPECIAL STUDY AREAS.....	105
B3.15	ESCARPMENT	106
B4	RURAL COUNTRYSIDE DESIGNATIONS	112
B4.1	GENERAL PROVISIONS – AGRICULTURAL, SPECIAL AGRICULTURAL AND RURAL DESIGNATIONS.....	112
B4.2	AGRICULTURAL.....	117
B4.3	SPECIAL AGRICULTURAL	122
B4.4	RURAL	126
B4.5	HAMLET AREA.....	133
B4.6	RURAL EMPLOYMENT LANDS	135
B4.7	MINERAL RESOURCE EXTRACTION AREA.....	137
B5	ENVIRONMENTAL AND OPEN SPACE	146
B5.1	INTRODUCTION.....	146

B5.2	NATURAL HERITAGE FEATURES.....	146
B5.3	WETLANDS.....	149
B5.4	HAZARD LANDS.....	150
B5.5	SPECIAL CONSTRAINT AREAS	153
B5.6	GENERAL POLICIES APPLYING TO THE NATURAL HERITAGE RESOURCE DESIGNATIONS	157
B5.7	MAJOR OPEN SPACE	158
B6	NIAGARA ESCARPMENT PLAN AREA	159
PART C	WATER, ENVIRONMENTAL AND HAZARD POLICIES	
C1	OBJECTIVES.....	162
C2	WATERCOURSES.....	163
C2.1	FUNCTION OF WATERCOURSES.....	163
C2.2	IMPLEMENTATION.....	164
C3	FLOODPLAIN PLANNING.....	164
C4	GROUND AND SURFACE WATER RESOURCES.....	165
C4.1	GOALS	165
C4.2	OBJECTIVES.....	166
C4.3	GENERAL POLICIES	166
C4.4	SIGNIFICANT THREATS.....	167
C5	STORMWATER MANAGEMENT	169
C6	HAZARDOUS SLOPES	170
C7	WATER TAKING.....	170
C8	WATERSHED PLANNING.....	171
C8.1	OBJECTIVES.....	171
C8.2	WATERSHED PLANS AND SUBWATERSHED PLANS	172
C8.3	CONTENT OF WATERSHED PLANS	172
C8.4	CONTENT OF SUBWATERSHED PLANS	173
C8.5	IMPLEMENTATION.....	174
C9	REQUIREMENTS FOR AN ENVIRONMENTAL IMPACT STUDY	174
C9.1	PURPOSE OF AN EIS.....	174
C9.2	CONTENTS OF AN EIS	175
C9.3	WHAT AN EIS SHOULD DEMONSTRATE	176
C9.4	SCOPED EIS	176
C10	SOLID WASTE DISPOSAL AREAS	177

C11	SEWAGE TREATMENT PLANT AREAS	178
C12	SHORELINE OF GEORGIAN BAY	178
C13	LAND USE COMPATIBILITY	179
C13.1	NOISE AND VIBRATION	179
C14	POTENTIALLY CONTAMINATED SITES.....	179
C14.1	PURPOSE	179
C14.2	POLICIES	180
PART D	GENERAL DEVELOPMENT POLICIES	
D1	WATER AND SANITARY SEWER SERVICING STRATEGY	183
D1.1	OBJECTIVES.....	183
D1.2	PREFERRED MEANS OF SERVICING IN SETTLEMENT AREAS.....	183
D1.3	SERVICING OF DEVELOPMENT OUTSIDE SETTLEMENT AREAS .	184
D1.4	STAGING CATEGORIES	184
D1.5	MONITORING OF SERVICING CAPACITY	187
D1.6	HOLDING AND DEFERRED DEVELOPMENT ZONES.....	188
D2	TRANSPORTATION	189
D2.1	OBJECTIVES.....	189
D2.2	ROADS IN THE TOWN	190
D2.3	RESTRICTIONS ON CERTAIN TYPES OF ROADS	193
D2.4	TRAFFIC IMPACT STUDIES / ROAD ASSESSMENTS	195
D2.5	ACTIVE TRANSPORTATION	195
D2.6	TRANSPORTATION DEMAND MANAGEMENT	197
D2.7	PUBLIC TRANSIT	198
D2.8	PARKING.....	198
D3	CULTURAL HERITAGE.....	199
D3.1	OBJECTIVES.....	199
D3.2	GENERAL POLICIES	199
D3.3	BUILT HERITAGE AND CULTURAL LANDSCAPE RESOURCES	201
D3.4	ARCHAEOLOGICAL RESOURCES AND INDIGENOUS AND DESCENDANT COMMUNITIES CONSULTATION	205
D4	SUBDIVISION OF LAND	206
D4.1	PREFERRED MEANS OF LAND DIVISION	206
D4.2	NEW LOTS BY CONSENT	206
D4.3	SUBDIVISION DEVELOPMENT POLICIES.....	208
D5	COMMUNITY DESIGN.....	208
D5.1	OBJECTIVES.....	208
D5.2	DESIGN POLICIES	209

D5.3	COMMUNITY GATEWAYS.....	210
D5.4	HIGHWAY 26 CORRIDOR.....	211
D5.5	VIEWS AND VISTAS.....	211
D5.6	RURAL CHARACTER.....	211
D5.7	CULTURAL HERITAGE.....	212
D5.8	SAFETY.....	212
D5.9	BARRIER-FREE ACCESS.....	213
D5.10	ARTS AND CULTURE.....	213
D6	PUBLIC PARKLAND AND OPEN SPACE	214
D6.1	OBJECTIVES.....	214
D6.2	GENERAL POLICIES APPLYING TO ALL PUBLIC PARKLAND	215
D6.3	PARKLAND DEVELOPMENT POLICIES	218
D7	HOUSING	226
D7.1	MONITORING OF HOUSING	226
D7.2	HOUSING SUPPLY.....	226
D7.3	HOUSING MIX.....	227
D7.4	AFFORDABLE AND ATTAINABLE HOUSING.....	227
D8	SUSTAINABLE DEVELOPMENT.....	228
D8.1	GREEN DEVELOPMENT STANDARDS	229
D8.2	TREE CANOPY	229
D8.3	URBAN AGRICULTURE.....	230
D8.4	ENERGY CONSERVATION AND EFFICIENCY MEASURES	231
D8.5	AIR QUALITY.....	232
D8.6	WATER CONSERVATION.....	232
D8.7	OUTDOOR LIGHTING.....	233
D8.8	HEALTH IMPACT ASSESSMENT.....	233
 PART E PLAN IMPLEMENTATION AND ADMINISTRATION		
E1	PLAN IMPLEMENTATION AND ADMINISTRATION	236
E1.1	ZONING BY-LAWS	236
E1.2	COMMUNITY PLANNING PERMIT BY-LAW	236
E1.3	MINOR ZONING BY-LAW AMENDMENTS	241
E1.4	TEMPORARY USE BY-LAWS	241
E1.5	HOLDING PROVISIONS	242
E1.6	INTERIM CONTROL BY-LAWS	243
E1.7	SITE PLAN CONTROL.....	243
E1.8	PUBLIC PARTICIPATION.....	244
E1.9	TOWN ENGINEERING STANDARDS	246
E2	PHASING.....	246
E2.1	OBJECTIVES.....	246
E2.2	GENERAL PHASING CRITERIA.....	246

E3	SECONDARY PLANS AND MORE DETAILED PLANS	248
E3.1	SECONDARY PLANS	248
E3.2	BLOCK PLANS	250
E3.3	COMPREHENSIVE DEVELOPMENT PLANS	250
E3.4	MAINTENANCE AND OCCUPANCY BY-LAWS	251
E3.5	COMMUNITY IMPROVEMENT	251
E4	SETTLEMENT AREAS – NEW AND EXPANSIONS.....	257
E5	NON-CONFORMING USES.....	257
E5.1	INTENT OF OFFICIAL PLAN	257
E5.2	REVIEW CRITERA.....	258
E5.3	ROLE OF THE IMPLEMENTING ZONING BY-LAW	258
E6	NON-COMPLYING BUILDINGS, STRUCTURES OR LOTS	259
E7	AMENDMENTS TO THIS PLAN.....	259
E8	INTERPRETATION	260
E8.1	GENERAL.....	260
E8.2	INTERPRETATION OF LAND USE DESIGNATION BOUNDARIES ...	261
E9	OFFICIAL PLAN REVIEW PROCESS	261
E10	COMPLETE APPLICATION REQUIREMENTS.....	262
E11	GLOSSARY	270
PART F	SECONDARY PLANS.....	301

LAND ACKNOWLEDGEMENT

The Town of The Blue Mountains recognizes the First Nations, Metis and Inuit peoples of Canada as traditional stewards of the land. The Town of the Blue Mountains is located within the boundary of Treaty 18 region of 1818, which is the traditional territory of many nations including the Anishinabek, Haudenosaunee and Wendat-Wyandot-Wyandotte peoples. This Plan encourages consultation and collaboration with the Indigenous communities who have inhabited The Blue Mountains as traditional stewards of the land to work towards a shared vision of land policies and current practices.

STRUCTURE OF THE PLAN

This Official Plan is divided into six parts, each of which is described below:

1. **Part A (Community Vision, Strategic Objectives and Land Use Concept)** contains the vision of the Town. This vision was prepared by the Town and is based on an understanding of past and future trends and the wishes of the Town's residents and business owners. The goals and strategic objectives that form the basis of the Plan flow from the vision. These goals and strategic objectives also establish a framework for the other objectives and policies in the Plan. This section of the Plan also describes how it is to be implemented through land use designations.
2. **Part B (Land Use Designations)** contains the land use designations and policies that apply to all lands within the Town.
3. **Part C (Water, Environmental and Hazard Policies)** contains the policies dealing with *watercourses*, natural hazards, watershed planning and surface and *groundwater resources* throughout the Town. In addition, policies that specify the requirements for matters such as stormwater management reports, environmental impact studies, tree preservation, the *development of contaminated sites*, land use compatibility, noise and vibration reports and energy conservation are contained in this section.
4. **Part D (General Development Policies)** contains policies that, where appropriate, must be considered as part of the land use planning process. This includes subdivision of land, community design, *cultural heritage resources*, transportation, parkland and open space, water and sewage servicing, *public uses and housing*.
5. **Part E (Plan Implementation and Administration)** describes how the vision, goals, objectives and policies of the Plan will be implemented.
6. **Part F (Secondary Plans)** contains more detailed planning policies for specific geographic areas in the Town and includes the Secondary Plan for the Castle Glen Resort Area.

The following schedules, which are to be read in conjunction with the text of this document, constitute an operative part of this Official Plan:

- Schedule A – Land Use Plan
 - Schedule A-1 – Lora Bay
 - Schedule A-2 – Thornbury and Clarksburg
 - Schedule A-3 – Camperdown
 - Schedule A-4 – Cragleith and Swiss Meadows
 - Schedule A-5 – Blue Mountain Village Area
 - Schedule A-6 – Castle Glen
- Schedule B-1 – Transportation
- Schedule B-2 – Transportation Thornbury-Clarksburg

Appendix 1 illustrates Constraint Mapping and does not constitute part of the Official Plan but provides additional information to assist in implementing this Official Plan.

**PART A
COMMUNITY VISION,
STRATEGIC OBJECTIVES
AND LAND USE CONCEPT**

INTRODUCTION

An Official Plan is a general land use guide which sets out the Town's long-term vision for growth and *development* and is intended to provide *Council* with the basis for making decisions on *development* applications, changes in land use and community improvements. The *Planning Act* requires that an Official Plan be reviewed at least once every five years and that the Official Plan of a lower-tier municipality, such as the Town of The Blue Mountains, conform to the Official Plan of an upper-tier municipality, in this case, the *County* of Grey. In addition, both upper-tier and lower-tier Official Plans must be consistent with all relevant Provincial Legislation and Plans including the Planning Act, the Provincial Planning Statement, the Ontario Heritage Act, Clean Water Act and the Niagara Escarpment Plan.

The Town of The Blue Mountains was formed by the amalgamation of the Township of Collingwood and the Town of Thornbury on January 1, 1998. The current The Blue Mountains Official Plan was last updated in June 2016. Originally adopted by Town *Council* in 2002, approved by the *County* in December 2004, and approved by the Ontario Municipal Board on September 29, 2006. The purpose of this Official Plan is to set out the vision and provide direction and a policy framework for managing sustainable growth and land use decisions in the Town over the planning period to 2046.

The County of Grey and the Town of The Blue Mountains completed Growth Management Strategies in 2021 and 2022. Based on the Town and County growth management work and the 2021 Census Canada data, actual and anticipated population growth in the County and Town are summarized in the following chart:

	2016	2021	2031	2046
Grey Count	93,830	100,905	113,440	127,130
The Blue Mountains	7,025	9,390	12,090	16,140

Between 2006 and 2021, the Blue Mountains grew by 2,330 residents:

Population Change	Community Area
2,160	Lora Bay, Camperdown, Craigleith, Blue Mountain Village, Swiss Meadows
180	Thornbury and Clarksburg
60	Castle Glen and Osler
-50	Rural

Between the years 2021 and 2046, it is anticipated that the permanent population in the Town of The Blue Mountains will increase by approximately 6,750 residents (3,590 households). The number of seasonal households is estimated to decline by 80 units between 2021 and 2046. The Town is also expected to add 1,610 new jobs over the forecast horizon.

The County Official Plan requires an overall average development density of 20 units per net hectare in the Primary Settlement Area of Thornbury-Clarksburg. To encourage more compact growth to Thornbury-Clarksburg a minimum density target of 25 units per net hectare is required by this Plan. In order to achieve this target, the Town will monitor and report on density and household changes throughout the Town, on an annual basis.

The *County* Official Plan also establishes a minimum target of 10 percent for *residential intensification* in the Thornbury/Clarksburg settlement area. Assuming 3,590 new permanent dwelling units are to be accommodated in the Town of The Blue Mountains to 2046, 359 new dwelling units must be accommodated as *intensification* in the Thornbury/Clarksburg Settlement Area to 2046. For the Town, this means an average of 14 to 15 units per year should be provided through *intensification*.

The overall intent of this Official Plan has at its core the desire to *enhance* the quality of life for Town of The Blue Mountains residents and business owners, support the tourism and recreation sector in the Town the recognition of its economic importance locally and regionally, and to establish and maintain a very desirable community that is supported by a clear, concise land use planning framework.

A1 THE COMMUNITY VISION AND GUIDING PRINCIPLES

The primary purpose of the Official Plan is to provide the basis for guiding growth, protecting the environment and enhancing the Town's unique *character*, diversity, civic identity, recreational and tourism resources, rural lifestyle, agricultural resources and heritage features. The Town of The Blue Mountains will seek to improve affordability and emphasize connectivity and efficiency and do so in a way that has the greatest positive impact on the quality of life in The Blue Mountains. The Official Plan is the primary planning document that will direct the actions of the Town and shape growth and *development* and on this basis, this plan establishes a vision for the future land use structure of the Town. This Plan is intended to create a land use planning policy and regulatory framework that is unified in its vision and detailed enough to ensure that the vision is implemented.

The Town of The Blue Mountains embraces a wide diversity of urban, rural, recreational and tourism amenities. The area is generously endowed with natural features and scenic attributes, which have created substantial opportunity for recreational, residential and resort *development*. Based on the prominence of the natural features of the Niagara Escarpment, Nipissing Ridge and Nottawasaga Bay, the Town serves as a four seasons recreational and tourism destination, with year-

round appeal for skiing, hiking, cycling, golf and other recreational activities. The Province has recognized the Town as a four seasons recreational area and together with the Federal Government has provided funding support of local resort infrastructure, including water and sewage services, roads, walkways and other facilities.

The Town is located within a 1.5 to 2 hour drive of the Greater Toronto Area, one of North America's fastest growing urban regions. The impact of this growth on demand for access to recreational pursuits will be compounded by the demographic bulge of the baby boomer generation, their wealth, and the contemporary propensity to invest in recreational properties.

The Blue Mountains Future Story (TBM Future Story), the Town's community sustainability plan, was endorsed by Council in 2022. TBM Future Story provides a 50-year vision for the Town's long-term sustainability across six interconnected systems: the natural environment; the built environment; the economy; community & culture; social well-being; and governance.

The Blue Mountains is a community that:

- supports the protection of our natural and rural resources;
- supports sustainability principles;
- values its heritage; and,
- supports the protection of community *character*.

There are two planning principles that essentially provide the basis for effective land use planning. One of these principles requires that planning authorities establish a range and mix of uses in appropriate locations to support the establishment of a complete community, where most of the daily needs of the residents and employees within the community can be met.

The second principle involves planning for healthy communities where residents and employees are encouraged to lead more healthy lifestyles as a result of the provision of a range and mix of uses, recreational amenities and open space areas. In addition, the establishment of *development* standards and protocols that promote the efficient use of energy and *infrastructure* also contributes to the healthy community principle even though the contribution is small in the global context. On the basis of the above, The Blue Mountains is a community that should continue to:

- preserve, protect, enhance and augment our Natural Heritage features such as the Town's two UNESCO World Biosphere

Reserves (Georgian Bay and Niagara Escarpment), and the cold-water streams, waterways, and wetlands, that encourage natural biodiversity and ecological resilience on the land;

- provide opportunities for the agricultural industry and the rural community to prosper well into future;
- provide opportunities for economic diversification and support small business;
- balance the protection and support for tourism with our living areas, rural communities and the natural environment;
- provide an appropriate mix of commercial and employment opportunities;
- provide 'housing for all' which includes providing housing options for residents at each stage of their life and local housing for those in the service industry; and,
- enable residents to walk or cycle to work or shop.

A1.1 GUIDING PRINCIPLES

To implement the Vision of the Town, Guiding Principles have been developed that are forward thinking and speak to the type of healthy and complete community the Town of The Blue Mountains is and wishes to be. These principles were relied upon in preparing this Official Plan. These Guiding Principles are all encompassing and not listed in any order of importance and therefore, are intended to be read together.

1. To recognize that the Town is made up of a number of desirable, safe and vibrant neighbourhoods that all combine to make this four seasons recreational resort community a desirable place to live, establish roots, learn, visit and create diverse economic opportunities.
2. To ensure that the land use planning decisions made in the Town provide the basis for managing growth that will support and emphasize the Town's unique *character*, diversity, civic identity, recreational based/rural lifestyle, tourism destinations, natural heritage and cultural heritage and to do so in a way that has the greatest positive impact on the health of our community and the quality of life enjoyed by residents and business owners alike.
3. To invest in, program and optimally maintain a diverse and interconnected system of public spaces that feature convenient, and comfortable access, encourage safe and healthy environments, minimize hazards, are culturally appropriate and attract and serve all components of the population.
4. To provide the opportunity to create compact and efficient neighbourhoods with a range of housing types, price points and mix of services that provide necessary amenities and transportation options and equitable access to the ingredients of what makes for sustainable neighbourhoods.
5. To recognize that every community in the Town incorporates its own unique character that must be respected and enhanced. To ensure that the *character* of existing and well-established residential neighbourhoods is maintained and *enhanced* by ensuring that *development* and *redevelopment* is *compatible*, in terms of built form and street pattern, with the *character* of adjacent buildings and neighbourhoods and the scale and density of existing *development*.
6. To identify protect and enhance *natural heritage features and areas* and their associated *ecological functions*, by implementing *effective watershed-based* planning policies and practices so that these assets can be enjoyed by current and future generations and

serve as a legacy of the community's desire to protect their role and function.

7. To recognize the Town's declaration of climate emergency and to guide climate change policies and actions that result in reduction in greenhouse gases, ensure energy efficiency, and embed Climate Change mitigation and/or adaptation policies and actions into all relevant planning and development policies, to increase our community's resilience to the effects of climate change.
8. To encourage the provision of a wide range of linked and publicly accessible recreational lands and amenities to meet the needs of present and future residents and visitors.
9. To ensure that a full and balanced variety of housing options are available to all ages, abilities, incomes, and household sizes and be located near public transportation where possible, jobs, and *essential* goods and services. The provision of *affordable housing* will be a priority in the Town.
10. To support the protection and growth of industry and tourism-recreation sectors, and the transition of existing industry sectors, toward practices, products and services that increase their overall viability by establishing a competitive business environment that is able to easily adapt to changing circumstances and priorities.
11. To encourage the continued revitalization of the Thornbury and Clarksburg Downtowns, which reflects their cultural heritage significance and promotes a mix of uses and attractions for community activities that reinforce the function of the two Downtown areas as cultural, administrative, entertainment, retail and social focal points of the community.
12. To establish an integrated transportation system that safely and efficiently accommodates various modes of transportation including walking, cycling, public transit, automobiles and trucks. The system promotes a connected and safe *active transportation* (non-motorized) network between neighbourhoods, downtown areas, places to work, schools, parks/open space, other amenities and adjacent municipalities.
13. To utilize available capacity of existing infrastructure and to ensure that the construction of all *infrastructure*, or expansions to existing *infrastructure*, occurs in a manner that is *compatible* with adjacent land uses and with a minimum of social and environmental impact.
14. To require that local decision-making processes are transparent and evident to the public through the provision of information, participatory tools, education, and an open process.

15. To protect agricultural and rural areas, including specialty crops, and to encourage the establishment of a broad range of *agricultural uses*, agriculture related uses and *on-farm diversified uses* to ensure that the agricultural industry can continue to thrive and innovate.

A2 THE COMMUNITY STRUCTURE

The Official Plan is based on a 25 year planning horizon and has been prepared within the context of the urban and rural patterns of the Town, the *County* and surrounding regions. The Community Structure Plan (CSP) as shown in Figure 1 conceptually illustrates the major structural elements of the Town including settlement areas, resort areas and key corridors and connections. The CSP does not identify any land use designations; it is intended to articulate the structure of the community and how the it is intended to evolve over time.

The CSP can also assist in the making of all land use and *infrastructure* decisions that have an impact on where people live, work and play and on how they travel through the Town. The CSP is also intended to support the type of *development* that makes the best use of *infrastructure*, minimizes the consumption of land, natural heritage features, and supports the mixing of uses and activities in appropriate locations.

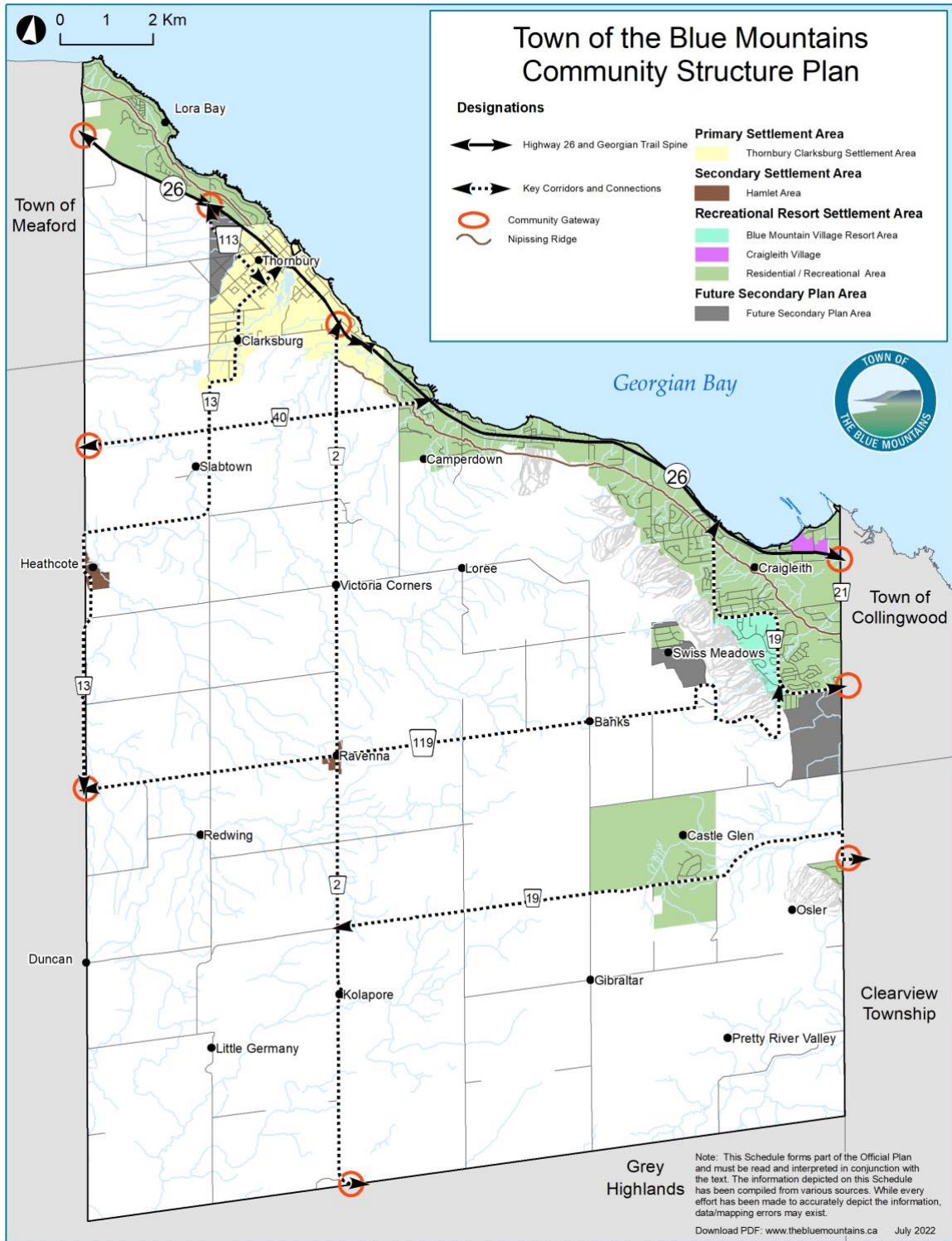


Figure 1 – Community Structure Plan

A2.2 SETTLEMENT AREAS

The Province of Ontario recognizes Settlement Areas as urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets) that are: built up areas where development is concentrated, and which have a mix of land uses; and lands which have been designated in an Official Plan for development over the long term.

The County of Grey refines the Provincial Settlement Areas further into Primary Settlement Areas, Secondary Settlement Areas, Recreation Resort Area (Settlement Areas) and Escarpment Recreation Area (Settlement Area). The County Official Plan provides further policy direction and growth targets by Settlement Area type.

The Town of The Blue Mountains refines the County of Grey Settlement Areas further again with six Settlement Areas, each having further policy direction and growth targets.

Thornbury/Clarksburg Primary Settlement Area - the main concentration of urban activities including commercial, residential, cultural and government functions in a well-designed land use form. It is intended that the settlement area will continue to function as a place of symbolic and physical interest for residents and visitors. A range of housing types is supported but all new *development* should respect the *character* of the community and established neighbourhoods while making efficient use of infrastructure and providing for *affordable and attainable housing*.

Recreational Resort Settlement Areas:

Blue Mountain Village Resort Area - the primary resort area that complements the existing recreational base through a range of residential, recreational and commercial uses, and provides additional opportunities for year-round recreational opportunities and facilities.

Craigleith Village – a settlement area that is similar to but smaller in scale than the Thornbury/Clarksburg Settlement Area, serving the Craigleith and surrounding area through the provision of uses including commercial, residential and recreational functions. A range of housing types is supported while making efficient use of infrastructure and providing for *affordable and attainable housing*.

Residential/Recreational Area – the area designated in the *County* Official Plan extending along the Georgian Bay shoreline and some inland areas providing a resort-related residential and recreational function. A range of housing types is supported while making efficient use of infrastructure and providing for *affordable and attainable housing*.

Secondary Settlement Areas:

Hamlet Area – Existing communities (Ravenna and Heathcote) with residential, commercial and recreational functions where development may be limited due to external, physical, or policy constraints and/or lack of infrastructure.

A2.3 OTHER COMPONENTS OF THE COMMUNITY STRUCTURE

Future Secondary Plan Areas – areas that are identified as requiring more detailed planning prior to future *development* occurring:

- Area in west part of Thornbury
- Area south of the Blue Mountain Village Area
- Area south of Swiss Meadows Subdivision

Special Study Areas – areas where further review and analysis is required prior to development proceeding.

Highway 26 Spine and Georgian Trail – Highway 26 right of way serves as the Town's main transportation corridor for residents and tourists, linking Thornbury/Clarksburg to other communities along the Georgian Bay shoreline. The Spine also serves as the corridor for the location of community facilities and services. The Georgian Trail is a regionally significant right of way and trail link along the Highway 26 corridor.

Key Corridors/Connections – links other communities and areas of the Town to the Highway 26 Spine and nearby communities.

Community Gateways – intended to achieve a sense of entrance/arrival to the Town and neighbourhoods through effective site, building and landscaping design.

Rural Countryside, Natural and Waterfront Areas – consists of agricultural areas, specialty crop areas, natural features/areas/systems and waterfront areas. Waterfront areas are for conservation, recreation and tourism purposes.

A3 GOALS AND STRATEGIC OBJECTIVES

A series of goals and strategic objectives have been developed in an effort to implement the vision and guiding principles of the Town, as set out in Section A1.

Goals are intended to be broad long-term aims that attempt to define how the vision will be implemented. Strategic objectives are intended to be

specific and realistic targets that measure the accomplishment of a goal. These goals and strategic objectives are intended to work together in the pursuit of a sustainable balance between the environment, society, culture and the economy, and to support *development* that meets the needs of the present without compromising the ability of future generations to meet their own needs. These goals and strategic objectives are categorized as follows:

- Sustainable Development
- Natural Environment
- Climate Change Action
- Growth and Settlement
- Urban Community Character
- Rural and Open Space Character
- Agriculture
- Economic Development
- Tourism and Recreation
- Infrastructure
- Affordable and Attainable Housing
- Mineral Aggregate Resources
- Cultural Heritage

A3.1 SUSTAINABLE DEVELOPMENT

The Blue Mountains Future Story (TBM Future Story), the Town’s community sustainability plan, was endorsed by Council in 2022. TBM Future Story and provides a 50-vision for the Town’s long-term sustainability across six interconnected systems: the natural environment; the built environment; the economy; community & culture; social well-being; and governance.

The Vision of TBM Future Story is: “The Blue Mountains’ communities are world-renowned as stewards of a healthy environment and as champions of well-being, sociocultural diversity, innovation, and regeneration to become the best place to live, work, and play for future generations.” TBM Future Story also includes 46 goal statements, including nine goals focusing on the Built Environment, and 20 Bold Actions to take meaningful steps towards corporate and Town-wide sustainability in an initial 5-year period.

The following Built Environment Goals are included in TBM Future Story. The Blue Mountains:

- Ensures all development is built with the environment, social well-being and climate change as first priorities;
- Prioritizes sustainable and renewable sources as the primary form of energy in the community, to reduce GHG emissions;
- Features a mix of commercial, residential and recreational land uses that facilitate community connections and increase active mobility;
- Ensures transit, cycling, walking and other options for low-carbon transportation are diverse, accessible and balanced, providing options to move throughout urban and rural communities;
- Is resilient through investments in sustainable grey and green infrastructure for use in our buildings and throughout the community;
- Prioritizes useful and well managed public spaces along the Bay and within each unique community;
- Ensures buildings are accessible to all members of the Town’s diverse community;
- Collaboratively supports a circular economy that aims to eliminate waste, circulate resources and restore nature; and
- Prioritizes having a diverse mix and range of attainability of housing that is required to support workers and residents from all walks of life, as well as a diverse visitor base.

It is intended that this Official Plan will implement, where appropriate, the themes, Goals and Bold Actions of The Blue Mountains Future Story. Section D8 of this Plan focuses on policies related to sustainable development in the Town. Throughout the remainder of this Plan, policies are provided to assist the Town in meeting its sustainability goals and objectives, through compact development, protecting natural and cultural heritage, and promoting active transportation.

A3.1.1 Goal

To promote and encourage sustainable forms of land use and *development*.

A3.1.2 Strategic Objectives

It is a strategic objective of this Plan to:

1. Ensure development is built with the environment, social well-being and climate change mitigation as top priorities.
2. Minimize the Town's ecological footprint and the impacts of growth by encouraging new *development* that is based on the principles and standards of sustainable *development and watershed-based planning*.
3. Promote the use of leading edge sustainable *development* and energy conservation policies and procedures designed to reduce greenhouse gas emissions.
4. 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.
5. Reduce the per-capita consumption of energy, water, land and other non-renewable resources.
6. Promote practices, which conserve water, and protect or *enhance* water quality.
7. Promote a compact urban form and develop an energy-efficient mix of land uses, where appropriate, to provide liveable, healthy communities.
8. Encourage reductions in the use of private automobiles by ensuring transit, cycling, walking and other options for low-carbon transportation are diverse, accessible and balanced, providing options to move throughout urban and rural communities.
9. Encourage efficient neighbourhood, site and building design and construction techniques that minimize space heating and cooling energy consumption and encourage the upgrading/retrofitting of existing buildings and facilities.
10. Support land use and *development* patterns that minimize adverse impacts on air quality.
11. Develop design standards that encourage the use of natural and/or naturalized landscapes in new *developments* to improve air quality throughout the community.
12. Minimize and mitigate land use conflicts between *sensitive land uses*, and noise, vibration and emission sources in accordance with all applicable Provincial, County and Town regulations and guidelines.

13. Support the protection of night sky principles and reduce the occurrence of excessive light emissions while still ensuring that adequate levels are maintained for public safety.
14. Preserve and promote local agricultural production.
15. Encourage the use of Green Development Standards that incorporate environmental, social, and economically sustainable designs.
16. Ensure all development and site alteration is directed to lands not subject to natural hazards, including wetlands.

A3.2 NATURAL ENVIRONMENT

A3.2.1 Goal

To protect and *enhance significant* natural heritage features, areas and functions in the Town and to work towards the establishment of a Natural Heritage System.

A3.2.2 Strategic Objectives

It is a strategic objective of this Plan to:

1. Protect and seek out opportunities for net-gain enhancements to *significant* natural heritage and hydrologic features and their associated habitats and *ecological functions*.
2. Ensure that an understanding of the natural environment, including the values, opportunities, limits and constraints that it provides, guides land use decision-making in the Town.
3. Make planning decisions that contribute to the protection, conservation and enhancement of water and related resources on a watershed and sub watershed basis.
4. Maintain and *enhance* all source water resources including surface and *groundwater resources* in sufficient quality and quantity to meet existing and future needs on a sustainable basis.
5. Discourage the loss or fragmentation of *significant* woodlands and the habitats and *ecological functions* they provide.
6. Recognize that an interconnected system of open spaces and natural heritage features contributes to the health and *character* of a community.

7. Prohibit the loss or fragmentation of *Provincially Significant Wetlands* and *significant* habitat of endangered and *threatened species*.
8. Maintain and *enhance significant* areas of natural and scientific interest, *significant* valleylands, escarpment slopes and related landforms, and *significant wildlife habitat* areas.
9. Promote and establish programs to increase the forest cover of the Town.

A3.3 CLIMATE CHANGE ACTION

A3.3.1 Goal

The crisis caused by the rapidly changing climate affects many aspects of land use. The way land is used and developed will continue to be affected by dramatic fluctuations in temperature and extreme weather events. These changes have significant impacts on our economy, health and wellbeing of our residents and our environment. The Town of The Blue Mountains needs to increase our communities' climate resilience through energy conservation, innovation and nature-based solutions that result in adaptation and mitigation to the impacts of climate change.

A3.3.2 Strategic Objectives

It is a strategic objective of this Plan to:

1. Recognize The Blue Mountains declaration of Climate Change Emergency for the purpose of enhancing and accelerating action on our commitment to protect our community, our economy, and our ecosystems from the impacts of climate change.
2. Be adaptive and resilient to the impacts of climate change and extreme weather.
3. Achieve nature-based solutions in reducing flood risk and preventing shoreline erosion.
4. Encourage *active transportation* and other transportation modes instead of relying upon single person cars.
5. Encourage higher-density, mixed use developments, infilling, and *additional residential units* to support of walkability and active transportation.
6. Promote designs which lower the heat island effect and encourage more green space as the Town develops.

A3.4 GROWTH AND SETTLEMENT

A3.4.1 Goal

To direct most forms of *development* to areas where full municipal infrastructure is available or planned, including transportation, wastewater and water services are available and to support the efficient use of land in these areas.

A3.4.2 Strategic Objectives

It is a strategic objective of this Plan to:

1. Encourage the redevelopment in the Downtown Areas to maximize residential intensification opportunities through the inclusion of residential apartments above commercial uses.
2. Direct the majority of new residential and employment growth to areas where full municipal services exist.
3. Reinforce the function of the downtown areas as the primary cultural, business, entertainment and commercial focal points of the community.
4. Encourage greenfield development that efficiently uses land and infrastructure.
5. Encourage infilling, *intensification* and *redevelopment* in appropriate locations and with appropriate built form and design.
6. To permit *development* within the Hamlets as focal points in the rural community that maintains and *enhances* hamlet *character* and scale in accordance with the policies contained within this Plan.
7. Ensure that there is an appropriate balance between residential and non-residential assessment in the Town.
8. Ensure that all *development* is appropriately phased and in conjunction with required *infrastructure* improvements where appropriate.

A3.5 URBAN COMMUNITY CHARACTER

A3.5.1 Goal

To protect and *enhance* the *character* of existing urban areas.

A3.5.2 Strategic Objectives

It is a strategic objective of this Plan to:

1. Maintain and *enhance* communities as diverse, livable, safe, thriving and attractive.
2. Encourage appropriate *intensification* and use of lands within the downtown areas and to make every effort to improve the economic health of these areas by encouraging *redevelopment* and a diverse, vibrant and broad mix of *compatible* uses while preserving natural heritage assets.
3. Maintain and *enhance* the *character* and stability of existing and well-established residential neighbourhoods by ensuring that *development* and *redevelopment* is *compatible* with the scale and density of existing *development*.
4. Encourage the *development* of neighbourhoods which are: compact; energy efficient; provide for an integrated network of pedestrian-oriented streets, pathways and cycling facilities; and provide an appropriate mix of housing types, community facilities, commercial and service uses, and open spaces.
5. Provide community facilities that are connected safe, visible and accessible to residents in each neighbourhood.
6. Foster a sense of civic identity through a high standard of community design in all future *development* that considers:
 - the appropriate integration of the design of public and private spaces;
 - the Town-Wide Community Design Guidelines;
 - Community Improvement Plan(s);
 - a well-defined public realm, including an interconnected open space network;
 - sustainable and energy efficient building and site design;
 - the sensitive integration of new *development* with existing *development*; and,
 - a pedestrian oriented *development* pattern.
7. Work towards increased opportunities and participation in libraries, arts and cultural activities.
8. Encourage and support public art and cultural facilities and opportunities for place-making, events and experiences throughout the Town as a means to foster community and neighbourhood identity and contribute to a vibrant and creative Town.

9. Reinforce the uniqueness of each neighbourhood, with a focus on distinct heritage characteristics, civic and gathering spaces, pedestrian scale orientation and accessibility that enhance a sense of place

A3.6 RURAL AND OPEN SPACE CHARACTER

A3.6.1 Goal

To preserve and *enhance* landscape amenities wherever possible to maintain the visual quality and open space *character* of the Town.

A3.6.2 Strategic Objectives

It is a strategic objective of this Plan to:

1. Protect and *enhance* the natural *character* of the Georgian Bay shoreline, Niagara Escarpment, Nipissing Ridge, and Beaver River.
2. Preserve and *enhance* the Niagara Escarpment as a unique and important feature of the Town.
3. Preserve and improve public access to open space and shoreline areas, including the Niagara Escarpment, Nipissing Ridge and the Georgian Bay shoreline.
4. Encourage the *development* of passive low-intensity recreational and eco-tourism uses in the Town, provided such uses maintain the natural environment and *character* of surrounding areas.
5. Protect and enhance the natural and cultural heritage features, which comprise the open landscape *character*.
6. Integrate new buildings and structures into the topography, avoiding steep slopes, the crests of hills and the brow of the Niagara Escarpment, in order to absorb *development* into the visual landscape.

A3.7 AGRICULTURE

A3.7.1 Goal

To preserve areas demonstrating high capability for agricultural production, and to ensure that agriculture remains an integral part of the economy of the Town and the *County*.

A3.7.2 Strategic Objectives

It is a strategic objective of this Plan to:

1. Ensure that the scale of new non-farm uses and development is compatible with the role and function of agriculture.
2. Prohibit the further fragmentation of good agricultural lands and encourage consolidation of farming parcels to improve efficiencies and productivity where possible.
3. Encourage the maintenance of the *character* of agricultural areas by maintaining farm buildings and other elements of the built and natural landscapes that contribute to that *character*.
4. Encourage the establishment of *small-scale on-farm diversified uses* on farm properties to improve the livelihood of area farmers.
5. Maintain and protect specialty agricultural lands given the importance of these lands to the region and contribution to the economy of the Town.
6. Appropriately control land division and land use on specialty crop lands.
7. Provide opportunities for appropriately scaled *agriculture-related uses* in the agricultural area.
8. Work with all levels of government and the agricultural community to promote and *enhance* the agricultural industry through marketing.
9. Encourage the participation of the agricultural industry and community in dealing with concerns of an agricultural nature.
10. Foster innovation in a range of agricultural production opportunities, focusing on resource stewardship, sustainability and building rural communities.
11. Promote best management practices, including reducing fertilizer and pesticide usage, so as to conserve a farm's soil and water quality/quantity, and prevent runoff to watercourses without sacrificing productivity.
12. Support food security and a resilient agricultural economy by protecting agricultural land and diversification of farming operations.

A3.8 ECONOMIC DEVELOPMENT

A3.8.1 Goal

To provide opportunities for economic *development* and the creation of jobs.

A3.8.2 Strategic Objectives

It is a strategic objective of this Plan to:

1. To create an innovative and resilient local economy and diversified workforce and foster a competitive and positive business climate in the Town where entrepreneurs can thrive.
2. To foster the development of a sustainable community and support long term residency through strengthened quality of life factors and social wellbeing.
3. Provide for the broadest range of employment and commercial uses to encourage growth in all economic sectors including emerging and specialized industries and provide flexible development standards, where appropriate.
4. Pre-zone lands and streamline development reviews for employment and commercial uses wherever possible and appropriate.
5. Facilitate the provision of a range of goods and services to the public within the Town by ensuring that the land use planning framework is supportive of *development*, as appropriate.
6. Encourage opportunities for a range of job opportunities and a broad range of commercial and service facilities geared specifically to meet the needs of residents and visitors to the Town.
7. Ensure that a sufficient supply of 'shovel ready' *employment lands* are available and serviced for *development* at all times and in appropriate locations.
8. Support the continued growth and expansion of libraries and the arts and culture industries.
9. Encourage wherever possible through the land use planning process the retention of existing businesses in the Town.
10. Protect lands that have the potential of being used for agricultural purposes from incompatible *development* and ensure that farming operations can operate with the maximum degree of flexibility and efficiency.
11. Encourage the *development* of agri-tourism, agricultural, agricultural related uses, on farm diversified uses, agricultural value retention uses, home-based businesses and home industries provided the proposed use is *compatible* with the agricultural area and adjacent uses.

12. Support the tourism and recreation sector by enhancing opportunities for tourism and recreational uses and related development.
13. Encourage the protection of the Town's *cultural heritage resources* in order to maintain and *enhance economic development* and tourism opportunities.
14. Ensure a balance between the demand for *development* and associated capital facilities and other municipally funded activities.

A3.9 TOURISM AND RECREATION

A3.9.1 Goal

To *enhance* opportunities for tourism and recreational uses and related *development*.

A3.9.2 Strategic Objectives

It is a strategic objective of this Plan to:

1. Facilitate the *development* of recreational/resort *development* within the context of a four seasons recreational resort community.
2. Recognize the importance of the tourism industry in providing economic and employment opportunities, and to encourage expansion of this vital industry.
3. Promote the maintenance, expansion and upgrade of existing tourism and tourist destination-oriented uses in the Town and encourage the establishment of additional high-quality attractions, facilities, accommodations, services, and events.
4. Discourage any re-designation and/or rezoning to remove permissions for tourism-related uses.
5. Encourage the maintenance of existing recreational uses and the establishment of new recreational facilities which diversify recreational opportunities within the context of a year-round recreational community, particularly skiing, fishing, golfing, walking, hiking, biking, low-impact camping and nature trail uses, marina or water access and equestrian activities, in a manner consistent with the preservation of the natural environment.
6. Recognize and maintain the Georgian Trail as a regionally *significant* trail link, and to encourage appropriate access points in the long-term *development* of a Town-wide trail system.
7. To encourage the *development* of a system of open spaces and

recreational areas which incorporate provisions for expanding both the number and areal extent of public access points to the shoreline of Georgian Bay, the Beaver River and to the Niagara Escarpment.

8. To contribute to the *active transportation* network with a high-quality, all-season trail system, that seamlessly and efficiently connects residents and visitors to all areas of the Town contributing to the *development* of the Town as a world-class tourism destination.
9. To provide for a broad range of open space settings, activities and programs in order to expand *recreation* and leisure opportunities in the area for residents and visitors.
10. Recognize and protect the economic importance of the Town's natural attributes, such as its rural countryside *character* and *natural heritage features and areas*, and to ensure that the recreational and tourism uses that rely upon these attributes continue to thrive.

A3.10 INFRASTRUCTURE

A3.10.1 Goal

To ensure that all *infrastructure*, including sanitary sewers, water distribution and stormwater management facilities, roads and municipal facilities meet the needs of present and future residents and businesses.

A3.10.2 Strategic Objectives

It is a strategic objective of this Plan to:

1. Consider the economics of providing services to the residents and businesses of the Town through the review of any *development* proposal to ensure that the *development* pattern is efficient, resilient, and does not lead to inefficiencies or a decline in the level of municipal service.
2. Ensure that all *infrastructure* required to serve urban areas is built prior to, or coincident with, *development*.
3. Encourage the establishment of an integrated transportation system that safely and efficiently accommodates various modes of transportation including cycling, walking, automobiles and trucks, and public transit.
4. Ensure that the construction of all *infrastructure*, or expansions to existing *infrastructure*, occurs in a manner that is *compatible* with

adjacent land uses, is cost effective and with a minimum of social and environmental impact.

5. Encourage the provision of green *infrastructure*, low impact designs, supplement tree canopy that is energy efficient, promotes water conservation and water efficiencies, and supports improvements to air and water quality.
6. Consider innovative *infrastructure* financing tools, including public/private partnerships and developer front-end financing to provide community facilities and infrastructure.

A3.11 AFFORDABLE AND ATTAINABLE HOUSING

A3.11.1 Goal

To provide an appropriate housing supply and range of housing choices to meet the needs of present and future residents.

A3.11.2 Strategic Objectives

It is a strategic objective of this Plan to:

1. Further the objectives of the Housing Needs Assessment and address the identified gaps in the Town's housing inventory.
2. Ensure that there is an appropriate supply of land for residential development within settlement areas subject to the availability of water and wastewater capacity.
3. Assist in the achievement of *residential intensification* and *affordable housing* and *attainable housing* by encouraging opportunities for mixed-use *development* in appropriate locations.
4. Ensure a full range of housing opportunities within settlement areas by providing a mix and range of housing types at various price points for all ages and stages of life.
5. Ensure a full range of housing opportunities within settlement areas are available for those who work in the Town of The Blue Mountains, including the provision of purpose-built employee housing.
6. Establish minimum targets to ensure affordable and *attainable housing* units are achieved as part of new residential and mixed-use developments.
7. Establish minimum density requirements for greenfield development sites to achieve density targets.

8. Encourage the maximum use of buildings in Downtown areas with upper levels used for residential units.
9. Encourage the development of additional dwelling units (second and third residential units) on existing residential properties.
10. Consider pre-zoning sites exclusively for ground related multiple units and low-rise apartments
11. Encourage the *development of seniors housing* in the Town.
12. Ensure that a viable amount of rental housing continues to be available.
13. Participate in *County*, Provincial and/or Federal housing programs that support appropriate housing *development* in the Town.
14. Support universal physical access and encourage the building industry to incorporate such features in new residential structures.

A3.12 MINERAL AGGREGATE RESOURCES

A3.12.1 Goal

To protect mineral aggregate resource areas for long-term use while ensuring that extraction occurs in a manner that minimizes environmental and social impacts.

A3.12.2 Strategic Objectives

It is a strategic objective of this Plan to:

1. Protect areas exhibiting high potential for aggregate extraction from encroachment and their use by potentially incompatible land uses to ensure the potential future extraction of such deposits.
2. Ensure the proper management of *mineral aggregate operations* to minimize environmental and social impacts.
3. Ensure that all operations are progressively rehabilitated in an environmentally responsible fashion, including exploring opportunities for enhancement.
4. Encourage *comprehensive rehabilitation* planning where there is a concentration of mineral aggregate operations.
5. Ensure that roads are appropriate and built to a standard that can accommodate truck traffic associated with mineral aggregate extraction operations.

6. Recognize existing *mineral aggregate operations* and protect them from activities that would preclude or hinder their continued use.

A3.13 CULTURAL HERITAGE AND INDIGENOUS CONSULTATION

A3.13.1 Goal

To identify, conserve and *enhance* the Town's *cultural heritage resources*, whenever practical and ensure Indigenous communities are engaged on matters of mutual interest and concern.

A3.13.2 Strategic Objectives

It is a strategic objective of this Plan to:

1. *Enhance* the *character* of the Town by protecting and maintaining the Town's *cultural heritage resources* and rich heritage for future generations.
2. Foster civic pride by educating the public on the Town's history and achievements and recognizing the contribution that *cultural heritage resources* make to the rural and urban fabric of the Town.
3. Use *cultural heritage resources* as a tool to attract additional economic *development*, increase tourism opportunities and *enhance* the *character* and vitality of neighbourhoods and districts.
4. Pursue the designation, or other means of protection, under the Ontario Heritage Act, of *significant cultural heritage resources*.
5. Prevent the demolition, destruction, inappropriate alteration or use of designated *cultural heritage resources*.
6. Promote the conservation of *significant cultural heritage resources* on lands that are adjacent to proposed *development* and to encourage the adjacent *development* to be of an appropriate scale and *character*.
7. Ensure that the nature and location of cultural heritage and *archaeological resources* are known and considered before land use decisions are made.
8. Encourage *development* that is adjacent to *significant cultural heritage resources* to be of an appropriate scale and *character*.
9. To protect the cultural heritage resources on the Nipissing Ridge, including the Plater-Martin and Plater-Fleming archaeological sites, and to support the proposed park along the Ridge.

10. Consult with Indigenous communities with respect to the identification and protection of *archaeological resources*.
11. Enhance consultation practices and prioritize engagement with Indigenous communities when considering development applications and studies that may affect matters of mutual interest and concern.

A4 THE LAND USE CONCEPT

The land use designations in this Plan are divided into three broad categories.

1. The Urban Land Use designations apply to the Thornbury-Clarksburg urban area, the Residential/Recreational settlement area and a number of other recreational areas and neighbourhoods such as Craighleith, Castle Glen, Lora Bay and the Blue Mountain Village Area.
2. Rural Countryside land use designations apply to lands outside of the settlement areas identified in #1 above.
3. Environmental and Open Space designations within the Urban and Rural Countryside areas.

The land use designations in each category are intended to implement the Vision, Goals and Strategic Objectives of this Plan

A4.1 URBAN DESIGNATIONS

The land use designations within the urban category are described below:

A4.1.1 Community Living Area

Lands designated Community Living Area consist of existing and planned residential *development* and complementary uses on full municipal services within the Thornbury-Clarksburg settlement area.

A4.1.2 Urban Employment Area

Lands designated Urban Employment Area consist of existing or planned employment uses on full municipal services in the Thornbury-Clarksburg settlement area.

A4.1.3 Downtown Area

Lands designated Downtown Area consist of commercial, institutional and residential uses within the Thornbury and Clarksburg downtown cores, as well as lands along the Highway 26 Corridor in Thornbury.

A4.1.4 Commercial Corridor

Lands designated Commercial Corridor recognize existing linear commercial *development* that has occurred along Highway 26 in Craighleith. This designation also recognizes areas for potential future commercial development that bridges the gap between focused downtown, mixed use and resort areas.

A4.1.5 Harbour Area

Lands designated Harbour Area apply to lands in the Harbour area of the Thornbury-Clarksburg settlement area, which will continue to be used for marina and open space purposes.

A4.1.6 Institutional Area

Lands designated Institutional Area are for larger *institutional uses*, which serve the needs of the community.

A4.1.7 Residential/Recreational Area

Lands designated Residential/Recreational Area reflect the settlement area designated as Recreational Resort Area in the *County Official Plan* that extends along the Georgian Bay shoreline providing a seasonal and permanent residential and recreational function.

A4.1.8 Recreational Commercial Area

Lands designated Recreational Commercial Area identify lands for commercial recreational uses.

A4.1.9 Resort Commercial Area

Lands designated Resort Commercial Area identify lands for commercial resort accommodation uses.

A4.1.10 The Blue Mountain Village Resort Area

Lands designated Blue Mountain Village Resort Area identify the Blue Mountain Village resort area wherein the prominent use of lands shall be for residential, recreational and commercial uses.

A4.1.11 Recreational Ski

Lands designated Recreational Ski identify lands intended to be used for year-round escarpment recreational activities, including, service and maintenance facilities.

A4.1.12 Craigleith Village Community

The Craigleith Village Community recognizes this existing community that is to be redeveloped into a sustainable compact village with mixed uses and *intensification*, while protecting the *character* of the surrounding area. The following area-specific land use designations apply:

- Craigleith Village Commercial;
- Craigleith Village Residential; and
- Hazard Lands, Shoreline Floodplain and Provincially significant wetlands.

A4.1.13 Lora Bay, Camperdown and Swiss Meadows

Recognizes unique residential / resort / recreational areas in the Town.

A4.1.14 Castle Glen

The Castle Glen Resort Secondary Plan, in Part F of this Plan, provides a vision and policies for the Castle Glen Resort Community area to be developed as a four-seasons, recreational resort community.

A4.1.15 Future Secondary Plan Areas

The Future Secondary Plan Area designation applies to the following three areas requiring more detailed planning prior to future *development* occurring:

- Area in west part of Thornbury
- Area southeast of the Blue Mountain Village
- Area south of Swiss Meadows Subdivision

A4.1.16 Special Study Area

Special Study Areas are areas where further review and policy direction is required prior to development proceeding and where the continued, interim use of these lands is permitted provided any use, buildings or structures are constructed and located in a manner, which would not adversely affect the long-term development of the lands. Special Study Areas include those lands bounded by Highway 26 to north, Old Lakeshore Road and adjacent lands to the south and Camperdown Road to the west.

A4.1.17 Escarpment

The purpose of the Escarpment designation is to identify certain lands composing unique natural features, Escarpment slopes and environmentally sensitive lands associated with the Niagara Escarpment including, forested lands extending 300 m back from the Escarpment brow, Life Science ANSIs, significant wetlands and stream valleys.

A4.2 RURAL COUNTRYSIDE DESIGNATIONS

The land use designations within the Rural Countryside category are described below:

A4.2.1 Agricultural

Lands designated Agricultural are those that are identified as being within a *prime agricultural area* and consisting of larger blocks of good agricultural land under active production as identified by the *County of Grey Official Plan*.

A4.2.2 Special Agricultural

Lands designated Specialty Agricultural are those lands that are identified as being predominantly within the Special Agricultural designation in the *County of Grey Official Plan*.

A4.2.3 Rural

The Rural designation generally includes all of the rural areas in the Town that do not satisfy the criteria for lands in the Agricultural and Specialty Agricultural designations.

A4.2.4 Hamlet Area

The Hamlet Area designation applies to Tertiary Settlement Areas of Heathcote and Ravenna, as identified in the *County Official Plan*.

A4.2.5 Rural Employment Lands

Lands designated Rural *Employment Lands* apply to industrial and commercial areas in the rural areas of the Town.

A4.2.6 Mineral Resource Extraction Area

Lands designated *Mineral Resource Extraction Area* apply to existing licensed pit and quarry operations.

A4.3 ENVIRONMENTAL AND OPEN SPACE DESIGNATIONS

The land use designations within the Environmental and Open Space category are described below:

A4.3.1 Wetlands

The purpose of the *Wetlands* designation is to recognize and protect *Provincially Significant Wetlands*.

A4.3.2 Hazard Lands

The purpose of the *Hazard Lands* designation is to identify those lands having inherent environmental hazards such as flood susceptibility, erosion susceptibility, and dynamic beach hazards, and *hazardous sites* that exhibit instability, or poor drainage, or any other physical condition which is severe enough to pose a risk for the occupant, property damage or social disruption if developed.

A4.3.3 Major Open Space

Lands designated Major Open Space are owned by the Town, the *County* of Grey, the Niagara Escarpment Commission, Conservation Authorities or the Province of Ontario.

A4.3.4 Special Constraint Area

The purpose of Special Constraint Areas is to identify:

- a) *Provincially Significant Areas of Natural and Scientific Interest*;
- b) Significant Woodlands as identified in the County Official Plan;
- c) karst topography;
- d) deer wintering areas; and,
- e) other wetlands as identified in the County Official Plan.

These areas are shown on **Constraint Mapping Appendix 1** and are intended to provide information rather than designate lands.

PART B
LAND USE DESIGNATIONS

B1

LAND USES PERMITTED IN ALL LAND USE DESIGNATIONS

Notwithstanding any other policies of this Plan, *public or quasi-public uses* shall be permitted in all land use designations with the exception of the Wetlands or Hazard Lands designation or as otherwise noted in specific policies of this Plan, and subject to the following policies:

- a) *Public or quasi-public uses* shall be permitted, subject to any regulatory requirements, such as the provisions of the Environmental Assessment Act and Industry Canada's requirements.
- b) Where possible, *public or quasi-public uses* shall be directed away from the Escarpment, Agricultural and Special Agricultural designations. Prior to locating within these designations, it should be demonstrated that there are no suitable alternative locations in other more appropriate designations.
- c) The implementing Zoning By-law shall contain regulations that control the siting of all public buildings and structures, *accessory uses* and outdoor storage associated with any public use.
- d) Where companies subject to federal or provincial control propose a new wireless communication facility, it is the policy of this Plan to encourage where feasible and appropriate:
 - i) the screening of antennas and towers from view from roads or scenic vistas through landscaping, fencing or other architectural screening;
 - ii) the use of innovative design measures such as the integration of such uses with existing buildings or among existing uses;
 - iii) collocation with other service providers;
 - iv) locations on existing infrastructure such as water towers or utility poles; and,
 - v) locations away from sensitive land uses.

B2 GENERAL POLICIES

B2.1 ADULT ENTERTAINMENT ESTABLISHMENTS

Adult entertainment establishments are only permitted on lands designated Urban Employment Area and subject to the following policies:

- a) Regulations relating to the location of *adult entertainment establishments* shall be included in the Zoning By-law and shall implement the following policies:
 - i) A site-specific amendment to the Zoning By-law will be required to permit any *adult entertainment establishment*.
 - ii) An appropriate minimum separation distance is required between *adult entertainment establishments* and *sensitive land uses*, including residential, institutional, park and retail commercial uses.
 - iii) Properties containing *adult entertainment establishments* shall not abut a Provincial Highway, *County Road* or Town arterial road.
 - iv) An *adult entertainment parlour* must be located within a free-standing, single storey building and must be the sole use on a lot.
 - v) A *body rub parlour*, *adult specialty store* or *adult video store* is permitted in a multi-occupancy building to a maximum of 15 percent of the gross floor area of the building or 150 m², whichever is less.
 - vi) *Accessory uses* are not permitted in conjunction with any *adult entertainment establishment* and an *adult entertainment establishment* shall not be considered an *accessory use*.
 - vii) *Adult entertainment establishments* are prohibited on corner lots and lots not connected to full municipal services.
- b) *Council* must be satisfied that traffic from an *adult entertainment establishment* can be accommodated on area roads, will not conflict with vehicular traffic, and that an appropriate amount of parking and landscaping is located on site.
- c) *Council* shall consider the passage of a Licensing By-law under the Municipal Act to further implement the policies of this Plan and regulations under the Zoning By-law(s). Any required license shall not be issued for an *adult entertainment establishment* unless such use is permitted under the implementing Zoning By-law, and

in compliance with all applicable requirements, including the policies of this Plan. In the event that there is any non-compliance with any of the aforementioned controls, for any reason whatsoever, the Town may refuse to issue or renew, and may revoke, any required license, in which case the use must cease.

B2.2 COMMERCIAL RESORT ACCOMMODATIONS

It is the intent of this Plan to provide for a broad selection of commercial resort accommodations, strategically located throughout the Town in commercial land use designations in the form of conventional hotel and motel operations, as well as commercial resort complexes.

- a) A proposal for large scale commercial resort accommodation uses may be subject to the market analysis requirements of Section B2.3 where the *development* in:
 - i) the Residential/Recreational designation is greater than 300 rooms or units;
 - ii) the Resort Commercial designation is greater than 100 rooms or units;
 - iii) the Commercial Corridor designation is greater than 50 rooms or units;
 - iv) any other designation is greater than 30 rooms or units;
 - v) the Blue Mountain Village Resort Area Resort Commercial designation shall be limited only by zoning and site design criteria, unless otherwise specifically provided.

The designations under subsections (i) through (iv) above shall be restricted to the size limitations identified unless the required market analysis can demonstrate a greater need to the satisfaction of *Council*, or unless otherwise specifically provided under this Plan. In all cases, the required market analysis should identify appropriate phasing and timing of *development* based on market demand and related impacts.

- b) A commercial resort complex, which is designed as a condominium *development* with independent housekeeping units and is part of a rental management program to make units available for transient accommodation purposes, shall be permitted in any designation where other commercial resort accommodation uses are permitted, including a full range of supporting commercial services such as dining and convention facilities. A commercial resort complex shall provide additional

facilities and on-site parking for residents and patrons, as well as full time on-site or off-site hotel management staff. In order to ensure the commercial nature of the *development* is maintained, unit owner or other residential occupancy shall be restricted to a maximum of 180 days in a calendar year, with the remainder used for transient accommodation purposes only.

- c) Multiple time share ownership of units designed as a condominium *development* may also be permitted as commercial resort accommodation uses, subject to the same provisions for a commercial resort complex as provided under subsection (b).

B2.3 COMMERCIAL USE

Prior to considering a proposed Amendment to the Zoning By-law to permit a commercial use, *Council* may require the preparation of the following by the applicant in addition to other required plans and/or studies:

- a) Traffic impact study, in order to assess, to the satisfaction of the Town, County and/or Ministry of Transportation, 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.
- b) Commercial market study, for commercial floor areas that exceed 2,000 m², 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 Downtown 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.

B2.4 PRIVATE RECREATIONAL USES

Small scale private recreational uses designed to serve a private group of local residents, such as private clubs, health and fitness clubs, tennis courts, parks and other private recreational facilities, shall be generally permitted within any land use designation under this Plan, except the Mineral Resource Extraction Area, Rural Employment, Urban Employment Area, Agricultural and Special Agricultural designations, and as further restricted for lands within the Niagara Escarpment Plan Area. Such uses shall have a gross floor space not exceeding 250 m². Commercial facilities designed to serve the larger community shall generally be directed to appropriate locations designated for such use.

B2.5 SHORT-TERM ACCOMMODATION USES

- a) The Plan recognizes that there are a variety of commercial accommodation uses within the Town. These may include hotel, motel, commercial resort units, village commercial resort units, short-term accommodation units, bed and breakfast establishments, care homes, farm vacation homes, and others. In some cases, such commercial accommodations may be considered appropriate in some residential areas, provided they are adequately regulated to avoid land use conflicts with the surrounding area. Accommodation uses shall avoid disruption to adjacent residences through mitigation of potential impacts including noise control, waste management, setbacks, buffering, servicing and adequate on-site parking, amongst other appropriate site performance standards and operational controls.
- b) Conventional residential rental accommodation in a residential dwelling for periods of thirty (30) days or greater shall not be considered a commercial accommodation use and shall be considered a principal residential use. The provisions of this Plan for short-term accommodation uses do not apply to such conventionally leased residential dwelling units.
- c) It is the foundation of this Plan that any building used for short-term accommodation purposes shall be considered a commercial use. Based on the commercial nature of this use and its potential to negatively affect adjacent residential properties, short-term accommodation uses shall not be permitted outside of the Exception Area as identified under Section B3.7.6.
- d) Unlike accommodation uses in commercial areas, as described under Section B2.2, residential neighbourhoods require special attention to ensure the quiet and undisturbed enjoyment of residential living that people expect. The location, size, scale, and intensity of any short-term accommodation uses may affect the degree of potential disruption in the surrounding neighbourhood. Such accommodation uses should be regulated to ensure that the principal residential character is generally maintained. As such, all short-term accommodation uses shall:
 - i) Be prohibited in residential neighbourhoods;
 - ii) Be directed toward a commercial or other appropriate designation;
 - iii) Be appropriately zoned for a short-term accommodation use;

- iv) Provide mitigation measures through compliance with zoning provisions, site performance standards, operational controls, and site works, including, but not limited to, noise control, waste management, and servicing;
 - v) Connect to municipal water and sewage services in accordance with Section D1 of this Plan;
 - vi) Require a business license for their operation.
- e) The Implementing Zoning By-law shall establish appropriate provisions related to the scale of short-term accommodation uses, parking requirements, separation distances, setbacks, and buffering.
 - f) In addition to zoning and site plan control by-laws, and associated agreements, short term accommodation uses may be subject to other municipal by-laws including, but not limited to, on-street parking, noise, property standards, licensing, and fire and safety regulations.
 - g) Certain types of commercial accommodation uses identified under the introductory paragraph shall be distinguished from short-term accommodation uses, and may only be permitted by a site-specific amendment to the Zoning Bylaw or in zones where they are specifically listed as a permitted use.

B2.5.1 Bed and Breakfast Establishments

Notwithstanding any other policy of this Plan, a *bed and breakfast establishment* may be permitted in an existing single detached residential dwelling where permitted in this Plan. The policies for establishing a bed and breakfast use are as listed below.

- a) An amendment to the Implementing Zoning By-law will be required to permit this use.
- b) Bed and breakfast uses should not be permitted unless the owner of the dwelling resides in the dwelling while the dwelling is operating.
- c) That the use of the single detached residential dwelling for a bed and breakfast use shall not be detrimental to any adjacent use. Where necessary, neighbouring uses will be protected by the provision of areas for landscaping, buffering or screening, of buildings, structures or uses, so as to reduce any detrimental affect caused by the use of the dwelling as a bed and breakfast establishment; and,

- d) That adequate parking facilities over and above the parking requirement for single detached residential dwellings are available which shall be a minimum of one additional parking space per guest room.

B2.6 DRIVE-THROUGH SERVICE FACILITIES

- a) *Drive-through service facilities* are normally associated with restaurants, financial institutions, automobile services stations and a limited range of retail and service uses such as pharmacies and dry cleaning establishments, and are typically located in auto-oriented commercial designations. *Drive-through service facilities* shall be discouraged from locating in the Downtown Area, since they are inconsistent with the long-term vision for Downtown.
- b) Proposals for all new *drive-through service facilities* will be subject to the applicable provisions of the Zoning By-law, site plan approval and conformity with the Town's Community Design Guidelines. The implementing Zoning By-law shall permit drive-through facilities within lands designated Commercial Corridor within this Plan.
- c) Council shall be satisfied that any proposed *drive-through service facility* is designed such that:
 - i) All components of the *drive-through service facility* are sufficiently setback from adjacent lots to minimize visual, traffic, lighting and noise impacts on adjacent residential development.
 - ii) The proposed development conforms with the Town's Community Design Guidelines and provides for safe and efficient pedestrian access to the site.
- d) The Town may require proponents to submit a noise impact study, traffic impact study and illumination (photometrics) study/plan in support of any applications for a *drive-through service facility*. The Town may also require proponents to provide funds or securities to cover the costs of any required peer review of these studies/plans.
- e) Council shall consider the following additional policies when reviewing any Application for Site Plan Approval of a proposed *drive-through service facility*:
 - i) *Drive-through service facilities* should be incorporated into a larger building form, where possible.

- ii) *Drive-through service facilities* should be designed and located to minimize visual impact on the streetscape. In this regard, drive-through stacking and pick up lanes should not be located between the front face(s) of the building and the street line(s).
- iii) Any *drive-through service facility* must be located on a lot sufficiently sized to accommodate all activities associated with the *drive-through service facility*.
- iv) All buildings containing *drive-through service facilities* should be oriented to the primary street frontage.
- v) No portion of any stacking lane should be located within the required minimum yard setbacks for buildings or structures.
- vi) *Drive-through service facilities* shall have sufficient dedicated stacking lanes and separation from site access points to prevent vehicles from interfering with on-site and off-site vehicular circulation.

B2.7 ~~ACCESSORY APARTMENTS~~ ADDITIONAL RESIDENTIAL UNITS

In all residential land use designations, a maximum of three *additional residential units* are permitted. Up to two additional residential units may be permitted within a single detached, semi-detached or townhouse dwelling, or a maximum of one additional residential unit may be permitted within a single detached, semi-detached or townhouse dwelling and one *additional residential unit* is permitted within a detached *accessory building* on the same lot (such as a garden suite, laneway suite or coach house) subject to the following:

- a) the unit(s) meets the relevant requirements of the Town, and the Ontario Building Code and Fire Code;
- b) there is sufficient space on the lot to provide one additional parking space per *additional residential unit*;
- c) the residential nature of the existing residential buildings and structures are maintained;
- d) the floor area of an *additional residential unit* is limited by the Zoning By-law;
- e) adequate water and sewer services are available;-
- f) if the *additional residential unit* is proposed in a detached building, the structure shall be located within the existing building cluster;
- g) an *additional residential unit* shall be permitted in the Niagara Escarpment Plan Area where permitted by the Niagara Escarpment

- Plan;
- h) for rural areas, an *additional residential unit* shall also comply with the Minimum Distance Separation formulae, shall not hinder existing agricultural operations, minimize land taken out of agricultural production, and be located in close proximity to the existing dwelling or farm building cluster; and,
 - i) an *additional residential unit* shall not be counted as part of maximum permitted density limits as set out in this Plan.

Prior to the construction and development of new ground-related housing, including single-detached, semi-detached and townhouse dwellings, design options should be included that would allow up to two *additional residential units* per property to be accommodated.

B2.8 ACCESSORY USES

Any use which is normally incidental and subordinate to a permitted use shall be permitted, subject to the regulations in the Zoning By-law.

B2.9 CONVERTED DWELLINGS

Converted dwellings are permitted in the Community Living Area designation, provided:

- a) the units meet the relevant requirements of the Town, and the Ontario Building Code and Fire Code;
- b) a maximum of four units are provided within the existing building footprint;
- c) there is sufficient space on the lot to provide one parking space for each unit;
- d) the residential nature of the existing residential building and structures are maintained;
- e) the floor area of a *converted dwelling* is limited by the Zoning By-Law; and
- f) adequate water and sewer services are available.

If an existing dwelling is appropriately sized and located, particularly within walking distance to community services and amenities, an application for a minor variance to the Zoning By-Law may be applied to permit more than four units in a *converted dwelling*.

B2.10 HOME OCCUPATION USES

Home occupations are permitted in any residential dwelling unit, provided:

- a) it is wholly located within a dwelling unit;
- b) it is clearly secondary to the primary use of the property as a residence, in terms of floor space utilization, and is *compatible* with surrounding residential uses;
- c) the use is conducted/operated by a resident of the dwelling unit;
- d) no outside storage of goods, materials, equipment or service vehicles other than cars, vans and light trucks related to the *home occupation* occurs;
- e) adequate on-site parking is provided for the *home occupation* use, in addition to the parking required for the residential use, and such parking is provided in locations *compatible* with the surrounding residential uses;
- f) the use will not cause a traffic hazard; and,
- g) the sign identifying the *home occupation* is limited in size and in accordance with the Town's Sign By-law.

The implementing Zoning By-law shall further detail the conditions under which a *home occupation* may be permitted.

B2.11 NIAGARA ESCARPMENT PLAN

The area covered by the Niagara Escarpment Plan in the Town is shown on the Schedules to this Plan. The Niagara Escarpment Plan must be referred to for land use designations and policies within this area. Within this area, all development must be consistent with the Niagara Escarpment Plan.

B2.12 CANNABIS PRODUCTION FACILITIES

A *cannabis production facility* is only permitted on lands designated Rural Employment Lands, Urban Employment Lands and Rural and subject to the following minimum requirements:

- a) a site-specific amendment to the Zoning By-law is required to establish any *cannabis production facility*, which may require the submission of studies relating to relevant matters including, but not limited to, air quality control, environmental impacts, noise, traffic and lighting;

- b) the cultivation of cannabis shall be in accordance with all applicable Federal regulations, as amended from time to time;
- c) a minimum setback of 300 metres from sensitive land uses such as residential, institutional and open space shall be required unless noise and air quality studies are undertaken to demonstrate a lesser setback can be justified through a site-specific amendment to the Zoning By-law;
- d) residential uses are prohibited on the same lot as a *cannabis production facility*;
- e) all activities associated with a *cannabis production facility*, including loading spaces and storage, must be conducted within a fully enclosed building and designed to ensure there is no emission of any odour;
- f) accessory land uses and activities related to cannabis cultivation such as processing, packaging, testing, destruction, research and shipping must occur on the same lot as cultivation and are subject to the policies of this section that apply to cultivation; and
- g) *cannabis production facilities* shall be subject to Site Plan Control, which may require the submission of studies relating to relevant matters including, but not limited to, air quality control, environmental impacts, noise, traffic and lighting.

Sensitive land uses shall be setback a minimum of 300 metres from a *cannabis production facility* unless noise and air quality studies are undertaken to demonstrate a lesser setback can be justified through a site-specific amendment to the Zoning By-law.

B2.13 BUILDING HEIGHT

It is the intent of this Plan to maintain the community's unique small-town character through development and redevelopment. However, a variety of building heights shall be encouraged in appropriate locations to provide for a range of housing types in the Town. The implementing Zoning Bylaw shall provide for a range of minimum or maximum height provisions to establish the desired diversity based on the intended principle of development for neighbourhoods, downtown areas, commercial districts and industrial areas.

The maximum height of all buildings and structures in the Town shall generally be eleven (11) metres or three (3) storeys.

Compatible *intensification* up to four (4) storeys or fourteen (14) metres is encouraged within the Downtown Area designation in Thornbury, generally along Highway 26 (King Street East/Arthur Street West), but outside of the low-rise Thornbury downtown core. Maximum building

height may be increased to five (5) storeys or sixteen (16) metres, where facilities, services and matters are secured, to the Town's satisfaction, through an implementing Community Planning Permit application. For the purpose of this Plan, the Thornbury downtown core consists of properties within the Downtown Area designation along Bruce Street.

Buildings greater than three (3) storeys may be permitted through a site-specific Zoning By-law Amendment, provided the following height criteria and general intensification criteria set out in Section B2.14 are met:

- a) where appropriate, development considers the role of topography and natural vegetation in minimizing the impacts of taller buildings on adjacent land uses;
- b) the building provides an appropriate setback and transition in height and density adjacent to low-rise neighbourhoods such as incorporating step backs, stepping down or incorporating variation in building form;
- c) new buildings that are adjacent to low rise areas are designed to respect a 45 degree angular plane measured from the boundary of a lot line which separates the lot from an adjacent lot with a low rise residential dwelling;
- d) the building will not obstruct views of Georgian Bay along streets that terminate at or close to the water's edge;
- e) where appropriate, higher density buildings are buffered by use of intervening mid-rise built form and tree plantings between existing low-rise buildings as a transition; and
- f) to maintain and enhance the open space landscape character of properties along Highway 26, and to ensure the continued and improved feeling of spaciousness along the well-travelled Highway 26 corridor, buildings shall be setback a minimum of 12 metres and a maximum of 16 metres from the front property line.

Notwithstanding the above policies, development shall not be permitted at the maximum height provided under this Plan unless Council is satisfied that the proposed buildings or structures enhance the range of housing options available in the Town and can be considered compatible with the evolution of the nature and character of the surrounding area.

It is recognized that residential intensification can promote a walkable community, invest in vacant and underutilized properties, minimize land consumption, make efficient use of existing infrastructure and services and provide for a broader and more inclusive range of *affordable* and *attainable housing* options. However, it is important that taller buildings are appropriately designed and are appropriate to the local context.

Development shall analyze existing character, prevailing heights and constraints.

Specific height provisions for the Blue Mountain Village Resort Area Core are described under Section B3.10.6 and shall generally be restricted to a maximum height of sixteen (16) metres and/or five (5) storeys.

B2.14 EXISTING RESIDENTIAL NEIGHBOURHOODS

Existing residential neighbourhoods in settlement areas are intended to retain their existing character with limited change while accommodating additional dwelling units. However, this does not mean that new housing must mimic the character, type and density of existing housing but rather, it shall fit into and reinforce the stability and character of the neighbourhood. Infill and intensification may be permitted where it respects the scale and built form of the surrounding neighbourhood and conforms to the policies of this Plan.

B2.15 INFILL DEVELOPMENT

Infill *development*, which includes the creation of lot(s) for single detached and semi-detached dwellings between existing residential lots, may be permitted provided *Council* is satisfied that:

- a) the proposed *development*, including building form and density, is *compatible* with the *character* of the existing neighbourhood;
- b) new buildings are designed in a manner that is sensitive to the location, massing and height of adjacent buildings;
- c) proposed building height reflects the pattern of heights of adjacent housing and shall not exceed two storeys;
- d) a similar lot coverage to adjacent housing is provided to ensure that the massing or volume of the new dwelling reflects the scale and appearance of adjacent housing;
- e) the predominant or average front yard setback for adjacent housing is maintained to preserve the streetscape edge, and character;
- f) similar side yard setbacks are provided to preserve the spaciousness on the street;
- g) the frontages of new interior lots are generally no less than 70% of the average lot frontages on the same side of the public road to provide for, to the greatest extent possible, appropriate separation between new and existing dwellings;

- h) the frontages of new corner lots are generally no less than 80% of the average lot frontages on the same side of the public road to provide for an appropriate setback from the exterior side lot line;
- i) the depth of the new home provides for a usable sized rear yard amenity area and minimizes the potential impacts of the new home on the enjoyment of adjacent rear yards;
- j) the use will have minimal impacts on adjacent properties in relation to grading, drainage, access and circulation, and privacy;
- k) existing trees and vegetation will be retained and *enhanced* where possible and additional landscaping will be provided to integrate the proposed *development* with the existing neighbourhood; and,
- l) the proposed *development* will not create a traffic hazard or an unacceptable increase in traffic on local roads.

B2.16 INTENSIFICATION CRITERIA

In considering application(s) to permit intensification, *Council* shall be satisfied that the proposal:

- a) is located in a highly accessible area where community services, amenities and open space areas are in close proximity or walking distance;
- b) retains and enhances existing trees and vegetation where possible and provides additional landscaping will be provided to integrate the proposed development with the existing neighbourhood;
- c) is compatible with the surrounding existing and planned context;
- d) will not cause or create traffic hazards or an unacceptable level of congestion on surrounding roads;
- e) is located on a site that has adequate land area to incorporate required parking, recreational facilities, landscaping and buffering on-site;
- f) will have minimal adverse impacts on adjacent properties, the public realm or adjacent neighbourhoods, in relation to shadow, overlook, massing, grading, drainage, access and circulation, and privacy;

- g) buffers any loading and storage facilities that are provided so as to minimize disruption and to protect the enjoyment of neighbouring residential properties; for adjacent residential areas; and
- h) provides a built form that reflects the variety of façade details and materials of adjacent buildings, such as porches, windows, cornices and other details.
- i) considers the following additional criteria for Townhouse development:
 - i. the development respects the character of adjacent residential neighbourhoods, in terms of height, bulk and massing;
 - ii. building height(s) reflect the pattern of heights of adjacent housing;
 - iii. the development considers the predominant or average front yard setback for adjacent housing to preserve the streetscape edge, and character;
 - v. the development provides for similar side yard setbacks to preserve the spaciousness on the street;
 - vi. the development is designed in order that new lots backing onto existing single detached residential lots have rear yards that are comparable in depth to these existing residential lots;
 - vii. if applicable, creates a street and block pattern, which serves as a seamless extension of the surrounding neighbourhoods by providing an interconnected block structure and the extension of the existing local road network;
- j) considers the criteria in Section B2.13 for buildings greater than three (3) storeys.

The Town may consider the pre-zoning of certain lands to permit medium and high density residential uses as appropriate, based on the site's ability to accommodate the above criteria. In cases where lands are pre-zoned, the lands shall be subject to a Holding provision, with such a provision not being lifted until Council is satisfied that the above conditions have been satisfied."

B2.17 GREENFIELD CRITERIA

In considering application(s) to permit development in greenfields, *Council* shall be satisfied that the proposal:

- a) is developed to provide for a range of dwelling types and densities including single detached dwellings, semi-detached dwellings, townhouses and where appropriate, apartment dwellings;
- b) concentrates higher density development around community facilities, parks, schools, *active transportation* routes, Highway 26 and County Roads;
- c) retains and enhances existing trees and vegetation where possible and provides additional landscaping;
- d) where located on the edge of an existing neighbourhood, is designed in order that new lots backing onto existing single detached residential lots have rear yards that are comparable in size to these existing residential lots;
- e) creates a street and block pattern, which serves as a seamless extension of the surrounding neighbourhoods by providing an interconnected block structure and the extension of the existing local road network;
- f) provides for a grid system of local streets with blocks generally no longer than 250 metres to promote walkability
- g) provides for a well-connected network of streets and blocks that reduces congestion and promotes *active transportation* modes; and
- h) provides for a well-connected network of parks and greenspaces, that provide links where possible to the existing natural environment; and,
- i) considers the criteria in Section B2.13 for buildings greater than three (3) storeys.

B2.18 EMPLOYEE HOUSING

Employees, whether part time or full time, shall have the opportunity to access affordable and livable *employee housing*. The Town will promote a diversity of housing types, densities, and tenures to support the needs of the Town's range of workforce groups. This diverse range includes purpose-built *employee housing*.

Employee housing shall be permitted in any residential designation in close proximity to major employment uses and centers subject to an implementing zoning by-law amendment that may be required.

B3 URBAN LAND USE DESIGNATIONS

B3.1 COMMUNITY LIVING AREA

B3.1.1 Objectives

It is the intent of this Plan to:

- direct a significant proportion of the Town’s growth to the Primary Settlement Area of Thornbury-Clarksburg;
- maintain the unique small town feel and *character* of Thornbury-Clarksburg while allowing for compatible intensification in appropriate locations;
- create a walkable, complete community that is well connected to other parts of the Town with access to community services;
- maintain compatibility and where necessary, *enhance* the *character* and identity of existing residential areas;
- encourage the provision of a full range of housing opportunities, including *affordable* and *attainable housing*, to meet the Town’s housing needs; and,
- promote the efficient use of existing and planned *infrastructure* by creating the opportunity for *residential intensification*, where appropriate.

B3.1.2 Location

The Community Living Area designation applies to lands in the Thornbury-Clarksburg *settlement area*, on full municipal sewer and water services, and lands in Clarksburg proposed to be serviced by full municipal sewer and water services.

B3.1.3 Permitted Uses

Permitted uses on lands designated Community Living Area include:

- a) single detached dwellings;
- b) semi-detached dwellings;

- c) duplex dwellings;
- d) townhouse, multiple and apartment dwellings subject to Section B2.16;
- e) *additional residential units* subject to Section B2.7;
- f) *converted dwelling* subject to Section B2.9
- g) *home occupations* subject to Section B2.10;
- h) *bed and breakfast establishments* in single detached dwellings, subject to Section B2.5.1;
- i) parkettes and neighbourhood parks;
- j) *child care facilities* and *institutional uses* subject to Section B.3.1.6;
- k) *special needs housing* subject to Section B3.1.5;
- l) *private home daycare*; and,
- m) other similar uses.

Notwithstanding the permitted uses listed in this section, residential *development* in areas without full municipal services shall be limited to single detached dwellings on existing lots.

Infill development and intensification in existing residential neighbourhoods may be permitted subject to Section B3.14, B2.15 and B2.16.

Development in greenfields may be permitted subject to Section B2.17.

B3.1.4 Density and Height

The following table outlines permitted density ranges and maximum heights for permitted residential dwellings.

Dwelling Type	Density Range (units / gross hectare)	Maximum Height (storeys)
Single detached	10 – 25	2.5
Semi-detached & duplex	15 – 35	2.5
Townhouse	25-50	3
Multiple & apartment	40 – 100	3

Notwithstanding the above, new Greenfield areas shall be developed at a minimum density of 25 units per net hectare.

B3.1.5 Special Needs Housing

B3.1.5.1 Long-Term Care Facilities and Retirement Homes

Long term care facilities and retirement homes may be permitted subject to an amendment to the implementing Zoning By-law and provided *Council* is satisfied that:

- a) the site has adequate access to a County or Collector road as shown on Schedules B-1 and B-2 to this Plan;
- b) the site has adequate land area to accommodate the building, an outdoor amenity area, on-site parking and appropriate buffering such as setbacks, landscaping and fencing to ensure compatibility of the use with adjacent land uses;
- c) the use will not cause traffic hazards or an unacceptable level of congestion on surrounding roads; and,
- d) the use can be serviced by municipal sewer and water services.

B3.1.5.2 Residential Care Facilities

Residential care facilities, not including those categorized as *group home type 2*, are permitted in single detached dwellings, subject to the requirements of the implementing Zoning By-law including:

- a) a minimum distance separation between facilities;
- b) a minimum floor space per resident; and,
- c) a requirement that *treatment centres* must be located on a lot with frontage on a County or Collector Road as shown on Schedules B-1 and B-2 to this Plan.

The implementing Zoning By-law shall further detail appropriate performance standards for *residential care facilities* that have regard to:

- a) limitations of the existing housing stock and design;
- b) the objective of community integration; and,
- c) the prevention of an undue concentration of residential care facilities in certain areas of the Town.

B3.1.5.3 Emergency Housing

Emergency housing facilities may be permitted, subject to an amendment to the implementing Zoning By-law, and provided *Council* is satisfied that:

- a) the facility has adequate access to a County or Collector road as shown on Schedules B-1 and B-2 to this Plan;
- b) the dwelling size and lot size is adequate, in relation to the number of residents to be accommodated;
- c) the facility has access to adequate and proximate community support services, including medical and educational services, required by the residents;
- d) the facility operator can provide adequate transportation services;
- e) the facility will not cause a traffic hazard; and,
- f) the use can be serviced by municipal sewer and water services.

B3.1.6 Child Care Facilities and Institutional Uses

Child care facilities and institutional uses which generally serve the needs of surrounding residential areas such as private and public elementary schools, nursery schools, and places of worship, may be permitted subject to an amendment to the implementing Zoning By-law and provided *Council* is satisfied that:

- a) the site has adequate access to a County or Collector road as shown on Schedules B-1 and B-2 to this Plan;
- b) the use is intended to serve and support surrounding residential areas and is not more appropriately located in the Institutional Area designation;
- c) the use is designed to complement the low density nature of the neighbourhood;
- d) the use will not cause any traffic hazards or an unacceptable level of congestion on surrounding roads;
- e) the site is large enough to accommodate the building, on-site parking, play areas, where required, and appropriate buffering such as setbacks, landscaping and fencing to ensure the compatibility of the use with adjacent land uses;
- f) the noise generated by the use will not adversely affect the enjoyment of neighbouring properties;
- g) the use will be a positive addition to the neighbourhood and will provide a service that is required by residents; and,
- h) the use can be serviced by municipal sewer and water services.

B3.1.7 Bruce Street / Marsh Street Corridor

In order to support the Thornbury and Clarksburg Downtowns, it is a policy of this Plan to support opportunities for appropriate, small-scale businesses on properties designated Community Living Area, within the area identified as Bruce Street/Marsh Street Corridor on Schedule A-2. The intent of this policy is to support the connection between the two Downtowns and accommodate small-scale commercial uses in existing single detached residential buildings, while maintaining the character and built form of the area and complementing the mixed use, pedestrian oriented focus of the Downtowns. Such uses are only permitted provided the primary residential character of the area and property is maintained. Permitted uses could include home occupations, home-based businesses, small-scale medical offices, retail and service commercial

uses and art galleries. Such uses shall be defined and regulated through the Zoning By-law and shall be subject to site plan control.

B3.1.8 Implementing Zoning By-law

All lands designated Community Living Area shall be placed in appropriate zone(s) in the implementing Zoning By-law.

B3.1.10 Special Site Policies

B3.2 URBAN EMPLOYMENT AREA

B3.2.1 Objectives

It is the intent of this Plan to:

- provide and maintain lands of suitable sizes for the creation of diverse employment opportunities at strategic locations;
- ensure that the supply of urban employment lands are accessible and shovel-ready to encourage the growth of industry and employment opportunities;
- ensure that new industrial *development* occurs in an orderly manner in conjunction with appropriate water and wastewater services; and,
- provide an area where existing and new businesses can grow and develop within the Town.

B3.2.2 Location

The Urban Employment Area designation as shown on Schedule A-2 to this Plan applies to lands that are currently developed for urban employment uses and to lands which are identified to be the site of employment uses in the future.

B3.2.3 Permitted Uses

Permitted uses on lands designated Urban Employment Area include:

- a) manufacturing, assembly, processing and/or fabrication;
- b) storage and/or warehousing uses;
- c) wholesaling establishments; and,
- d) similar uses.

Accessory office uses and accessory commercial uses, such as sales outlets, are also permitted provided they occupy only a limited amount of the gross floor area and are clearly accessory and incidental to the main/primary use.

A limited amount of *ancillary uses* may be permitted in *Urban Employment Areas* provided they are designed to primarily serve the businesses in the *Urban Employment Area* and that *ancillary uses* collectively do not exceed 20% of total employment in the *Urban Employment Area*. Proposals for *ancillary uses* must demonstrate that the planned function of the *Urban Employment Area* is not undermined.

Residential uses, commercial uses, public service facilities and institutional uses are prohibited. Retail and office uses that are not associated with the primary employment use are also prohibited.

B3.2.4 Development Policies

All new uses shall be subject to an amendment to the implementing Zoning By-law and may be subject to site plan control. Any *redevelopment* or expansion of existing use may also be subject to site plan control. In considering an application for re-zoning and/or site plan approval, the Town shall be satisfied that:

- a) adequate parking and loading facilities are provided on the site;
- b) the proposed buildings are designed to blend in with their surroundings and with other buildings in the area;
- c) development fronting onto the public realm, particularly along Highway 26, County Roads and Major Roads, is held to a high standard of building, landscape and site design;
- d) the proposed buildings or structures on un-vegetated sites incorporate landscaping to *enhance* the site and surrounding area;
- e) *outdoor storage* areas and truck and trailer parking are substantially screened from view from passing traffic and preferably located to the side and rear of properties wherever possible;
- f) uses within the Urban Employment designation can be serviced with municipal or private services; and,
- g) where a proposed use abuts or is in close proximity to an existing or planned residential, open space or recreational use, fencing, landscaping, berming or a combination of these features are utilized to ensure that there is adequate screening between the uses.

The Town may consider the pre-zoning of certain lands to permit employment uses as appropriate, based on the site's ability to accommodate the above criteria. In cases where lands are pre-zoned, the lands shall be subject to a Holding provision, with such a provision not being lifted until Council is satisfied that the above conditions have been satisfied.

B3.2.5 Implementing Zoning By-law

All lands designated Urban Employment Area shall be placed in appropriate zone(s) in the implementing Zoning By-law.

B3.3 DOWNTOWN AREA

B3.3.1 Objectives

It is the intent of this Plan to:

- maintain and promote Downtown Thornbury and Downtown Clarksburg as the focal points for commerce in the Town, for residents, businesses and the traveling public;
- encourage the *development* of a mix of uses, including residential units in mixed use buildings, to *enhance* the *character* of the Downtowns and provide for a range of amenities and services within proximity to residences for daily needs;
- establish Downtown Thornbury along Highway 26 (Arthur Street West/King Street East) as the Town's primary focus area for intensification and taller buildings, while preserving the low-rise character of the Downtown Core, which includes properties along Bruce Street within the Downtown Area designation;
- improve access to affordable and *attainable housing* options through intensification and redevelopment;
- encourage streetscape and façade improvements that revitalize the cultural and historic *character* of the Downtowns;
- encourage the development and redevelopment of lots and buildings to their maximum potential, accommodating a mix of both commercial and residential uses where possible;
- improve connections between the two Downtowns and the Harbour area; and,

- protect the residential *character* of the areas adjacent to the Downtowns while providing for compatible intensification where appropriate.

B3.3.2 Location

The Downtown Area designation as shown on Schedule A-2 applies to the traditional downtown commercial areas of the Thornbury–Clarksburg *settlement area*, as well as the emerging Highway 26 Corridor (Arthur Street West/King Street East) in Thornbury.

B3.3.3 Permitted Uses

Permitted uses on lands designated Downtown Area include:

- a) retail uses;
- b) *supermarkets*;
- c) service uses;
- d) business offices;
- e) banks and financial institutions;
- f) hotels, motels, inns and related conference and convention facilities;
- g) *bed and breakfast establishments*;
- h) recreational facilities;
- i) parks;
- j) entertainment uses;
- k) child care facilities
- l) commercial fitness centres;
- m) private and commercial schools;
- n) *places of worship* and other *institutional uses*;
- o) *medical offices*;
- p) restaurants and take-out restaurants;

- q) residential uses as part of a mixed-use building subject to Section B3.3.5.2;
- r) residential uses as part of a multiple unit apartment subject to Section B3.3.5.2; and,
- s) funeral homes.

Uses intended to serve the travelling public such as automobile service centre or car wash may be permitted along the Highway 26 corridor via site specific zoning by-law amendment and site plan control.

B3.3.4 Vision for the Downtown Areas

It is the intent of this Plan that the Downtowns continue to function as focal points for commerce in the Town, accommodating a mix of commercial, residential, cultural and social uses.

It is a policy of this Plan that the scale and location of new *development* or *redevelopment* in the Downtowns maintain and/or *enhance* the existing *character* of the Downtowns. This will be accomplished by:

- a) encouraging the *development* of diverse, *compatible* land uses in close proximity to each other;
- b) encouraging the maximum use of existing buildings in the Downtowns to accommodate a wide range of uses, with an emphasis on using upper level space for offices and residential uses;
- c) encouraging the establishment and maintenance of a streetscape that is geared to the pedestrian;
- d) limiting the height of new and renovated buildings to a maximum of three storeys within Thornbury's downtown core, which includes properties along Bruce Street, and all of Downtown Clarksburg, in order to maintain consistent facades and preserve the character of each main street;
- e) encouraging mixed use intensification and the progression of taller buildings up to four (4) storeys along Highway 26 (Arthur Street West/King Street East) in Thornbury, outside of the downtown core and in accordance with Section B2.13;
- f) providing affordable and *attainable housing* options through intensification and mixed-use development and redevelopment that prioritizes the Downtowns as complete community areas;
- g) preserving and enhancing the cultural and historic features that exist in the Downtowns, which may include requirements for the restoration

and *enhancement* of building facades in accordance with the following guidelines:

- i) original architectural details and features should be restored;
- ii) where an existing building lacks *significant* architectural detail or a new building is to be built on a vacant lot, the façade should be representative of or consistent with adjacent architectural styles;
- iii) building materials such as steel and vinyl siding which are not in keeping with the architectural *character* of the downtowns will be discouraged;
- iv) traditional signage and lighting is preferred rather than fluorescent sign boxes and corporate signage; and,
- v) the façade should incorporate broad window treatments at street level to maintain an open, pedestrian friendly environment.

B3.3.4.1 New Development

In considering an application for new development, Council shall be satisfied that:

- a) adequate on-site parking facilities are provided for the use with such parking being provided in locations that are compatible with surrounding land uses;
- b) the use will not have a negative impact on the enjoyment and privacy of neighbouring properties;
- c) the use will have minimal impacts on adjacent properties in relation to grading, drainage, access and circulation, and privacy;
- d) any loading and storage facilities that are provided are buffered so as to minimize disruption and the enjoyment of neighbouring residential properties;
- e) vehicular access points to multiple uses on the lot are coordinated and consolidated;
- f) the road and/or municipal infrastructure is able to provide water and wastewater service, waste management services and fire protection;
- g) the lot has sufficient lot frontage, depth and area for the siting of

proposed uses;

- h) improvements to the streetscape, such as soft landscaping, lighting fixtures, benches and public art, are part of the overall project design;
- i) new buildings are designed to present their principal building facades with an appropriate building design and fenestration to the public road;
- j) to maintain and enhance the open space landscape character of properties along Highway 26, and to ensure the continued and improved feeling of spaciousness along the well-travelled Highway 26 corridor, buildings shall be setback a minimum of 12 metres and a maximum of 16 metres from the front property line;
- k) roof top mechanical units are organized and screened with complementary materials, colours and finishes as necessary to provide a skyline with desirable visual attributes;
- l) new buildings on corner lots are designed and located to emphasize their important community presence by employing appropriate strategies for major landscape treatments as well as building massing and articulation that emphasize the corner condition;
- m) the majority of the first storey wall of buildings located along public roads where a strong pedestrian environment is encouraged are the site of openings;
- n) barrier free access for persons using walking or mobility aids are provided in all public and publicly accessible buildings and facilities and along major pedestrian routes;
- o) display areas are designed to make a positive contribution to the streetscape and the overall site development;
- p) all lighting will be internally oriented so as not to cause glare on adjacent properties or public roads;
- q) site and building services and utilities such as waste storage facilities, loading, air handling equipment, hydro and telephone transformers and switching gears and metering equipment, are located and/or screened from public roads and adjacent residential areas or other sensitive land uses, in order to buffer their visual and operational effects; and,
- r) waste storage areas are integrated into the principal building on the lot and where waste storage areas are external to the principal building, they are enclosed and not face a public road.

B3.3.5 Development Policies

B3.3.5.1 New Lots Created by Consent

The creation of new lots by consent may be permitted, provided the consent is in keeping with the objectives of this Plan and does not unduly fragment the land base of the Downtown Areas, making it more difficult to accommodate usable building space. Consents which will result in the demolition of buildings which are historically or culturally *significant* should not be permitted. The creation of new lots in the Downtowns shall also comply with the general consent policies of this Plan.

B3.3.5.2 Residential Uses

Mixed use buildings are strongly encouraged on main streets within the Downtown Area designation while free-standing townhouse, multiple and apartment dwellings are only permitted on side streets. The provision of a range of dwelling unit types and tenures is intended to benefit the overall vitality and inclusivity of the area by providing ongoing support for local retailers, service providers and the cultural and entertainment sector. A strong residential component also contributes to maintaining the Downtowns as vibrant and safe places throughout the day and evening, providing residents access to a range of amenities and services within walking distance.

The Town shall prioritize the provision of *attainable housing* in the Downtowns, specifically in proximity to existing and new commercial and service uses and within denser and/or mixed-use developments.

B3.3.5.2.1 Mixed Use Residential Uses on Main Streets

King/Bridge/Arthur Street, Bruce Street and Marsh Street are the main streets in the Downtowns. These areas are intended to be the focal points for commercial and business activity. This Plan will protect this area for street level commercial uses. New residential uses, including apartments are directed to the upper floor of buildings. In some instances, ground floor residential uses may be permitted provided that they are located away from the street. The rehabilitation of existing residential units, or the conversion of commercial, residential or mixed-use building spaces into housing units on upper-storeys or in the rear floor space of buildings is strongly encouraged. New mixed-use buildings will also help emphasize the commercial function of the Downtowns while providing for a range of housing options.

B3.3.5.2.2 Stand-Alone Residential Uses on Side Streets

New street townhouses, free-standing multiple unit buildings, apartments and small scale inns and *bed and breakfast establishments* may be permitted at street level on side streets within the Downtown Area

designation. Where such uses are considered, the Town shall be satisfied of the following through an application for rezoning and site plan approval:

- a) the proposed use will *enhance* commercial and/or business activity;
- b) parking areas for the use are generally not located at the front of the building;
- c) the proposed use is pedestrian in scale; and,
- d) the building is designed to blend in and complement adjacent buildings.

B3.3.5.3 Height

It is the intent of this Plan to respect the existing low-rise character of the historic Thornbury and Clarksburg downtown core areas. Development within all of Downtown Clarksburg and the downtown core area of Thornbury is permitted up to three (3) storeys. For the purpose of this Plan, the Thornbury downtown core consists of properties within the Downtown Area designation along Bruce Street.

Outside of the downtown core, compatible intensification up to four (4) storeys is encouraged in the Downtown Area designation in Thornbury, generally along Highway 26 (Arthur Street West/King Street East) on appropriately sized and situated lots. The development of buildings up to four (4) storeys may be permitted, subject to the height criteria set out in Section B2.13 and the general intensification criteria set out in Section B2.16.

There shall be a transition in height from the low-rise Thornbury downtown core to any taller buildings within the Downtown Area designation along Highway 26.

B3.3.5.4 Parking

Where a new use cannot accommodate the Town's parking requirements, the Town may accept cash-in-lieu where the parking can be reasonably accommodated on the street or off-site.

B3.3.6 Implementing Zoning By-law

All lands designated Downtown Area shall be placed in appropriate zone(s) in the implementing Zoning by-law.

B3.4 COMMERCIAL CORRIDOR

B3.4.1 Objectives

It is the intent of this Plan to:

- recognize existing linear commercial *development* that has occurred along Highway 26;
- provide for a range of commercial and service uses in appropriate locations along the Highway 26 Corridor that bridge the gap between downtown, mixed use and resort areas;
- provide for a range of commercial and service uses that will primarily serve surrounding residents, the traveling public and tourists to the area;
- encourage the consolidation, *intensification* and expansion of certain commercial uses in these areas;
- ensure that access to new or expanding corridor *development* in the Town is coordinated and safe;
- ensure that new *development* occurs in an orderly manner and is provided with appropriate water and wastewater services; and,
- ensure that new uses are attractively designed and foster a more pedestrian-oriented environment.

B3.4.2 Location

The Commercial Corridor designation as shown on Schedule A-4 to this Plan recognizes existing commercial properties along the Highway 26 Corridor in Craighleith.

B3.4.3 Permitted Uses

Permitted uses on lands designated Commercial Corridor include:

- a) *automotive commercial*;
- b) restaurants;
- c) retail uses;
- d) *department stores*;
- e) *supermarkets*;
- f) wholesale establishments;
- g) *institutional uses*;

- h) *service uses*;
- i) business offices;
- j) veterinary clinics;
- k) small scale commercial resort accommodation uses, including hotels, motels commercial resort unit complexes, and associated retail and convention facilities; and,
- l) golf driving range and miniature golf courses.
- m) Large-scale commercial uses are permitted subject to Section B2.3 and all other policies of this Plan.

B3.4.4 Form of Development

It is the intent of this Plan that *development* within the Commercial Corridor designation be comprehensively planned to ensure that servicing and access can be adequately addressed. In this regard, new uses shall be connected to municipal water and sewer servicing and shall be planned in conjunction with other uses and adjacent properties to minimize direct access onto Highway 26.

B3.4.5 Development Policies

All new uses shall be subject to an amendment to the implementing Zoning By-law and will be subject to site plan control. Any *redevelopment* or expansion of existing commercial uses may also be subject to site plan control. Prior to considering an application for re-zoning and/or site plan approval, the Town shall be satisfied that:

- a) adequate on-site parking and loading facilities are provided for the use in locations compatible with surrounding land uses;
- b) new or redeveloping uses incorporate landscaping to *enhance* the site and surrounding area;
- c) the use will have minimal impacts on adjacent properties in relation to grading, drainage, access and circulation, and privacy;
- d) any loading and storage facilities that are provided are buffered so as to minimize disruption and the enjoyment of neighbouring residential properties;
- e) all options respecting shared access from the road are reviewed and implemented, if feasible;

- f) parking areas are oriented to the rear or side of the lot so the primary building can be brought closer to the road;
- g) new buildings are designed to present their principal building facades with an appropriate building design and fenestration to the public road;
- h) the proposed use is serviced with full municipal water and wastewater services; and,
- i) where a proposed use abuts or is in close proximity to an existing residential use, fencing, landscaping, berming or a combination of these design elements will be utilized to ensure that there is adequate screening between the uses.

B3.4.6 Implementing Zoning By-law

All lands designated Commercial Corridor shall be placed in an appropriate zone(s) in the implementing Zoning By-law.

B3.5 HARBOUR AREA

B3.5.1 Objectives

It is the intent of this Plan to:

- support the Harbour area as a recreational focal point and public open space area in the Town;
- develop a mix of public and *recreation* oriented uses in the Harbour area; and,
- create a pedestrian environment and linkage between the Harbour, the Downtowns and the Georgian Trail.

B3.5.2 Location

The Harbour Area designation as shown on Schedule A-2 to this Plan applies to the existing harbour/marina/open space area in Thornbury.

B3.5.3 Permitted Uses

Permitted uses on lands designated Harbour Area include:

- a) *public uses* including parkland, picnic facilities and pedestrian walkways/trails;
- b) tourist information centres;

- c) hotels and motels;
- d) festivals and special events;
- e) boat rental, repair, maintenance and storage establishments;
- f) marina fuel supply outlet;
- g) boating instruction schools;
- h) tourist-oriented retail uses;
- i) parking areas;
- j) museums and art galleries;
- k) restaurants and lounges;
- l) retail sale of marina supplies and other commodities related to *recreation* and boating;
- m) seasonal food vendors; and,
- n) marinas.

B3.5.4 Implementing Zoning By-law

All lands designated Harbour Area shall be placed in appropriate zone(s) in the implementing Zoning By-law.

B3.6 INSTITUTIONAL AREA

B3.6.1 Objectives

It is the intent of this Plan to:

- recognize and permit major *institutional uses* which serve the needs of the community;
- ensure the establishment of *institutional uses* are *compatible* within the urban and rural countryside areas of the Town; and,
- ensure that new uses are properly planned and serviced.

B3.6.2 Location

The Institutional Area designation as shown on Schedule A to this Plan.

B3.6.3 Permitted Uses

Permitted *institutional uses* on lands designated Institutional include:

- a) schools;
- b) hospitals;
- c) cemeteries;
- d) government buildings;
- e) *special needs housing* subject to Section B3.1.6; *Child care facilities*;
- f) *child care facilities*
- g) community facilities and centres;
- h) museums, libraries and art galleries;
- i) recreational or cultural facilities; and,
- j) *places of worship*.

B3.6.4 Development Policies

B3.6.4.1 New Uses and Expansions to Existing Uses

The *development of any new institutional use*, with the exception of *institutional uses* permitted on lands designated Community Living Area, shall require an amendment to the Official Plan and Zoning By-law and shall be subject to site plan control. Expansions to existing uses on lands already designated Institutional Area shall require an amendment to the Zoning By-law and shall be subject to site plan control.

Before considering any amendment to the Official Plan and Zoning By-law, *Council* shall be satisfied that:

- a) the proposed use or expansion is *compatible* with the *character* of the area in which it is proposed;
- b) the proposed use is *compatible* with and can be appropriately buffered from adjacent uses;
- c) the proposed use can be serviced with an appropriate water supply and means of sewage disposal;
- d) the proposed use is to be accessed by municipal roads that can

accommodate the increased traffic generated by the proposed use; and,

- e) the proposed use can adequately accommodate parking requirements.

B3.6.5 Zoning By-law Implementation

All lands designated Institutional Area shall be placed in appropriate zone(s) in the implementing Zoning By-law.

B3.6.6 Special Site Policies

B3.6.6.1 Schedule A-2 – Part Lot 32, Concession 10

Single detached dwellings shall also be permitted on these lands.

B3.7 RESIDENTIAL/RECREATIONAL AREA

B3.7.1 Objectives

It is the intent of this Plan to:

- recognize areas within the Town where there is a mix of seasonal and permanent residential and recreational uses;
- recognize areas where some residential uses are located to support and provide access to resort and recreational amenities; and,
- encourage the provision and development of a range of seasonal and permanent dwelling types within the Town's Residential/Recreational Area.

B3.7.2 Location

The settlement area designated as Recreational Resort Area in the *County* Official Plan that extends along the Georgian Bay shoreline providing a seasonal and permanent residential and recreational function.

B3.7.3 Permitted Uses

Permitted uses on lands designated Residential/Recreational Area include:

- a) single detached dwellings;
- b) semi-detached dwellings;

- c) duplex dwelling;
- d) townhouse multiple and apartment dwelling subject to Section B2.16;
- e) *additional residential units* subject to Section B2.7;
- f) *bed and breakfast establishments* subject to Sections B2.5.1;
- g) *home occupations* subject to Section B2.10;
- h) *private home daycare*;
- i) recreational lands and/or facilities in appropriate locations. Recreational uses may include uses such as parks, open space, trail uses, equestrian facilities, community centres, cultural facilities, recreational clubs, racquet facilities and other similar day use facilities may be permitted; and
- j) golf courses subject to Section B3.7.4.6 and all other policies of this Plan.

Infill development and intensification in existing residential neighbourhoods may be permitted subject to Section B3.14, B2.15 and B2.16.

Development in greenfields may be permitted subject to Section B2.17.

B3.7.4 Development Policies

B3.7.4.1 Density and Open Space Requirements

It is the intent of this Plan that all *development* within the Residential/Recreational areas of the Town shall provide generous amounts of open space to facilitate recreational opportunities, and to maintain the resort, open landscape *character* and image of the area. In these areas, subdivision design shall be required to provide an open space component as a separate block(s) of land and where appropriate, distributed throughout the design of each subdivision.

The open space component should constitute a major consideration of subdivision design. It is intended that all *development* shall be of the clustered form, compact in nature, and interspersed with open space areas and recreational uses. The majority of lots or units in any *development* should have direct access to the public or private open space. All lots shall have access to public open space pedestrian walkways, with linkages to sidewalks along roadways.

The following table sets out minimum and maximum density and minimum open space requirements for lands designated Residential/Recreational Area.

	Minimum Density (Units / Gross Hectare)	Maximum Density (Units / Gross Hectare)	Minimum Open Space Component
Blue Mountain Village Area	15	20	40%
All areas	10	15	40%

The calculation of the open space component shall be based on the whole of the proponent's holdings included in any draft plan of subdivision. Lands designated Wetland or Hazard Lands may be included within the required open space component, however, such lands are not included for the purpose of calculating maximum permitted *development* density, unless otherwise specifically provided under this Plan.

B3.7.4.2 Further Lot Creation

Within registered plans of subdivision, further lot creation shall generally be prohibited in order to maintain the intended density and *character* of the *development*. Individual consents for residential purposes may be considered in accordance with the Infill Development policies of Section B2.15.

B3.7.4.3 Landscape Analysis

Development proposals for a Plan of Subdivision, Plan of Condominium or other development projects which are subject to site plan approval, shall be accompanied by a landscape analysis, prepared by a qualified professional, to address:

- a) the suitability of the site for *development*;
- b) the visual and physical complexities of the site, including areas of natural vegetation;
- c) the measures proposed to ensure that the visual quality of the area is preserved and enhanced; and,
- d) the proposed mitigation measures to avoid any adverse visual impacts, in a manner, which is consistent with the intent of this Plan to protect the open landscape *character*.

B3.7.4.4 Open Space - Other Policies

The open space component should serve a functional role in the design of subdivisions. In addition to trails and walkways, the provision of on-site recreational facilities shall be encouraged within the open space component.

The blocks of land created for the recreational open space component must be made available for use by all lot or unit owners under the plan of subdivision. For this purpose, the lands shall be registered on title as common ownership, and an association of owners or other appropriate management body must be established, to the satisfaction of *Council*, to ensure the ongoing maintenance and care for the property. Other open space blocks may be dedicated to maintaining the natural features of the area and should not be generally accessible.

At Council's sole discretion, the lands may be conveyed to an appropriate public body for management purposes.

Where lands comprising the required open space component are to be utilized for recreational facilities, it is intended that the common element of the open space component and/or recreational facilities shall not be held in separate or individual private ownership. An exception to this general rule may be made where major recreational facilities, such as ski hills or a golf course, are to be provided and common ownership is not realistic for management purposes, however, under this exception lot and unit owners within the *development* must still be assured access to the facilities. Particular regard is to be given to the provision of open space walkway access.

Council may establish standards for the common ownership and/or assured access by lot and unit owners to the open space component, as well as any additional recreational lands and/or facilities as provided under this Plan.

B3.7.4.5 Open Space - Exception

- a) The open space component, or part thereof, may not be required in the case of new residential *development* associated with established ski clubs and golf courses, provided that *Council* is satisfied that an adequate recreational lands and facilities base exists to serve the *development*, and that the open space resort *character* and image of the area will be maintained.
- b) *Council* may also exempt a developer from the required open space component, or part thereof, where the parcel being developed, because of its size, *character*, or other circumstances, does not lend itself well to such use, or where such open space

may provide for better recreational opportunity at an alternative location.

- c) Additional open space shall not be required where Council is satisfied that previous open space dedications have already been made through earlier phases of development.

Where an exemption under paragraph a) and b) is requested by the proponent, *Council* may accept suitable alternative provisions in-lieu of the required open space component or portion thereof, if deemed appropriate. However, where an exemption is made with respect to paragraph a) and the developer has provided the land for the major recreational facility as part of the overall *development*, no alternate provision-in-lieu shall be required. Any exemption for the open space component shall not include an exemption for the provision of open space walkways as deemed appropriate or desirable by *Council*.

B3.7.4.6 Golf Courses

- a) Golf courses are permitted subject to an amendment to this Plan. Golf courses shall be designed and maintained to minimize impact on the natural environment, with minimum regrading, maximum incorporation of natural vegetation, undisturbed and rough areas, and minimum fertilizer and irrigation demands.
- b) Any proposal for a golf course shall require a Site Plan Agreement to address the following:
 - i) Any mitigation measures and other applicable requirements, as approved by the Town in consultation with appropriate public agencies, including the applicable *Conservation Authority* and the *County of Grey*.
 - ii) A 30 metre setback with additional planting buffers shall be required for all buildings or structures, fairways and operational portions of the golf course in relation to *adjacent lands* roadways and walkways.
 - iii) Identification and protection of natural features and areas.
 - iv) Potential land use compatibility conflicts related to surrounding uses, including adjacent residential, agricultural, orchard and apple processing operations, where applicable.
 - v) Turf, operation and water management plans which are designed to ensure appropriate measures are taken to mitigate any potential negative environmental impacts,

including best management practices to be employed to minimize the individual and cumulative effects on the quantity and quality of the water resources on the site and surrounding lands.

- vi) Sufficient detail to demonstrate the massing, height, bulk and scale of the clubhouse, maintenance building, and other *accessory buildings* or *structures*, as well as design plans for each hole, access and internal roadways, parking areas, location of walkways, cart paths, landscaping, removal of vegetation, additional plantings, and setbacks from roads, walkways, property lines, and environmental constraint areas.
 - vii) Detailed servicing and irrigation plans and drawings.
 - viii) Integration with adjacent proposals, if applicable.
- c) Required reports, studies and plans, as determined by the Town, shall be prepared by qualified consultants and submitted by the proponent addressing the following:
- i) Any mitigation measures and other applicable requirements, as approved by the Town in consultation with appropriate public agencies, including the applicable *Conservation Authority* and the *County of Grey*.
 - ii) Site servicing for water supply and sewage treatment.
 - iii) Water resources including a hydrogeological evaluation, water taking, irrigation requirements, water budget analysis and turf management.
 - iv) Stormwater management and drainage.
 - v) Traffic impacts.
 - vi) Environmental Impact Study.
 - vii) A detailed site plan.
 - viii) Natural Hazard Assessment or Study.
- d) The following policies related to roads, services and land dedication shall apply:
- i) The golf course clubhouse shall be required to connect to the municipal water and sewage services.

- ii) Golf cart crossings shall generally be discouraged at grade, but such crossing on local roads may be considered where supported by a traffic safety study to the satisfaction of the Town.
- iii) Any road widening and access requirements of the applicable road authority.
- iv) Any walkway, servicing, parks or other land conveyances and easements.
- e) The Zoning By-law shall establish appropriate provisions for permitted uses, building setbacks and other site performance standard for the golf course based on the policies of this Plan, including any hazard zone provisions based on the identification of environmental constraints in consultation with the applicable *Conservation Authority*.
- f) Golf course greens, tees and fairways shall generally be prohibited within the Hazard Lands designation, however, access roads, servicing, walkways, cart paths and bridge structures related to the golf course may be permitted, where necessary, subject to the environmental impact study.
- g) The Town encourages Audubon certification for all new golf courses.

B3.7.4.7 Establishment of Recreational Uses

The establishment of golf courses, downhill ski slopes, cross-country ski trails, hiking or nature trails, as well as additional recreational use types that may be established through innovation and changing demographics shall be rigidly controlled. The following policies shall apply to all such *development*:

- a) Prior to the removal of any vegetation or the *development* of any golf course or trails, reports, studies and plans, as determined by the Town, shall be prepared to address the engineering, ecological and visual aspects of the proposal. The submission shall indicate layout of the golf course, or the route of any trail, the vegetation to be removed and the techniques to overcome any potential erosion as well as buffering or screening to be employed to reduce visual impact of the *development* and other remedial works required.
- b) All *development* shall be so designed as to minimize the amount of clearing and to prevent the effects of wind erosion through the

use of irregular clearing, narrow fairways and trails, and reforestation, where possible.

- c) All *development* shall be suitably drained so as to prevent soil erosion. An overall drainage, grading and/or stormwater management plan shall be required for golf course *development*, or any other use which involves extensive removal of vegetation, regrading, or buildings and structures.
- d) Construction of permitted recreational uses should be conducted in early summer or early fall so as to allow sufficient time for seeding and mulching operations on all exposed areas, including slopes and trails.
- e) Pedestrian access routes shall be encouraged in accordance with the provisions of this Plan.

B3.7.5 Zoning By-law Implementation

All lands designated Residential/Recreational Area shall be placed in appropriate zone(s) in the implementing Zoning By-law.

B3.7.6 Special Site Policies

B3.7.6.1 Schedule A-1 – Part Lot 39, Concession 12 – Keepers Cove

1. Permitted Uses

A maximum of 212 residential dwellings units, as well as associated recreational and maintenance building and uses.

2. Policies

- a) The maximum density may be reduced based on the approved design, depending upon the mix of unit types and appropriate lot size along with other site performance criteria. Permitted *development* density shall be further limited based on the availability of municipal servicing capacity, bonus density provisions and, open space, roads and stormwater management, to the satisfaction of the Town.
- b) *Development* shall be phased in accordance with an approved transition program and a Master Development Agreement and further that the holding –h symbol may be utilized to address the said phasing.
- c) In addition to the policies of the Residential/Recreational

designation, the existing community that includes recreational vehicles, park model trailers and mobile homes may be permitted based on the following criteria:

- i) The existing units shall be included in the maximum number of units permitted.
- ii) A development agreement that addresses the transition matters contained in Section B3.7.6.1(b) and other requirements under Section 41 of the Planning Act.
- iii) Appropriate zoning in place to permit *development* including the relocation of units in accordance with the transition plan.

B3.7.6.2 Schedule A-1 – Part Lot 37, Concession 11 – Lake Drive

A maximum of 5 single detached residential dwelling units are permitted on these lands.

B3.7.6.3 Schedule A-4 – Part Lot 19, Concession 2 - Waldner

A maximum of 12 multiple residential dwelling units may be permitted on these lands.

B3.7.6.6 Schedule A-4 – Part Lots 19 and 20, Concession 1 – Tyrolean Lowlands

- a) A golf course and related clubhouse and maintenance facilities, practice range and golf learning centre may be permitted in the Recreational Residential/Recreational Area designation. The golf clubhouse shall be restricted to a maximum size floor area of 1,300 square metres.
- b) Within the Hazard designation, a golf course, conservation uses, forestry, wildlife, and fisheries management, utilities, trails and storm water management facilities may be permitted subject to the applicable policies of this Plan.
- c) A Commercial Resort Unit Complex with a maximum of 100 units may be permitted in conjunction with the Golf Course Development in the Residential/Recreational Area designation.
- d) Lands identified as Special Study Areas on the Constraints Map are Wetland Assessment areas. These areas require the completion of an Environmental Impact Assessment to determine the boundaries of

any wetlands that may exist in these areas and appropriate buffers. Wetlands identified within these Special Study Areas, that meet the definition for wetlands in the Niagara Escarpment Plan will be subject to the provisions of the Niagara Escarpment Plan and will be zoned Wetlands in the implementing Zoning By-law. The precise boundaries of the wetlands and/or their identification as part of the Provincially Significant Wetland Complex and appropriate buffers shall be incorporated into the plan of subdivision/plan of condominium/golf course without amendment to the Official Plan and zoned Wetland in the implementing Zoning Bylaw.

B3.7.6.7 Schedule A-4 – Part Lots 20 and 21, Concession 2 – Eden Oak

These lands are subject to an Ontario Land Tribunal Decision dated August 3, 2023 (OLT Case No. OLT-23-000196, Legacy Case No. PL160268). Official Plan policies have been determined by the Tribunals decision on the matter.

B3.7.6.8 Schedule A-4 – Part Lot 22, Concession 1 – Martinek

With the development of these lands, publicly available shoreline shall be provided to the satisfaction of the Town and in accordance with Section D6.3.6 of this Plan.

B3.7.6.9 Schedule A-4 – Part Lot 22, Concession 1 – Havens

Notwithstanding the density provisions of this Plan, a maximum of 16 residential dwelling lots may be permitted on these lands.

B3.7.6.10 Schedule A-4 – Part Lot 18, Concession 3 – Slopeside

Notwithstanding the density and consent provisions of this Plan, a maximum of 1 residential dwelling is permitted on this existing lot.

B3.7.6.11 Schedule A-4 – Part Lot 21, Concession 1 - Pinnacle

Notwithstanding the density and open space provisions of this Plan, a maximum of 17 rowhouse dwelling units may be permitted on these lands and a minimum of 33% open space is required.

B3.7.6.12 Schedule A-4 – Part Lot 16, Concession 3 - Valian

New lot creation for single detached dwellings shall only be permitted on the basis of specific hydrogeological and septic tank suitability studies being prepared and accepted by the Town, the Niagara Escarpment Commission and any other applicable agency. The said studies shall demonstrate that the cumulative effect of the proposed development can be sustained without adversely impacting the surface and groundwater

resources, will not cause off site interference of existing wells and satisfies the applicable provisions of this Plan. In no case shall the total number lots exceed 5 building lots for single detached dwellings.

Dedication to the Town of a proposed park and associated parking, walkways and road realignment shall be considered a bonus density requirement for all permitted development and lot creation. No development or lot creation shall occur on these lands until a concept plan is approved by Council through a master development agreement.

The Concept Plan shall identify a comprehensive approach to public and private interests, including the dedication of the proposed park, which shall include the scenic lookout with additional lands to provide for road realignment, adequate public parking and walkways to the satisfaction of the Town. The Concept Plan and implementing master development agreement can be phased, based on timing of road realignment. The Town will also explore other alternatives, including outright purchase, for the proposed park and road allowance.

Development of these lands shall have regard for the protection of the open landscape character, with particular regard to minimizing potential visual impacts. The height of all buildings shall be limited to 2 storeys for residential uses and 1 storey for all other uses, with appropriate setbacks established from the Escarpment.

B3.7.6.13 Schedule A-4 – Part Lot 16, Concession 3 – Swiss Meadows Area

Notwithstanding the density provisions of this Plan, the minimum lot size shall be 4 hectares. These lands may front existing municipal water services and it is not intended to permit further lot fragmentation.

B3.7.6.14 Schedule A-4 - (Various) - Short Term Accommodation Uses

These lands may also be used for Short Term Accommodation uses.

B3.8 RECREATIONAL COMMERCIAL AREA

B3.8.1 Objectives

It is the intent of this Plan to identify appropriate lands for commercial recreational uses.

B3.8.2 Location

The Recreational Commercial Area designation as shown on Schedule A to this Plan applies to commercial recreational areas of the Town.

B3.8.3 Permitted Uses

Permitted uses on lands designated Recreational Commercial Area include:

- a) commercial recreational uses, including souvenir gift shops, snack bars, a golf driving range and miniature golf;
- b) commercial and private recreational club facilities;
- c) small scale commercial resort accommodation uses associated with a golf course or ski resort, including related club house, pro shop, dining, convention facilities, and administrative offices, as well as service and maintenance facilities;
- d) horse riding stables and associated buildings or structures;
- e) indoor and outdoor recreational uses; and,
- f) existing golf courses.

B3.8.4 Development Policies

- a) It is the intent of this Plan that general commercial uses other than those recreational commercial uses described above, shall be encouraged to locate in more appropriate commercial areas within the Town.
- b) All *development* shall be located without disrupting the natural environment by removal of excessive amounts of vegetation. Additional tree planting shall be encouraged, where appropriate.
- c) Adequate buffering shall be provided to ensure the visual protection and amenity of the area. Where residential uses are located nearby, increased setbacks and limitations on the size of buildings may be established under the implementing Zoning By-law.
- d) Small scale commercial resort accommodation uses, and associated uses specified under B3.8.3(c), may be permitted as independent operations from other resort facilities, but in all cases shall be limited to 30 rooms or units in accordance with Section B2.2, unless otherwise specifically provided under this Plan.

B3.8.5 Implementing Zoning By-law

All lands designated Recreational Commercial Area shall be placed in appropriate zone(s) in the implementing Zoning By-law.

B3.8.6 Special Site Policies

B3.8.6.1 Schedule A-3 – Part Lot 26, Concession 6 – Blue Mountain Beach

These lands may only be used for a private recreational beach club and associated uses that may include small scale accessory eating facilities in accordance with Section B2.4, gift shop, service and maintenance facilities.

B3.9 RESORT COMMERCIAL AREA

B3.9.1 Objectives

It is the intent of this Plan to identify appropriate lands for commercial resort accommodation uses.

B3.9.2 Location

The Resort Commercial Area designation as shown on the Schedules to this Plan applies to commercial resort accommodation areas of the Town.

B3.9.3 Permitted Uses

Permitted uses on lands designated Resort Commercial Area include:

- a) commercial accommodation uses, including hotels, lodges or inns and support uses including dining, convention facilities, indoor recreational facilities, swimming pools and administrative offices, as well as parking, service and maintenance facilities; and,
- b) indoor and outdoor recreational uses.

B3.9.4 Development Policies

- a) It is the intent of this Plan that resort commercial *development* should include only those supporting uses, which are necessary for the operation of the primary commercial accommodation use.
- b) All *development* shall be located without disrupting the natural environment by removal of excessive amounts of vegetation. Additional tree planting shall be encouraged, where applicable.
- c) Adequate buffering shall be provided to ensure the visual protection and amenity of the area. Where residential uses are located nearby, increased setbacks and limitations on the size of buildings may be established under the implementing Zoning By-law.

- d) Commercial accommodation uses shall be restricted to 150 rooms, unless larger facilities are deemed appropriate in accordance with the provisions of Section B2.2.

B3.9.5 Implementing Zoning By-law

All lands designated Resort Commercial Area shall be placed in appropriate zone(s) in the implementing Zoning By-law.

B3.10 THE BLUE MOUNTAIN VILLAGE RESORT AREA

B3.10.1 Objectives

It is the intent of this Plan to:

- identify specific policies for the Blue Mountain Village Resort Area wherein the prominent use of lands shall be for residential, recreational and commercial uses.
- both complement the existing recreational base and *enhance* the *development* of year-round recreational opportunities and facilities.

B3.10.2 Location

The Blue Mountain Village Resort Area is shown on Schedule A-5 to this Plan.

B3.10.3 Sub-Designations

The Blue Mountain Village Resort Area includes the following area-specific designations:

- Blue Mountain Village Resort Area Low Density Residential;
- Blue Mountain Village Resort Area Medium Density Residential;
- Blue Mountain Village Resort Area Core;
- Blue Mountain Village Resort Area Resort Commercial; and,
- Blue Mountain Village Resort Area Open Space.

Other designations that apply in the Blue Mountain Village Resort Area include:

- Hazard;

- Institutional Area;
- Recreational Ski; and

The purpose of this approach is to recognize the detailed secondary planning previously undertaken for this area. The sub-designations ensure that unique policy provisions are established in a consistent manner throughout the area. All other policies and provisions of this Plan, shall also apply to *development* within this area.

B3.10.4 Blue Mountain Village Resort Area Low Density Residential

The predominant use of lands designated as Blue Mountain Village Low Density Residential shall be for residential *development*.

B3.10.4.1 Permitted Uses and Policies

- a) The primary intent is to recognize existing *development* and to permit single detached residential dwellings on existing lots in registered plans of subdivision.
- b) New lots for single detached residential may be created on an infilling basis in accordance with the policies for infilling in Section B2.15.
- c) *Additional residential units* subject to Section B2.7;
- d) Bed and breakfast establishments may be permitted subject to Section B2.5.1

B3.10.5 Blue Mountain Village Resort Area Medium Density Residential

The predominant use of lands designated Blue Mountain Village Resort Area Medium Density Residential shall be for a range of types of residential dwellings, including commercial resort units and recreational facilities.

B3.10.5.1 Permitted Uses and Policies

- a) Permitted uses may include single detached and semi-detached dwellings, duplex dwellings, townhouse dwellings, multiple dwellings and apartment dwellings, commercial resort unit uses and recreational facilities. It is recognized that recreational components have been provided to facilitate year-round recreational opportunity.
- b) *Additional residential units* are permitted subject to Section B2.7;

- c) Bed and breakfast establishments may be permitted subject to Section B2.5.1
- d) Maximum density for any block shall not exceed 35 units per *gross hectare* (15 units / gross acre).
- e) Parking facilities for the Village Core Resort Area may also be permitted, subject to a Zoning By-law Amendment and site plan control.
- f) Wherever a Blue Mountain Village Resort Area Medium Density Residential designation abuts an existing Blue Mountain Village Resort Area Low Density Residential designation, adequate buffering shall be provided within the Blue Mountain Village Resort Area Medium Density Residential designation lands to provide for privacy and a smooth transition between uses.

B3.10.6 Blue Mountain Village Resort Area Core

The intent of the Blue Mountain Village Resort Area Core designation is to provide for an integration of residential, recreational, resort and commercial uses in a location that is both within walking distance of the ski facilities and readily accessible to the surrounding residential population. Lands within the Blue Mountain Village Resort Area Core designation shall function as the primary commercial centre for the surrounding population.

B3.10.6.1 Permitted Uses and Policies

- a) Integrated multiple residential dwellings and commercial resort unit complexes constructed in conjunction with commercial uses, may be permitted. The total number of residential, commercial resort units, and hotel and motel units shall not exceed 1290 units.
- b) Commercial uses shall be provided at a scale and time as demanded by market forces, and shall include retail and service uses catering to the surrounding residential population as well as specialty resort commercial uses necessary to support and *enhance* the recreational base and its year-round use. Without restricting permitted uses, the following shall be considered appropriate: hotels, inns, and other forms of commercial accommodation, seasonal/occasional specialty events, conference and convention facilities, food service and licensed establishments, retail stores, business or professional offices, personal service shops, civic and *institutional uses*, health clinics, *commercial schools* and studios.

- c) In order to ensure that *development* within the Blue Mountain Village Resort Area Core designation proceeds in an orderly manner, the proponent shall prepare a comprehensive site plan for this area to illustrate location, size, height, and massing of all buildings and structures, and the parking, access, pedestrian circulation and landscaping of the entire area. This detailed site plan shall be approved by *Council* under a Master Development Agreement prior to any *development* proceeding.
- d) Recreational uses which foster year-round recreational opportunity shall be encouraged and may include outdoor facilities such as tennis courts, pools, bicycle, cross-country and pedestrian pathways, golf facilities, concert areas and other similar activities and indoor facilities such as tennis, racquet sports, pools and spas provided within commercial accommodation or an independent commercial sports/*recreation* centre.
- e) Lift terminal buildings may be permitted within the Blue Mountain Village Resort Area Core designation.
- f) Within the Blue Mountain Village Resort Area Core designation the total retail and service commercial floor space shall not exceed 9,300 m² and the maximum residential units yield shall not exceed 300 units. The retail and service commercial floor space may increase by a maximum of 110 m² provided an additional 110 m² of floor space is provided for civic uses. These areas do not include the uses within Grand Central Lodge.
- g) The Town shall establish zone regulations under the implementing Zoning By-law to address *lock-off units*.

B3.10.7 Blue Mountain Village Resort Area Resort Commercial

The intent of the Blue Mountain Village Resort Area Resort Commercial designation is to recognize the existing commercial accommodation and administrative functions within the Village.

B3.10.7.1 Permitted Uses

Permitted uses may include hotels, lodges or inns and support uses including restaurants, lounges, meeting and conference space, administrative and real estate sales offices, parking lots and recreational uses.

B3.10.8 Blue Mountain Village Resort Area Open Space

The predominant use of lands designated as Blue Mountain Village Resort Area Open Space shall be for recreational facilities including supporting service and maintenance facilities.

B3.10.8.1 Permitted Uses and Policies

- a) Permitted uses may include public and private parks, recreational and cultural facilities.
- b) Schedules B-1 and B-2 indicates the pedestrian linkage system intended to be established during the *development* period. Additional walkways shall also be encouraged, where practical, to provide access to all *development*. Wherever possible, these walkways shall be dedicated to the Town and constructed by the proponent to the standards specified by the Town. Consideration shall be given to the pedestrian linkage system in the approval of plans of subdivision or condominium and in the site plan control process where applicable.

B3.10.9 General Development Policies

- a) The Blue Mountain Village Resort Area is intended to be developed as a compact pedestrian oriented village to include commercial, residential and recreational uses in a system of narrow streets and pedestrian squares. It is intended to accommodate a range of recreational services, facilities and activities complementary to those on the Niagara Escarpment and to particularly encourage *recreation, which* supports year-round occupancy and stimulates viability of the commercial component. To this end, the provision of recreational activities such as tennis and racquet clubs, golf course, curling or other arenas, cross-country ski trails, etc. shall be encouraged.
- b) It is intended that the open space *character* of the general area will extend into and through the Village area to provide convenient non-vehicular circulation between activity nodes and various land uses. Open space links should connect the commercial centre to the recreational areas outside of the Village. The Town's open space and pedestrian linkage network shall contribute to a recreational resort image, stimulate visual identification of *development* components and provide separation of land uses.
- c) Views of the Niagara Escarpment should be *enhanced* through sensitive design techniques. The height of buildings and structures shall not create a detrimental affect on the visual impact of the Niagara Escarpment and shall not exceed three storeys in

residentially designated lands. It is intended further, that a variety of building heights shall be encouraged in order to improve the visual effect, variety and community identity recognizing that buildings within the Blue Mountain Village Resort Area Resort Commercial designation shall not exceed four storeys except for a hotel(s) or commercial resort unit complexes which shall not exceed five storeys.

- d) Developers shall be encouraged to incorporate architectural controls. The architectural design of all buildings should blend in with the natural environment in form, colour and texture. Except for lands designated Blue Mountain Village Resort Area Low Density Residential, the proponent should prepare an architectural theme/guideline describing the colour, texture and types of materials and other architectural detail to be implemented in the *development* of the Village.
- e) To ensure compatibility with the recreation resort image, the developer shall submit for the approval of the Town, site plans showing the location of all buildings and structures to be erected and the location of all facilities and works to be provided therewith including drawings showing plan, elevation and cross-section views of each building to be erected sufficient to display the massing and conceptual design of the proposed building and display the relationship of the proposed building to adjacent buildings, streets and exterior areas to which members of the public have access.
- f) Structural building siting should consider solar radiation and the protection of solar access.
- g) Density of residential *development* should decline from the core outward and the total residential yield shall not exceed 1,000 units.
- h) All *development* within the Blue Mountain Village Resort Area shall require municipal water supply and sanitary sewer services. The staging of *development* will be governed by and dependent upon the availability of municipal water and sewage servicing capacity subject to the approval of *Council* and the concurrence of the Ministry of the Environment.
- i) All services or utilities shall be placed underground wherever practical.
- j) Storm water management shall be considered in a comprehensive manner, considering both impacts within the Village and downstream. Storm water management plans shall be required for *development*, shall be approved by *Council* in consultation with the Conservation Authority, the Ministry of Natural Resources, the

County of Grey, and/or any other applicable agencies, and shall be implemented in the subdivision or *development* agreement between the proponent and the Town.

- k) Provision shall be made for efficient vehicular circulation minimizing through traffic and inconvenience in residential areas and providing direct ingress and egress to major parking facilities. The Town, developer and Blue Mountain Resort shall prepare Streetscape Design Guidelines to ensure the foregoing. The recommendations of the Guidelines shall be implemented under Site Plan Approvals and any other Agreements with the Town.
- l) It is intended that day-use skier parking areas be provided in such a manner as to balance the location and quantity of parking with the carrying capacity of the ski facilities. The required parking for the Blue Mountain Village Resort Area Core uses must be considered in relation to the parking for the ski resort. In this regard, the parking needs of the Blue Mountain Village Resort Area Core shall be monitored under a parking monitoring program established under a Master *Development Agreement* to the satisfaction of *Council*. Where any new *development* is proposed on lands currently used for parking purposes or any other lands, the proponent shall demonstrate, to the satisfaction of *Council*, that any displacement of parking will not affect the carrying capacity of existing ski lift systems and parking for all other Village uses, or that appropriate alternate parking provisions will be made available, in addition to any parking requirements for the proposed *development*.
- m) Open space and outdoor recreational facilities such as golf, tennis, cross-country skiing, parks and pathways, may be permitted in all land use designations within the Village.

B3.10.10 General Implementation Policies

- a) It is the intent of this Plan that all *development* within the area shall be in accordance with a registered plan of subdivision or condominium. *Development* shall be further regulated by appropriate subdivision, condominium and/or site plan agreements. The *development* agreement shall also make provision for the screening, berming, and/or fencing or other measures designed to minimize the visual and noise impact associated with *development* north of Gord Canning Drive.
- b) Within each of the blocks on the overall existing plan of subdivision for the Blue Mountain Village Resort Area, *development* may be permitted:

- i) by further plans of subdivision where new residential lots and/or public roads are created, or
 - ii) where appropriate, by plans of condominium, or
 - iii) where appropriate, by passage of a by-law exempting the blocks from the part lot control provisions of the Planning Act, subject to a Master Development Agreement having first been entered into.
- c) Public roads shall not be contained within any plans of condominium.

B3.10.11 Special Site Policies

B3.10.11.1 Schedule A-5 – Part Lots 15 and 16, Concessions 1 and 2 – Blue Mountain Resort South

These lands may also be permitted to contain the uses permitted in the Recreational Ski and Blue Mountain Resort Commercial designations. The maximum yield of residential dwelling units within this overall area shall not exceed 100 units. In order to ensure that development in this area proceeds in an orderly manner, development shall be limited to day use parking. No other development of permitted uses may take place until the proponent prepares and acquires Council’s approval of a comprehensive site plan for this area to illustrate the location, size, height and massing of all buildings and structures, and the parking, access, pedestrian circulation and landscaping of the entire area. Prior to consideration of any such other development on these lands, Council must also be satisfied that there will be adequate parking in accordance with the provisions of Section B3.10.9(l).

B3.11 RECREATIONAL SKI

B3.11.1 Objectives

It is the intent of this Plan to identify lands intended to be used for year-round escarpment recreational activities, including, service and maintenance purposes associated with the ski industry.

B3.11.2 Location

The Recreational Ski designation applies to lands intended to be used for year-round escarpment recreational activities, including resort administration, service and maintenance purposes associated with the ski industry.

B3.11.3 Permitted Uses

Permitted uses on lands designated Recreational Ski include:

- a) recreational trails and lift facilities;
- b) service and maintenance facilities;
- c) base lodges;
- d) parking areas;
- e) recreational and cultural facilities; and,
- f) outdoor recreational uses.

B3.11.4 Development Policies

B3.11.4.1 All *development* shall be located without disrupting the natural environment by removal of excessive amounts of vegetation and the removal of soils through erosion. Where required by *Council*, the developer shall submit a report prepared by a qualified consultant which indicates the proposed engineering works to be undertaken, and it shall include a plan(s) showing the following:

- a) the existing features of the site including all existing buildings, structures, heritage resources, vegetation, topography drainage;
- b) the proposed structure to be erected and the final layout of the *development* of the land;
- c) the proposed remedial works to be undertaken;
- d) the final grade elevations and proposed vegetative cover; and,
- e) plans for storm water management for both surface drainage and ground water.

B3.11.5 Implementing Zoning By-law

All lands designated Recreational Ski shall be placed in appropriate zone(s) in the implementing Zoning By-law.

B3.11.6 Special Site Policies

B3.11.6.1 **Schedule A-4 – Part Lots 15, 16 and 17, Concessions 2 and 3 – Blue Mountain Resort Top of Hill**

Permitted uses on these lands shall be limited to ski trails and lift facilities, parking area private and public parks, outdoor recreational uses, and small scale *accessory buildings* with a maximum floor area of 50 m². In addition, one new base lodge may be permitted with a maximum floor area of 600 m² provided its location, mass and height is supported by visual analysis by a qualified landscape architect that will demonstrate to the satisfaction of the Niagara Escarpment Commission and the Town that the proposed development will not adversely impact the environmental and visual character and scenic qualities on the Niagara Escarpment and that it is connected to municipal water and sewer services that are located to cause the least impact on the Escarpment Landscape.

B3.12 CRAIGLEITH VILLAGE COMMUNITY

B3.12.1 Location

The Craigleith Village Community is shown on Schedule A-4 to this Plan.

B3.12.2 Purpose

The purpose of the Craigleith Village Community designation is to recognize an existing community within the Town of The Blue Mountains that is to be redeveloped into a sustainable compact village with mixed uses and *intensification*, while protecting the *character* of the surrounding area. The prominent use of lands shall be for commercial, various forms of residential, recreational, and *institutional uses* intended to serve the existing and proposed community of Craigleith and the travelling public. The proposal will include public trails, dedication of the shorefront lands, a public square that focuses on the arts and culture, as well as *wetland* and other natural environmental protection.

The Craigleith Village Community is divided into sub-designations. The purpose is to recognize the interrelationships of the distinct areas in the overall *development* scheme while maintaining unique policy provisions for these areas within the overall community.

Further, the Craigleith Village Community has been divided into sub-areas, East Sub-area, Central Sub-area and West Sub-area, so as to assist in, amongst other things, defining land use designations, applicable unit yields and commercial floor space allocations.

Other lands in the Craigleith Village Community are subject to other land use designations in addition to those designations identified in Section B3.12.3.

B3.12.3 Land Use Categories

The Craigleith Village Community include the following area-specific designations:

- a) Craigleith Village Commercial;
- b) Craigleith Village Residential; and,
- c) Hazard Lands, Shoreline Floodplain and Provincially Significant Wetlands.

Other designations that apply in the Craigleith Village Community include:

- a) Hazard; and
- b) Residential/Recreational Area.

B3.12.3.1 Craigleith Village Commercial

The intent of the Craigleith Village Commercial designation is to provide for an integration of residential, commercial and *institutional uses* in a location that is both within walking distance of the shorefront and other recreational amenities and readily accessible to the travelling public and the surrounding residential population. Mixed use and commercial development in the Craigleith Village area is necessary to support the community's existing and planned residential areas and shall be prioritized by Council.

Lands within the Craigleith Village Commercial designation shall function as the primary commercial centre for the existing and planned surrounding population as well as the travelling public. Space extensive commercial uses which are not primarily related to the Craigleith Village Community or overall resort community shall be directed to locations outside the Escarpment Recreation Area of the Niagara Escarpment Plan.

B3.12.3.1.1 Permitted Uses and Policies

- a) The predominant use shall be all commercial forms that serve the community of Craigleith, as well as the travelling public along the Highway 26 corridor.

Commercial uses may include retail, food service and licensed establishments, retail stores, business or professional offices, a branch of a bank or financial institution, personal service shops, civic and *institutional uses*, health clinics, commercial schools and

studios and other similar uses that are consistent with an overall village theme.

- b) A senior's *retirement home* shall be permitted on the western portion of the Craigleith Village Commercial designation located in the East Sub-area.
- c) Small scale resort accommodations may be permitted in accordance with Section B2.2 of this Plan.
- d) Residential dwelling units may be permitted in the upper portion of mixed-use buildings, attached dwellings or stacked multi dwelling unit buildings.

Live-work units shall be permitted in the East Sub-area.

- e) The maximum number of residential dwelling units and live-work units on lands designated Craigleith Village Commercial shall be 74 dwelling units and/or live/work units comprised of:
 - i) The West Sub-area shall be limited to 14 dwelling units.
 - ii) The Central Sub-area - N/A.
 - iii) The East Sub-area shall be limited to 60 residential dwelling units and/or live-work units.

In addition, a maximum of 130 residential dwelling units or rooms shall be permitted within an Institutional building with such building to accommodate a home for the aged, care facility, retirement residence or seniors' building.

- f) A variety of building heights shall be encouraged in order to improve the visual effect, variety and community identity. In this regard, buildings within the Village Commercial designation shall not exceed three storeys, generally eleven metres, except for a senior's residential building, which shall not exceed four storeys, generally 13.0 metres in height.

Notwithstanding the above, and subject to a Visual Impact Assessment and a Massing/Shade Analysis that demonstrates to the satisfaction of *Council* that there are no *negative impacts* on views or vistas and no negative shadowing on surrounding land uses, the public realm or negative impact on *significant* environmental (features) and functions, the height of the senior's residential building may be permitted to be five storeys, generally 15.5 metres.

- g) Within the Craigleith Village Commercial designation, commercial uses shall be provided at a scale and time as demanded by market forces based on a Commercial Market Study completed in accordance with Section B2.3 of this Plan for floor areas that exceed 2,000 m².

Notwithstanding the recommendations of the Commercial Market Study, the total commercial floor space shall not exceed 9,100 m² and the maximum residential unit yield in the Craigleith Village Commercial designation shall not exceed 78 units. Further, the maximum non-residential floor area within an individual building shall generally be 1,625 m² save and except one non-residential building which may have a maximum floor area of 2,300 m².

The subject lands shall be limited to a single branch of a bank or financial institution. The gross floor area of such use shall not exceed 600 m².

- h) The implementing Zoning By-law shall establish appropriate parking standards that reflect the shared nature of the various uses contained within the Craigleith Village Core area.
- i) Access to the Craigleith Village Commercial node from Highway 26 shall be limited to Blue Mountain Drive and Long Point Road intersections along with internal private and/or public streets that provide optimum traffic flow through the Village Commercial node.
- j) The *character*, scale, appearance and design features of buildings and their sustainable design shall be controlled through Site Plan Approval and in this regard the proponent shall prepare Design Guidelines for approval by the Town in accordance with the Site Plan Control requirements of the Planning Act. Alternatively, the Town may incorporate guidelines recommended as part of a Community Improvement Plan.

The following Design Guidelines shall apply:

- i) Streets and buildings shall be designed and developed to ensure attractive streetscapes, and to promote social interaction, transit usage and safety.
- ii) Components of streetscapes shall consist of street trees, lighting, street furniture, signage, built form and landscape features. The design of these streetscape elements shall be coordinated in order to:
 - (a) communicate the image and *character* of the Community;

- (b) reinforce the street network;
 - (c) promote an urban relationship between built form and public spaces; and,
 - (d) achieve a pedestrian-scaled environment for the public domain that is safe and comfortable.
- iii) Community image and identity shall be conveyed through the detailed design of the built form and entrance features. The design shall include orienting the primary buildings to face the intersection/corner, and the use of special architectural elements and landscape features.
 - iv) *Enhanced* building elevations shall be required for those portions of the building, which are exposed to the public domain.
 - v) Service facilities shall be integrated into the design of buildings to minimize disruption to the safety and to promote attractiveness of the adjacent public realm.
 - vi) Parking and loading areas/facilities shall be appropriately screened by way of landscaping features so as to minimize the visual impact on the public realm.
 - vii) The safety and security for all persons in public places including streets, parks and *amenity areas* shall be promoted through the design and siting of buildings, entrances, walkways, amenity and parking areas to provide visibility and opportunities for informal surveillance.

B3.12.3.2 Craigleith Village Residential

The purpose of the Craigleith Village Residential designation is to identify those lands in Craigleith where a compact residential community will be established on the shores of Nottawasaga Bay as part of an overall village *development* together with associated recreational lands and facilities on full municipal water and sanitary sewage facilities.

B3.12.3.2.1 Permitted Uses and Policies

- a) The Craigleith Village Residential designation is intended to accommodate residential *development* that would be ancillary to the *development* of the Craigleith Commercial Core area as part of an overall sustainable community. Residential *development* may include a range of housing types from single detached, semi-detached and townhouse dwellings. *Additional residential units* are also permitted subject to Section B2.7.

- b) Recreational *development* may include a variety of recreational lands and facilities intended to *enhance* the recreational opportunities of the residents of the community.
- c) The maximum number of dwelling units in the area designated Craigleith Village Residential shall be 136 comprised of:
 - i. The East Sub-area shall be limited to four dwelling units;
 - ii. The Central Sub-area shall be limited to one dwelling unit; and,
 - iii. The West Sub-area shall be limited to 131 dwelling units.
- d) The maximum unit yield outlined in clause (c) is based on meeting the requirements of the Growth and Settlement requirements of the Official Plan. Specifically, the dedication to the Town, or, the availability of shorefront access to the community to the satisfaction of Council for lands including 6.0metres southerly of the 15.0 metre wave uprush zone.
- e) It is intended that a minimum open space component comprising 40 percent of the overall *development* including the *Provincially Significant Wetlands* shall be distributed throughout the design of the subdivision in a manner which promotes the open space *character* of the area.
- f) The height of buildings and structures shall not create a detrimental effect on the visual impact of the area and shall not exceed two storeys, generally nine metres, in height.
- g) Buildings and structures shall be so located so as to not encumber views/vistas of Nottawasaga Bay from the public realm. Buildings and structures contiguous to Nottawasaga Bay shall be separated by a minimum distance of four metres and shorefront structures shall not be permitted.
- h) Reverse frontage lots and/or *development* shall be discouraged.
- i) The *character*, scale, appearance and design features of buildings and their sustainable design shall be controlled through Design Guidelines. These Design Guidelines shall be in a form approved by the Town.
- j) Access to the Craigleith Village Residential node from Highway 26 shall be limited to Blue Mountain Drive and Long Point Road intersections along with internal private and/or public streets that provide optimum traffic flow through the Village Residential node.

B3.12.3.3 Craigleith Village Public Open Space, Hazard, Wetlands and Wetlands Buffer

The predominant use of lands designated as Craigleith Village Public Open Space, Hazard, *Wetlands* and *Wetlands Buffer* shall be for protection of the *Provincially Significant Wetlands* and buffers, *floodplains* and shoreline hazards, as well as recreational uses.

B3.12.3.3.1 Permitted Uses and Policies

- a) Subject to the related provisions of this Plan, permitted uses in areas designated Public Open Space and Hazard may include public and private parks, recreational and cultural facilities, trails and other similar types of facilities.
- b) Permitted uses in areas designated *Wetlands* and *Wetlands Buffer* shall be limited to multi-use trails with the location and nature of these trails being determined by an Environmental Impact Study.
- c) The programming of the shoreline area, as well as the location and nature of trails, shall be determined by way of a scoped Environmental Impact Study and a Parks Management Plan developed in consultation with the Grey Sauble *Conservation Authority* and the public and approved by *Council* of the Town of The Blue Mountains.
- d) *Trail development* shall have regard to maintaining *significant* wildlife corridor linkages between the *Provincially Significant Wetland* and related *Wetland Buffer* areas to the shoreline.
- e) *Trail development*, including access thereto, shall have regard to potential conflict with private walkways and beach areas. Specifically, access and egress to and from the shoreline in the West Sub-area shall be adequately separated from Block E, Plan 529 “Area of User Common”.
- f) Pedestrian linkages through *environmentally sensitive areas* shall be developed in accordance with the provisions of this Plan.
- g) The Provincially Significant Wetland will be afforded varying setbacks from development as identified in Schedule A-4, however the actual setbacks from the Provincially Significant Wetland will be determined to the satisfaction of the Town, the County, the Grey Sauble Conservation Authority and the Niagara Escarpment Commission prior to draft approval of any future Plan of Subdivision or Condominium application(s).

- h) Land designated Craigleith Village Hazard and Public Open Space include land which might otherwise be designated as *hazard lands*, flood plains or shoreline hazards, as identified on the Appendix Maps and are therefore subject to the policies of this Plan.

B3.12.4 General Development Policies

- a) The Craigleith Village Community is to be developed as a sustainable integrated community with trail *connectivity* within the community, and to areas external to the community, and create an urban environment that provides for safe, functional and attractive residential neighbourhoods.
- b) The community road and trail network are to be developed so as to provide residents with a safe functional and attractive neighbourhood that offers wildlife viewing opportunities in sustainable natural areas including *wetlands*, tree cover and shoreline.
- c) The proposal will accommodate a range of services, facilities and activities complementary to the existing Craigleith Community and the overall Town. In particular, it is intended that this proposal will complement the existing commercial nodes of the Blue Mountain Village Resort Area Core and the communities of Thornbury and Clarksburg.

It is intended that the lands will be developed under a Master Concept Plan approved by the Town under a Master Development Agreement in accordance with this Plan. The lands will be developed with a minimum of 40 percent open space that shall include *wetland* protection, including buffers, shorefront and an entry feature to the Town. A tree retention and landscape plan shall be included for the *development* lands as part of the Master Concept Plan and implemented through the Master Development Agreement and subsequent Agreements.

- d) The Craigleith Village Community shall provide for an integrated public park and public open space system with opportunity for *public use* of the shorefront while maintaining the *significant* natural features and functions the area is known for. It therefore shall be a policy of this Plan to require the provision of recreational lands and/or facilities including the dedication, or availability to the community to Councils satisfaction, of shorefront lands.”
- e) Subject to a scoped Environmental Impact Study indicating that active use of the shorefront may occur without adverse impact to *significant* natural heritage features, *Council* may authorize through a Parks Management Plan, such active uses. The Parks

Management Plan shall be developed in consultation with the Grey Sauble *Conservation Authority* and other agencies and members of the public that *Council* deems appropriate. Multiple connection points between the shorefront and the public realm are critical and will be addressed through a Master Concept Plan, a Master *Development* Agreement, subsequent Agreements and the Draft Plan Approval process pursuant to the Planning Act and its related implementation. Regard shall be had to mitigating potential conflict between the public shorefront area and adjacent private recreational areas as set out in this Amendment.

Opportunity also exists to *enhance* natural and cultural heritage for instance through possible future community based programs to remove invasive shoreline plants such as the existing Reed Grass (*Phragmites australis*).

- f) It shall be a policy of this Plan to promote pedestrian, cycling, cross-country skiing and/or snow *shoeing* connections throughout the proposal and to provide for *connectivity* to the existing community and the Georgian Trail.
- g) The open space network as depicted on Schedule A-4 shall provide *connectivity* between sub-areas, be provided with signage with educational material on existing natural and cultural heritage and take advantage of views and vistas within the *development* and along the shorefront.
- h) It is intended that a multi-use trail connection shall be provided between the East and West Sub-areas to provide a pedestrian link. The purpose of this multi-use trail is to promote the use of a passive recreational link versus a motorized road link.

Trail *development* within the Provincially *Significant Wetland* and related buffer areas shall only proceed upon the completion of an Environmental Impact Study, *which* demonstrates that there will be no *negative impacts* on the *Wetlands* or *significant* Natural Heritage elements on the lands.

The multi-use trail connection shall be provided in conjunction with the latter of the commencement of the East or West Sub-areas.

- i) It shall be a policy of this Plan to promote a more compact urban form, with higher densities located in proximity to arterial roads that may serve as future transit corridors.
- j) It shall be a policy of this Plan that there be a mix and range of housing, including housing affordable to a wide spectrum of households through a variety of building types and densities to

provide housing choices for families, seniors, single person households and other residents.

- k) It shall be a policy of this Plan to encourage the *development* of live/work dwelling units to provide for the opportunity of smaller scale commercial and business uses in close proximity to residential uses.
- l) Appropriate native plantings shall be encouraged along public rights-of-way, including road corridors, both to create ecological linkages and for visual amenity. All new plantings on public lands shall be in the form of native plant species.
- m) The principles of community design influence the physical design and layout of a community. It is an important planning tool that will be used to help achieve the identity and *character* of this community, *enhance* the quality of life, and promote a greater economic vitality through the efficient use of resources. Good community design, both in the public and private realm, is required.
- n) A comprehensive approach to storm water management is required to guide *development* and safeguard the broader Provincially *Significant Wetland*. Therefore, storm water management shall be considered in a comprehensive manner, considering impacts within and external to the *development* (i.e. neighbouring properties and, Highway 26, etc.) and protection of the *Provincially Significant Wetlands*.
- o) A traffic impact study shall be undertaken to identify the required highway improvements along the Highway 26 corridor to accommodate both the Craigleith Village Commercial and Craigleith Village Residential nodes. The traffic impact study shall be acceptable to the Ministry of Transportation and the Town.
- p) Buildings and structures, along with required facilities including, but not limited to, parking and loading facilities, drive aisles, storm water management facilities, will be required to be located in compliance with Ministry of Transportation requirements and permits will be required to be obtained in accordance with the *Public Transportation and Highway Improvement Act*.
- q) A noise impact study shall be required to be undertaken to determine the extent and severity of any impacts, and propose any mitigation measures, including design details and specifications, prior to any *development* proceeding. Such noise impact study shall be acceptable to the Town.

- r) The public roads network shall be consistent with this Plan and Schedules B-1 and B-2.
- s) Prior to any *development* and/or prior to draft approval being considered for any future Plan of Subdivision or Condominium application, a study must be completed subject to the satisfaction of the Town, the *County*, The Ministry of Natural Resources, the Niagara Escarpment Commission, and the Grey Sauble *Conservation Authority* with respect to endangered, threatened, special concern and rare plant and animal species consistent with the Provincial Policy Statement, the Natural Heritage Reference Manual of April 2010 and the *Wildlife Habitat* Development Criteria.
- t) No *development* shall occur within 30 metres of *Watercourse 1* (Craigleith Camperdown Subwatershed Study), including the removal of vegetative cover, without approval from the Grey Sauble *Conservation Authority* and the Department of Fisheries and Oceans if applicable.
- u) The lands located at the northwest corner of Long Point Road and Highway 26 is intended to function as a *gateway* to the Town. The sense of entrance, arrival and movement shall be reinforced and achieved through the surrounding built form and site planning.

B3.13 FUTURE SECONDARY PLAN AREAS

B3.13.1 Objectives

It is the intent of this Plan to:

- identify lands intended to be developed in the future, when additional lands are required for *development*;
- allow for the continued, interim use of these lands provided any use, buildings or structures are constructed and located in a manner which would not adversely affect the long-term *development* of the lands;
- identify lands for which additional study is required to determine its ultimate land use; and,
- establish the process by which these lands will be designated for *development* in the Official Plan.

B3.13.2 Location

The Future Secondary Plan Area designation as shown on Schedule A to this Plan applies to lands that are subject to further study. The following

four areas are identified as requiring more detailed planning prior to future *development* occurring:

- Area in west part of Thornbury
- Area south of the Blue Mountain Village Area
- Area south of Swiss Meadows Subdivision

B3.13.3 Permitted uses

Permitted uses on lands designated Future Secondary Plan Area are limited to:

- a) one single detached dwelling per lot;
- b) an *additional residential unit* in a single detached dwelling subject to Section B2.7;
- c) *home occupations* subject to Section B2.10;
- d) *agricultural uses*;
- e) conservation and *forest management* uses; and,
- f) uses, which legally existed on the date that this Plan came into effect.

B3.13.4 Land Use Policies

- a) In order that Future Secondary Plan Area lands retain their ultimate *development* potential, individual consents to divide the lands shall not be permitted, except in cases where it can be proven that an individual consent will not adversely impact future *development* potential of the land.
- b) The determination of appropriate future land use designations for lands within a Future Secondary Plan Area shall be made based on the results of further study. This study shall take the form of a secondary plan or can be considered in the context of a Town-initiated Comprehensive Review, subject to the policies of this Plan. The determination of appropriate land use designations may also be the result of a Community or Neighbourhood Plan, as set out in Section B3.13.5.
- c) The proponent of the Plan must include all of the property owners in the Plan area in the consultation process, however not all of the affected property owners need to participate in the process, financially or otherwise.

B3.13.5 Community or Neighbourhood Plan

A Community or Neighbourhood Plan is a general guide that directs development and redevelopment, primarily in or near residential neighbourhoods. The Plan shall be designed in accordance with the Official Plan and other Town policies and regulations, and ultimately represents Council's intention regarding the ultimate design and development of a neighbourhood. The Plan will provide a vision for the neighbourhood and clear goals to achieve the vision. The Plan would also provide the:

- a) ultimate population and dwellings to be expected in the neighbourhood;
- b) distribution and mix of housing of various types;
- c) location and extent of land for community, open space, institutional, commercial and residential uses;
- d) location and pattern of existing and proposed roads;
- e) location and design of basic engineering services, stormwater and public utilities;
- f) architectural design standards; and
- g) visual impacts and mitigation measures.

Preparation of the Plan is based on consultation with neighbourhood residents and property owners as well as relevant technical agencies and other stakeholders having an interest in the area.

Although the Community or Neighbourhood Plan does not form part of the Official Plan, it will be considered Council policy upon adoption by resolution. This allows the Plan to be revised without the formality of the Official Plan process provided the revisions are in conformity with the provisions of the Official Plan. However, it is intended that, as a result of the Community or Neighbourhood Planning process, amendments to the Official Plan may be required to set out appropriate land uses and policies.

B3.14 SPECIAL STUDY AREAS

B3.14.1 Objectives

It is the intent of this Plan to:

- identify Special Study Areas where further review and policy direction is required prior to development proceeding; and,
- allow for the continued, interim use of these lands provided any use, buildings or structures are constructed and located in a manner, which would not adversely affect the long-term *development* of the lands.

B3.14.2 Location

The Special Study Area overlay designation as shown on Schedule A to this Plan applies to those lands adjacent to Old Lakeshore Road bounded by Highway 26 to north, the toe of the escarpment to the south and Camperdown Road to the west.

B3.14.3 Permitted uses

Permitted uses on lands designated Special Study Area are limited to those uses that currently exist or are permitted by the Zoning By-law. Upon completion of the Study, the lands may be used in accordance with the underlying designation and/or new designations(s) and policies that may apply.

B3.14.4 Land Use Policies

Prior to development requiring Planning Act approval proceeding on these lands, the Town or private proponent(s) shall undertake a Community or Neighbourhood Plan in accordance with Section B3.13.5.

Once a community or Neighbourhood Plan has been prepared to the satisfaction of Council, Official Plan Amendments or Zoning By-law Amendments can advance and development by Plans of Subdivision or Condominium and site planning approval for individual properties may proceed through the plan process in accordance with and/or including policy direction contained within the Plan.

Any new applications or changes to an existing approval shall require a further review of the Neighbourhood Plan as appropriate and shall address related policy and/or Plan direction. Development applications proposing changes to Official Plan policies within Special Study Areas shall include a review of direction within the associated Community or Neighbourhood Plan and consideration of adoption of related site or area specific policies. Development applications seeking to implement existing zoning provisions shall address the policy direction contained within the existing or updated Community or Neighbourhood Plan.

B3.15 ESCARPMENT

B3.15.1 Objectives

It is the intent of this Plan to:

- identify certain lands composing unique natural features, Escarpment slopes and environmentally sensitive lands associated with the Niagara Escarpment

B3.15.2 Location

The Escarpment designation as shown on Schedule A to this Plan applies to those lands composing unique natural features, Escarpment slopes and environmentally sensitive lands associated with the Niagara Escarpment including, forested lands extending 300 m back from the Escarpment brow, Life Science ANSIs, significant wetlands and stream valleys.

B3.15.3 Permitted uses

Permitted uses on lands designated Escarpment are limited to those recreational uses that require the slopes to function. In addition, essential transportation and utility facilities may be permitted provided that no reasonable alternative is available outside the Escarpment designation. Where possible, site selection for permitted uses shall be directed toward other appropriate designations.

B3.15.4 Land Use Policies

- a) The boundaries of the Escarpment designation will be more precisely defined in accordance with the provision of the Niagara Escarpment Plan and through detailed analysis under secondary plans, plans of subdivision/condominium and the Zoning By-law based on site-specific information. The Escarpment designation is also intended to supplement the open space provisions of this Plan. Accordingly, lands designated Escarpment shall be excluded from the lot fabric of subdivision design and the calculation of the overall density.
- b) It is intended that the unique and natural features and visual continuity of the Niagara Escarpment be preserved and maintained. Permitted recreational and open space uses which are complimentary to the four seasons recreational resort community and the open landscape character of the Town shall be encouraged within the Escarpment Recreation Area of the Niagara Escarpment Plan subject to all other provisions of this Plan.
- c) Permitted uses on existing lots or lots created in conformity with this Plan shall be generally restricted to locations where a suitable site can be determined, such that the least environmental and visual impact, is incurred in order to meet the objectives of this Plan to protect

environmentally sensitive areas and to avoid Escarpment slopes. Where there is more than one designation on the property, proposed development shall be directed outside of the Escarpment designation.

- d) Where lands designated Escarpment are subject to zoning, the implementing Zoning By-law shall restrict development, including existing uses but may permit limited open space, trails, forestry and conservation uses. All other permitted uses shall be subject to an Amendment to the Zoning By-law. Such Amendment may be considered on a site-specific basis and shall ensure that the intent and purpose of this Plan to protect the Escarpment features is maintained.

B3.15.5 Prominent Escarpment Slope

- a) The prominent Escarpment Slopes policies only apply to the Escarpment designation within the Escarpment Recreation Area of the Niagara Escarpment Plan and are intended to protect the natural and visual continuity of the prominent Escarpment slopes.
- b) For the purpose of this Plan, the prominent Escarpment slope shall mean the Escarpment designation and includes the area between the brow and the toe of the Escarpment and where the rise occurs in the form of a series of steps, the Escarpment slope includes the terraces between the steps.

Development, other than uses permitted by Section B3.15.3 shall be prohibited from prominent Escarpment slopes in order to maintain the natural continuity of the Escarpment slope, reduce potential negative impacts on the quality of the natural amenities and natural heritage feature sand functions and maintain the open landscape character.

- c) The precise boundaries of the prominent Escarpment slope shall be established in accordance with the provisions of the Niagara Escarpment Plan.
- d) Development restrictions for the prominent Escarpment slope shall apply in addition to all other policies and provisions of the Escarpment designation, including development restrictions related to environmental constraints.

B3.15.6 Site Selection

- a) Site selection for permitted uses shall give special attention to the protection of the natural and visual characteristics of the Escarpment features. Removal of existing vegetation shall be minimized and additional tree planting shall be encouraged.
- b) Permitted uses and site alteration may only be permitted if a suitable site can be identified based on the following:

- An adequate building site is available for any proposed building or structure outside of any identified hazard or other environmentally sensitive area, with particular regard for the Environmental Constraints considerations.
 - Uses shall have access and lot frontage onto a public road that is adequately constructed and maintained on a year round basis.
 - For uses involving private on-site water supply and sewage disposal, approval shall be obtained from the Ministry of Environment or it's designated agent.
 - Uses shall be located to minimize potential disruption to the existing topography and natural environment.
 - Uses other than those that require the slope to function in accordance with Section B3.15.3 shall avoid steep Escarpment slopes and prominent Escarpment slopes, where such development would negatively impact the visual attractiveness of the Escarpment landscape. Buildings and structures shall be prohibited on slopes greater than 25% in the proposed building envelope.
 - Uses shall be located within another designation on the property outside of the Escarpment designation, where appropriate.
 - Uses must comply with the policies and provisions of the Escarpment designation, and any other applicable policies and provisions of this Plan.
- c) Adequate buffers to the prominent Escarpment slope and environmentally sensitive areas shall be required to ensure protection of the visual amenities and natural features of the area. For this purpose, appropriate setbacks shall be incorporated under the implementing Zoning By-law and/or Development Permit, as applicable to ensure for example, that the permitted buildings and structures do not exceed the skyline associated with the Escarpment unless the intrusion can be mitigated to the satisfaction of the Town and the Niagara Escarpment Commission. All development shall also be subject to site plan control unless it is within the NEP Development Control Area.
- d) Proposed development in accordance with the policies and provisions of the Escarpment designation, including outdoor recreational uses and trails, shall be accompanied by a Development Report. The Development Report shall include a detailed site plan and landscape

analysis designed to protect views and natural features, and to address the site selection matters contained herein, and to form the basis of any appropriate zoning, Development Permit or site plan control provisions.

- e) Within the Niagara Escarpment Development Control Area, all development applications shall be reviewed on the basis of the policies and provisions of this Plan, and must address the site selection matters identified herein.

B3.15.7 Consents

- a) The creation of new lots within the Escarpment designation shall be generally prohibited, except as provided in accordance with the applicable land use designation under the Niagara Escarpment Plan.
- b) New lots may only be considered where suitable building sites for both the severed and retained parcels meet the applicable provisions of this Plan and the Niagara Escarpment Plan.

B3.15.8 Special Site Policies

B3.15.8.1 Schedule A-4 Part Lot 21, Concession 3 & 4 (Craigleith Ski Club)

A maximum of 15 dwelling units may be permitted on these lands.

B3.15.8.2 Schedule A-4 Part Lots 22 & 23, Concession 4 (Alpine Ski Club)

1. The existing leasehold dwelling units located may be converted to Plan of Condominium. Redevelopment including replacement, reconstruction, renovation, enlargement and/or relocation within the limits of an approved Plan of Condominium, may be permitted provided that:
 - a) The prerequisite Development Report is approved by the appropriate authorities in accordance with the provisions of this Plan.
 - b) Year-round vehicular road access to and within the Plan of Condominium is provided, particularly for emergency vehicle purposes. Such access shall ensure that there is no additional encroachment on the Escarpment slope.
 - c) The relocation of an existing dwelling unit to an alternative site or the replacement of an existing dwelling within the Plan of Condominium shall not increase the physical and/or visual encroachment on the slope of the Niagara Escarpment as identified to the satisfaction of the Niagara Escarpment Commission.

- d) The expansion to the total floor area of a dwelling unit, either separately or collectively, within a Plan of Condominium shall be relatively minor in proportion to the size and scale of the dwelling unit existing as of date of the creation of the Plan of Condominium. Expansions and redevelopment may permit limited intensification of each dwelling unit or the Plan of Condominium as a whole.
- e) It is an objective that resulting dwelling unit redevelopment will be limited in mass and bulk.
- f) The details of redevelopment of any of the units, and any works and facilities to service the subject property including roads, parking, snow storage, garbage storage / collection, storm water management, water supply, and sewage systems shall be identified, and remedial works addressed to the satisfaction of the Town and the Niagara Escarpment Commission in the Development Report.
- g) A comprehensive Niagara Escarpment Development Control Permit for the Alpine Ski Club lands shall contain provisions including, but not necessarily limited to the following:
- Provisions pertaining to the redevelopment of a dwelling unit with respect to maximum height, maximum gross floor area, maximum footprint or ground floor coverage, maximum percentage increase in existing building mass and bulk, accessory facilities; and similar and related matters.
 - The production of a landscaping plan and grading plan that minimizes visual and physical impacts of dwelling units, roads, parking facilities, municipal services and other incidental or accessory facilities on the Escarpment slope as identified and the provision for implementation of remedial works in the Development Report.
 - Any other pertinent matters considered appropriate by the Town or the Niagara Escarpment Commission in order to comply with and achieve applicable policies, regulations or standards.
- h) A Development Report shall:
- address the engineering, ecological and visual aspects associated with the construction of the building, structure of facility prior to redevelopment, including replacement, enlargement or relocation of any building structure or facility.

- address any potential visual or physical impacts on the prominent Escarpment slope and address all other applicable policies of this Plan
- describe the works proposed and shall include detailed scaled plans showing the following:
 - the existing physical features of the land
 - all existing buildings and structures

the proposed building, structure of facility to be erected, relocated or enlarged and the final layout of development

 - the proposed remedial works to be undertaken
 - the final grade and elevation and proposed vegetative cover including proposed plantings
 - proposed stormwater management.

B4 RURAL COUNTRYSIDE DESIGNATIONS

B4.1 GENERAL PROVISIONS – AGRICULTURAL, SPECIAL AGRICULTURAL AND RURAL DESIGNATIONS

B4.1.1 Accessory Residential Uses on Farm Properties

In addition to the Accessory Residential Uses, where permitted, the establishment of temporary farm help accommodation and one additional dwelling unit or trailer/mobile homes on a farm property for farm help is permitted. For farm help dwellings, the lands shall be appropriately zoned to permit an additional dwelling. Prior to considering an application for re-zoning, *Council* shall be satisfied that the second dwelling unit:

- a) is required for farm help;
- b) will be located within the existing farm-building cluster, where appropriate;
- c) can be serviced by private sewage and water services; and,
- d) will be designed and/or located to be *compatible* or otherwise blend in with the farm operation.

B4.1.2 Agri-tourism Uses

The Town supports the *development* of uses that highlight the importance and value of the agricultural economy. On this basis, uses such as farm machinery and equipment exhibitions (on a temporary basis), farm tours, petting zoos, hay rides and sleigh rides, processing demonstrations, pick-your-own produce establishments, *small-scale* farm theme playgrounds and *small-scale* educational establishments that focus on farming instruction are permitted in the Agricultural, Special Agricultural and Rural designations as on-farm diversified uses on a farm subject to the policies of the Official Plan provided that:

- a) the proposed use shall not have a *negative impact* on the enjoyment and privacy of neighbouring properties;
- b) adequate on-site parking facilities are provided for the use, in addition to the parking required for the principal use on the property, and such parking is provided in locations *compatible* with surrounding land uses;
- c) the proposed access to the site will not cause a traffic hazard;
- d) the proposed use can be serviced with an appropriate water supply and appropriate means of sewage disposal;
- e) the proposed use *enhances* the agricultural *character* of the Town through the preservation of historic barns and/or the establishment of a built form that is *compatible* with the agricultural surroundings; and,
- f) the building containing the proposed use is located within the existing farm-building cluster where possible and shall utilize a common driveway with the principal use of the property.

B4.1.3 Wineries

Wineries (which may also include cideries, distilleries, meaderies and similar uses) may be permitted in the Agricultural, Special Agricultural and Rural designations subject to the following:

- a) A minimum 2 hectares (5 acres) must be planted and remain in production with vines, apples trees or pear trees;
- b) Associated retail and hospitality uses shall be in accordance with Section B4.1.9
- c) Wineries shall be subject to a Zoning By-law Amendment and Site Plan Agreement approval by the Town. The following matters must be addressed to the satisfaction of the Town:

- i) water supply and waste disposal;
- ii) best practices for drainage and outlets for stormwater;
- iii) entrances and exits to roads;
- iv) off-street loading, parking spaces;
- v) outside storage;
- vi) buffering/screening, landscaping; and,
- vii) outdoor areas to be used by the public (e.g. patios).

B4.1.4 Minimum Distance Separation Formulae

The *Minimum Distance Separation* (MDS) Formulae I and II shall be used to determine appropriate separation distances for new or expanding livestock facilities and new or expanding non-farm lots or uses. The Town Zoning By-law shall incorporate the MDS Formulae.

In the case of a catastrophe (e.g. barn or non-farm structure destroyed in a fire), MDS shall not be applied provided that the building is proposed no closer to the livestock facility or non-farm structure than before the catastrophic event. However, should a landowner wish to expand the livestock facility beyond what had existed prior to the catastrophic event which results in higher values for Factor A, B and/or D as part of the MDS calculations, then MDS II shall be used.

The purposes of MDS, cemeteries should be considered a Type B land use when performing MDS calculations. However, cemeteries may be treated as a Type A land use when the cemetery is closed and receives low levels of visitation.

MDS shall not be applied to existing vacant lots in a manner what would prohibit the development of the lot unless such prohibition has been implemented through zoning.

In accordance with Minimum Distance Separation Implementation Guideline # 8, in instances where a severance is being proposed with an existing dwelling on it, Minimum Distance Separation Formulae 1 shall only be applied to any livestock facilities which are currently on the same lot as the dwelling but would be on a separate lot following the severance. Minimum Distance Separation Formulae 1 is not applied to severances where an existing dwelling is being severed and there is an existing livestock facility on a separate lot.

B4.1.5 Development in Proximity of a Primary Settlement Area

New non-farm *development* within 500 metres of the Thornbury-Clarksburg Settlement Area boundary shall be limited to existing lots, where minor infilling and rounding out of existing *development* may be considered. Prior to *development* the applicant must demonstrate that the *development* is *compatible* with adjacent uses and would not create or contribute to hard servicing problems or would not prejudice future *development*. Non-farm lot creation or non-farm units by way of plan of condominium within 500 metres of the Thornbury-Clarksburg Settlement Area boundary shall not be considered.

B4.1.6 Best Management Practices

Sound farm land management practices including the management of woodlots, the establishment of windbreaks, the proper cultivation of valley slopes and bottom lands, and the sound design of agricultural land drainage schemes shall be encouraged. Clearing of forested areas will not be permitted except in conformity with the County Forest Management By-law, as amended.

B4.1.7 On-Farm Diversified Uses

- a) New on-farm diversified uses shall be limited in size and scale and to those uses that can be sustained by local service and infrastructure levels.
- b) On-farm diversified uses are required to be limited to the sizes shown in the table below.

On-Farm Diversified Use Size Criteria

Designation	Property Size	On-farm diversified use Maximum Size
Agricultural	20 hectares or greater of agriculturally productive area	The lesser of; <ul style="list-style-type: none">• 2% of the total size of the property, or• A maximum combined area of the use of 8,000 square metres
	Less than 20 hectares of agriculturally productive area	Bed and breakfasts and/or home rural occupations within the dwelling only For wineries, the lesser of: <ul style="list-style-type: none">• 2% of the total size of the property, or• A maximum combined area of the use of 2,000 square metres

Special Agricultural	10 hectares of agriculturally productive area or greater	The lesser of; <ul style="list-style-type: none"> • 2% of the total size of the property, or • A maximum combined area of the use of 8,000 square metres
	Less than 10 hectares of agriculturally productive area	Bed and breakfasts and/or home rural occupations within the dwelling only For wineries, the lesser of: <ul style="list-style-type: none"> • 2% of the total size of the property, or • A maximum combined area of the use of 2,000 square metres
Rural	20 hectares or greater of agriculturally productive area	The lesser of; <ul style="list-style-type: none"> • 2% of the total size of the property. Or • A maximum combined area of the use of 8,000 square metres
	Less than 20 hectares of agriculturally productive area	The lesser of; <ul style="list-style-type: none"> • 2% of the total size of the property, or • A maximum combined area of the use of 2,000 square metres • Bed and breakfasts and/or home rural occupations within the dwelling only

- c) When determining the size of the on-farm diversified use it shall include buildings, laneways, parking, outdoor storage, servicing, exhibition areas, and/or amenity areas occupied by the on-farm diversified uses. Shared laneways/servicing, farm buildings, or landscaped areas also used by the farm shall not be included in the calculation of total use size. The passing of an implementing zoning by-law amendment will generally be required to permit new on-farm diversified uses, unless otherwise permitted 'as-of-right' in the Zoning By-law.
- d) The gross floor area of the buildings (combined total for all buildings associated with the on-farm diversified use) shall not exceed 20% of the total area of the on-farm diversified use.
- e) Prior to considering a new on-farm diversified use, it shall be demonstrated that the following criteria can be met:

- i. the use or activity does not interfere with, or generate off-site adverse impacts, and is compatible with surrounding uses;
 - ii. the use or activity can be sustained by local service levels and infrastructure;
 - iii. the buildings to be used meet all Building Code requirements for the type of use being proposed;
 - iv. the scale of the operation is secondary to the active agricultural use on the farm property, and appropriate to the site and the surrounding area;
 - v. the timing and duration of activities does not hinder agricultural operations on site or in the area;
 - vi. for special events, the use or activity represents an occasional activity and is not a regular occurring activity and does not have permanent structures;
 - vii. uses shall be located with direct access and frontage onto an improved public roadway maintained year round with sufficient capacity to accommodate the anticipated traffic; and
 - viii. on-site parking can be accommodated without impacting the agricultural operation.
- f) Ministry of the Environment, Conservation and Parks (MECP) D-6 Guidelines, or any successor thereto, shall be considered for any new agricultural-related uses or on-farm diversified uses of an industrial nature in the Agricultural, Special Agricultural, or Rural designations, to guide the separation of industrial uses from nearby dwellings, institutional uses, or other sensitive non-agricultural uses. Uses which are covered as normal farm practices by the Farming and Food Practices Protection Act (FFPPA) shall not be required to meet the D-6 Guidelines, provided they meet all required Provincial noise, air, water, and wastewater standards.

B4.2 AGRICULTURAL

B4.2.1 Objectives

It is the intent of this plan to:

Recognize agriculture as the primary activity and land use;

- Maintain and protect the agricultural resource base of the Town;

- Protect land suitable for agricultural production from development and land uses unrelated to agriculture;
- Permit uses which support the agricultural industry;
- Protect and promote the agricultural character of the Town and encourage the maintenance of a productive agricultural area; and
- Promote best management practices and land stewardship.

B4.2.2 Location

Lands designated Agricultural as shown on Schedule A are considered to be *prime agricultural lands* and larger blocks of good agricultural land under active production in accordance with the *County of Grey Official Plan*.

B4.2.3 Permitted Uses

The principal use of land in the Agricultural designation shall be agriculture and uses connected with the conservation of water, soil, wildlife and other natural resources. Permitted uses include:

- a) all types and sizes of *agriculture uses* and related buildings and structures (see Section B4.2.3.1 for examples);
- b) a farm residence;
- c) accessory residential uses on farm properties subject to Section B4.1.1 or B2.7;
- d) small scale on-farm diversified uses (see Section B4.2.3.1 for examples) subject to Section B4.1.2, B4.13, B4.1.4 and B4.1.9 as applicable;
- e) *agriculture-related uses* (see Section B4.2.3.1 for examples);
- f) limited institutional uses on existing lots;
- g) infrastructure;
- h) conservation uses;
- i) *forestry* and reforestation;
- j) sand and/or gravel operations on lands identified as aggregate resource areas on Appendix 1;
- k) licensed aggregate operations on lands identified as mineral

resource extraction on Appendix 1;

- l) wayside pits and quarries; and,
- m) *portable asphalt plants* for road works in the area, but shall not include the stockpiling of sand-salt mixtures.

All uses in the Agricultural designation shall be designed, located and managed to not detract from the primary role of the agricultural area.

The erection of a mobile home, as defined in the implementing Zoning By-law, is not permitted on a lot, unless the mobile home is located within an existing and legally recognized mobile home park or is being used to accommodate farm help in accordance with Section B4.1.1 of this Plan.

B4.2.3.1 Permitted Use Examples in the Agricultural Designation

Agricultural Use	Agricultural-Related Use	On-Farm Diversified Use
<ul style="list-style-type: none"> • Growing of all types of crops • Raising of all types of livestock • Livestock barns / livestock facilities / manure storage • Pastureland • Feedlot • Residential uses associated with farming such as houses on existing lots of record, farm help accommodation and <i>additional residential units</i> • Fish farm or aquaculture • Mushroom farm • Christmas trees farms / nurseries • Greenhouses • Grain dryers and feed storage for own farm's use • Feed storage i.e. bunkers / silos 	<ul style="list-style-type: none"> • Apple storage and distribution centre (for multiple farms use) • Farm gate sales or farmers market primarily selling locally grown produce/goods • Agricultural research centre • Winery, cidery, distillery, meadery using mostly local fruit or honey • Flour mill for local grain • Grain dryer / storage for multiple local farmers • Farm equipment repair shop • Livestock assembly yard, or stockyard for local farmers • Auction for local produce or local livestock • Farm input supplier e.g. seeds, feed, fertilizer, etc. 	<ul style="list-style-type: none"> • Home rural occupations (e.g. professional office, bookkeeper, land surveyor, art studio, hairdresser, massage therapist, daycare, classes or workshops) • Home industries (e.g. sawmill, welding or woodworking shop, manufacturing / fabrication, storage of boats or trailers, biomass pelletizer) • Veterinary clinic • Kennel • Café/small restaurant, cooking classes, food store (e.g. cheese, ice cream) • Agri-tourism and recreational uses (e.g. farm vacation suite, bed and breakfasts, hay rides, petting zoo, farm themed playground, horse trail rides, corn maze, seasonal events, horse/pony events, wine tasting)

<ul style="list-style-type: none"> • Washing, sorting, grading (of farm's own commodities only) • Machine shed (for own farm's use) • Cold storage (for own farm's use) • Indoor/outdoor riding arenas/tracks • Minimum amount of processing to make a produce saleable (e.g. evaporating maple sap, or extracting honey) 	<ul style="list-style-type: none"> • Abattoir selling and processing local meat • Food processing plant for local produce (e.g. cider-making, pitting, canning, quick freezing, packing) 	<ul style="list-style-type: none"> • A campground shall not be recognized as an on-farm diversified use, • Distillery or brewery partially using some local farm inputs • Value-added uses (e.g. processor, packager, cheese factory, bakery) • Retail uses (e.g. farm market, antique business, tack shop) • Food banks, second harvest, or gleaning operations
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The lists above shall not be considered an exhaustive list, where other uses can meet Provincial, County, and municipal criteria for agricultural, agricultural-related uses, or on-farm diversified uses. The Town will rely on guidance from the County and the Province's Permitted Uses in Prime Agricultural Areas Guideline or any successor document, for guidance in this regard.

B4.2.4 Consents

B4.2.4.1 The Creation of New Lots

In accordance with the intent of this Plan to maintain and protect the agricultural resource of the Town and direct the majority of new residential growth to settlement areas or existing vacant building lots, a consent for one lot may be permitted provided the original farm parcel is a minimum of 40 hectares. In this regard, the options for consent are to create a:

- a) farm parcel of generally 40 hectares in size provided the retained farm parcel is also generally 40 hectares in size; or,
- b) lot to accommodate a surplus farm dwelling.

Plans of Condominium and Plans of Subdivision shall not be permitted in the Agricultural designation.

The size of farm lots should generally be 40 hectares to discourage the unwarranted fragmentation of farmland. These policies are not intended to prevent the creation of smaller farm parcels that are of a size appropriate for the type of *agricultural use(s)* common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operation. In order to determine if a proposed farm

parcel is sufficiently large enough to maintain flexibility for future changes, the applicant shall demonstrate that similar continuously active farm operations exist in the area, which are of a comparable size and type.

However, new lots for public airports, *infrastructure*, utilities, transmission towers, conservation purposes (acquired by an approved conservation organization), and historic sites designated under the Ontario Heritage Act, shall be exempt from the requirements for lot density and size requirements identified above but shall be permitted only in the following circumstances:

- a) The new lot shall only be as large as is necessary for the purposes required.
- b) Except for severances for conservation purposes by an approved conservation organization, the applicant shall demonstrate that the objectives for which the new lot is proposed cannot be achieved by easement, right-of-way, or other form of consent.
- c) In cases where more than one land use designation applies to a property, the proposed non-farm consent shall not be within the Agricultural designation if the other designation(s) permits the consent.
- d) Severances for conservation purposes by an approved conservation organization in the Agricultural designation need to satisfy the policies of this Plan and shall not result in the creation of a new building lot.

B4.2.4.2 Surplus Farm Consents

A severance may be permitted where a residence is deemed surplus to a farm operation as a result of farm consolidation, provided that:

- a) The owner of the lands to be severed is a 'bona fide farmer'. For the purposes of this policy, the 'bona fide farmer' must have a Farm Business Registration number. A 'bona fide farmer' shall be defined as to include a limited company, sole proprietorship, incorporated company, numbered company, partnership and other similar ownership forms;
- b) The lot proposed for the residence and buildings surplus to the farming operation shall be limited in area and shall only be of sufficient size to accommodate the residence surplus to the farming operation, *accessory buildings* (where including *accessory buildings* does not render the lot excessively large), a well and a sewage disposal system, while ensuring that as little land as possible is removed from the agricultural lands;

- c) The remnant parcel shall be rezoned to prohibit the future erection of a residential dwelling of any type on the agricultural lands provided that a residential dwelling does not exist at the time of severance;
- d) The severance of a residence surplus to a farming operation must comply with *Minimum Distance Separation* (MDS) Formulae I in accordance with Section B4.1.5 of this Plan.
- e) The existing residence is habitable at the time of application.

B4.2.4.3 Other Types of Consents

Consents may be considered for lot adjustments for legal or technical reasons such as easements, corrections to deeds, quit claims and minor boundary adjustments, which do not result in the creation of a new lot.

Infrastructure, utilities and transmission towers may be permitted by easement, right of way or other forms of consent only.

B4.2.5 Implementing Zoning By-law

All lands designated Agricultural shall be placed in an Agricultural Zone in the implementing Zoning By-law.

B4.3 SPECIAL AGRICULTURAL

B4.3.1 Objectives

It is the intent of this Plan to:

maintain and protect lands capable of producing apples and tender fruits;

- recognize the role of specialty croplands in the region and *enhance* their capacity to contribute to the economy of the Town; and,
- maintain the *character* of the Town created by the presence of orchard lands.

B4.3.2 Location

Lands designated Special Agricultural as shown on Schedule A represent contiguous areas in the Town where orchard lands are the primary land use. It is the intent of this Plan to protect these lands while permitting a *compatible* range of land uses that are appropriate and *compatible* within the Special Agricultural designation.

B4.3.3 Permitted Uses

The principle use of land in the Special Agricultural designation is apple and/or tender fruit production and storage facilities. Permitted uses include:

- a) all types of uses permitted by Section B4.2.3 of the Agricultural designation, with the exception of surplus farmhouse severances, new institutional uses and conservation lots; and,
- b) passive recreational uses, such as walking trails and nature interpretation centres on lands owned by a public authority;

The relevant Development Policies set out in Section B4.1 also apply.

The erection of a mobile home, as defined in the implementing Zoning By-law, on a lot is not permitted, unless the mobile home is located within an existing and legally recognized in a Zoning By-law mobile home park or is being used to accommodate farm help in accordance with Section B4.1.1 of this Plan.

B4.3.4 The Creation of New Lots for Agricultural Purposes

The creation of a non-farm parcel by the consent process shall not be permitted within the Special Agricultural designation.

Plans of Condominium and Plans of Subdivision shall not be permitted in the Special Agricultural designation.

The creation of new lots for *special agricultural* purposes may be considered by Council in accordance with Section B4.2, provided the agriculturally productive size of both the severed and retained lots is at least 10 hectares. Consents may be granted on lands designated Special Agricultural provided the creation of the new lot can be justified to the satisfaction of the Town. In this regard, applicants must:

- a) Submit a farm/business plan that:
 - i) describes how the soil conditions, climate and location are appropriate for the proposed specialized farm use;
 - ii) describes the proposed specialized agricultural use in detail;
 - iii) describes the capital investment that is to be made;
 - iv) identifies the market area for the product; and,

- v) forecasts the income that would be generated by the proposed use.
- b) Demonstrate experience and/or training with the type of specialized agricultural use being proposed.
- c) Demonstrate that the new lot can be used for other *agricultural uses* that are common to the area if the lot ceases to be used for specialized agricultural purposes. In order to assist the Town in this regard, the applicant shall provide a report prepared by a qualified agrologist that:
 - i) describes the nature of farming operations in the area; and,
 - ii) describes what types of *agricultural uses* are feasible on the lot if the use of the lot for a specialized agricultural use ceases.
- d) Demonstrate that the remnant parcel will continue to be viable for agricultural use after the severance has been granted. To assist *Council* in determining the viability of the remnant parcel, an agricultural viability report shall be prepared by a qualified agrologist. This report shall review:
 - i) the quality of soils;
 - ii) the nature of the existing farming operation, if one exists; and,
 - iii) the potential uses of the remnant parcel.

B4.3.5 Other Types of Consents

Consents may be granted where the land being conveyed is to be added to an existing farm and non-farm uses, or to provide for minor lot line adjustments or correct lot boundaries. The granting of such a consent shall not be permitted if it results in the creation of an undersized remnant lot. Justification shall be provided to demonstrate the appropriateness of the land area to be severed (i.e. land need, servicing, parking, etc.).

Consents may be considered for lot adjustments for legal or technical reasons such as easements, corrections to deeds, quit claims and minor boundary adjustments, which do not result in the creation of a new lot.

Infrastructure, utilities and transmission towers may be permitted by easement, right of way or other forms of consent only.

B4.3.6 Implementing Zoning By-law

All lands designated Special Agricultural shall be placed in a Special Agricultural Zone in the implementing Zoning By-law.

B4.4 RURAL

B4.4.1 Objectives

It is the intent of this Plan to:

- protect the rural *character* of the Town and the maintenance of those elements which contribute to the open space *character* of the countryside;
- prevent the intrusion of land uses which are incompatible with the rural *character* and/or resource activities of the area;
- protect land suitable for agricultural production from *development* and land uses unrelated to agriculture;
- encourage a range of land uses which provide an economic benefit to the Town and to support appropriate on-farm diversified uses including eco-tourism;
- promote the agricultural industry and associated activities and *enhance* their capacity to contribute to the economy of the Town;
- provide for the *development* of recreational uses which are *compatible* with the rural and agricultural *character* of the Town;
- ensure that new recreational uses will not have an impact on the environmental and hydrogeological resources of the Town; and,
- ensure that the scale of *development* is *compatible* with the role and function of the rural area.

B4.4.2 Location

The Rural designation as shown on Schedule A applies to those rural lands in the Town which are not considered to be *prime agricultural area*, and the predominant land use within will be agriculture and *forestry*.

B4.4.3 Permitted Uses

Permitted uses include:

- c) all types of uses permitted by Section B4.2.3 of the Agricultural designation;
- a) passive recreational uses, such as walking trails;
- b) nature interpretation centres on lands owned by a public authority;

- c) veterinary clinics;
- d) commercial dog kennels subject to Section B4.4.4.4 of this Plan;
- e) open air recreational uses such as golf courses, conservation clubs, cross country ski facilities and mountain bike facilities subject to Section B4.4.4.5 of this Plan;
- f) institutional uses subject to Section B4.4.4.3;
- g) *resource based recreational uses and recreational or tourist based rural clusters*, subject to Section B4.4.4.5;
- h) small scale transport terminals, subject to Section B4.4.4.7;
- i) buildings and yards associated with trades, including contractor's yards, plumbing, electrical, heating/cooling shops, etc.; and,
- j) *residential farm cooperatives and agri-miniums*, subject to Section B4.4.4.6.

B4.4.4 Development Policies

B4.4.4.1 Non-farm Land Uses

For any non-farm land uses to be permitted within the Rural designation, all of the following must be satisfied:

- a) That *development* on improved agricultural land (i.e. land that is currently or has been previously used for farm purposes) or lands that comprise Class 1 to 3 agricultural soils shall be discouraged. Where *development* is proposed on improved agricultural land or Class 1 to 3 agricultural soils it must be demonstrated that no reasonable alternative exists. The investigation for a reasonable alternative shall be limited to the lot to be developed.
- b) If municipal services are not available to service a proposed use on Rural lands, it must be demonstrated that the site is suitable to provide an adequate *quality and quantity of water* supply and that the site can accommodate an approved sanitary sewage disposal system. Evidence of the site's suitability for an adequate quantity and quality of water supply shall be provided in the form of an evaluation conducted in accordance with Ministry of the Environment Guidelines (or any municipal procedure that achieves the same objective). In cases where new *development* is being proposed in proximity to existing *development*, the provision of neighbouring well water records may be sufficient to determine adequacy of water supply.

Evidence of the site's suitability to accommodate an approved sewage disposal system shall be provided in the form of an evaluation conducted in accordance with Ministry of the Environment Guidelines or the Ontario Building Code, where applicable.

In addition to the above-noted requirements, for existing lots of record less than 0.4 hectares, evidence of the site's suitability to accommodate a sewage disposal system shall be accompanied by a Nitrate Study conducted in accordance with Ministry of the Environment Conservation and Parks D5 Series Guidelines (or any municipal guideline that achieves the same objective), regarding Reasonable Use.

- c) That adequate drainage and outlets are available for storm water runoff. Approval of drainage provisions may be required from the Town, the *County*, the Ministry of Transportation and/or the *Conservation Authority* having jurisdiction.
- d) That access to the site is from a public highway of reasonable construction and open and maintained on a year-round basis and is appropriate for the use proposed. Access must not result in traffic hazards due to poor sight lines or proximity to an intersection.
- f) That no ribbon *development* along roadways will result from the *development*. Ribbon *development* shall mean a strip of four or more contiguous non-farm lots, less than 20 hectares along an existing road.
- g) An amendment to the Town's Zoning By-law is required for *development, redevelopment or intensification* of existing lots less than 0.4 hectares, for small scale commercial and *industrial uses, institutional development*. All zoning by-law amendments under this section shall be required to establish provisions *compatible* with the rural landscape.

B4.4.4.2 Consent Policies

- a) New lot creation shall be permitted only via consents in accordance with the conditions of the general consent policies of this Plan.
- b) Draft plans of subdivision and draft plans of condominium for Resource Based Recreational Uses may be considered but all lots and / or units shall comply with the lot creation policies of this Plan including the lot size requirements of this Section.

- c) All consents for new lot development shall be no smaller than 0.8 hectares in area, the frontage-to-depth ratio for non-farm lots shall be approximately 1:3 and a maximum density of two lots may be considered (plus the retained lot), by the consent process, per 40 hectares. Justification to go beyond the 1:3 frontage-to-depth ratio shall be justified in a development application. The lot density shall be determined based on the original Township lot fabric (i.e. as determined by the original crown survey) and shall be pro-rated up or down based on the size of the original Township lot. For example in cases where the original Township lot is 80 hectares a maximum of four lots may be considered (plus the retained).
- d) The creation or acquisition of a lot by a public body (e.g. for a road deviation) will not be considered as a previous severance providing this does not result in an additional buildable remnant lot.
- e) The above-noted lot density, lot size and lot frontage policies would not apply where a lot is being created for conservation purposes by an approved conservation organization.
- f) Consents are permitted where the land being conveyed is to be added to an existing use provided the severed and retained lots are greater than 0.4 hectares each.
- g) Consents may also be granted to correct lot boundaries.
- h) Non-farm lot creation shall not be permitted within an area identified as aggregate resource area on Appendix 1 to this Plan.

B4.4.4.3 Institutional Uses

New *institutional uses* may be permitted subject to an amendment to the implementing Zoning By-law.

B4.4.4.4 Commercial Dog Kennels

Commercial dog kennels may be permitted in the Rural designation subject to an amendment to the implementing Zoning By-law. Before considering such an amendment, *Council* shall be satisfied that:

- a) the size of the proposed dog kennel is appropriate for the area;
- b) the building housing the dog *kennel* and the associated dog runs is set back at least 100 metres from lot lines;
- c) the noise emanating from the kennel will not have an adverse impact on the enjoyment of adjacent properties;
- d) an appropriate animal waste management plan is put in place;

and,

- e) an undue concentration of dog kennels does not already exist in the general vicinity of the proposed kennel.

A new dog kennel shall also be subject to a Site Plan Agreement in accordance with this Plan. A noise assessment may be required to support the application.

B4.4.4.5 Recreational Uses

The *development* of new recreational uses shall require an amendment to the Zoning By-law and shall be subject to Site Plan Control. Before considering an amendment to the Zoning By-law, *Council* shall be satisfied that:

- a) the proposed use or expansion is *compatible* with the rural *character* of the area;
- b) the *development* can be designed and sited to blend in with surrounding land uses;
- c) the proposed use or expansion is located where it will not impact existing agricultural operations on *adjacent lands*;
- d) the proposed use can be serviced with an appropriate water supply and means of sewage disposal;
- e) if an expansion is proposed, the entire use is serviced by an appropriate water supply and means of sewage disposal;
- f) the proposed use is to be accessed by open maintained municipal roads that can accommodate the increased traffic generated by the proposed use;
- g) the proposed use can be appropriately buffered from adjacent residential uses; and,
- h) an appropriate monitoring program, administered by the landowner and reviewed by the Town, which serves to monitor the impact of the use on the quality and quantity of the groundwater, surface waters and the environment in general is developed.

B4.4.4.6 Resource Based Recreational Uses and Recreational or Tourist Based Rural Clusters

Resource based recreational uses and recreation, or tourist based rural clusters shall be permitted subject to the following criteria:

- a) A minimum of 60% of the original land holding will remain available for the recreational use;
- b) Encroachment into actively farmed agricultural lands shall be limited;
- c) Maintains the rural character of the area. The character of *development* must be low density and *compatible* with the surrounding land uses;
- d) The *development* will comply with the Provincial *MDS formulae* including ensuring surrounding agricultural operations can pursue their agricultural practices without impairment or inconvenience. Consideration should also be given to any potential development constraints (setback requirements) affecting future agricultural use on adjacent lands. When situating the new use, it would be encouraged to identify a location that would have limited future impact to the surrounding agricultural land.
- e) Required technical studies have been prepared to the satisfaction of the Town;
- f) It is viewed as *compatible recreation*, meaning the use(s) will not negatively impact the natural features or functions;
- g) That a zoning by-law amendment be approved by the Town;
- h) Public road access and internal private roads, provide suitable access for users and emergency services, and
- i) Water, septic, and stormwater management facilities can be provided in compliance with applicable regulations, and subject to the following:
 - i) where viable, integrating *low-impact development* techniques for the land use planning, urban design, and engineering approaches to manage stormwater, through site arrangement and design, green *infrastructure*, and on-site natural features; and,
 - ii) efforts should be made to limit large-scale servicing demands for these development types, through considering the application of off-grid, low-impact, non-polluting energy sources (e.g. rainwater harvesting, compost toilets, passive heating and cooling systems, solar, etc.).

- j) Other considerations include:
 - i) a mix of land uses that support a diversity of uses and opportunities such as residential and commercial activities;
 - ii) a built form that integrates and/or establishes lifestyle and/or cultural elements for the public within the *development*; and
 - iii) when practical, contributing to existing trails, cultural landscapes, cultural events, or outdoor activity within the *county*;
 - iv) a built environment that provides meaningful visual and physical access to nature throughout the site; and,
 - v) onsite public educational/interpretive information about the location's unique natural resource
- k) *Resource based recreational uses* are required to have recreational elements directly linked to the resource (e.g. skiing, boating, etc.). The availability of large amounts of Rural land, or scenic views of the surrounding *countryside* does not constitute a recreational land use in and of itself, and therefore does not qualify for new residential *development* via plan or subdivision or condominium in the *Rural land use type*.

B4.4.4.7 Residential Farm Cooperatives and Agri-Miniums

Residential farm cooperatives and *agri-miniums* shall be permitted subject to the following criteria:

- a) A minimum of 60% of the original land holding will remain available for active primary agriculture use;
- b) Encroachment of non-farm components into actively farmed agricultural lands shall be limited;
- c) Maintains the agricultural/rural character of the area. The character of *development* must be low density and *compatible* with the surrounding land uses;
- d) The *development* will comply with the Provincial *MDS formulae* including ensuring surrounding agricultural operations can pursue their agricultural practices without impairment or inconvenience. Consideration should also be given to any potential development constraints (setback requirements)

affecting future agricultural use on adjacent lands. When situating the new use, it would be encouraged to identify a location that would have limited future impact to the surrounding agricultural land.

- e) Required technical studies have been prepared to the satisfaction of the Town;
- f) That a zoning by-law amendment be approved by the Town;
- g) Public road access and internal private roads, provide suitable access for users and emergency services, and
- h) Water, septic, and stormwater management facilities can be provided in compliance with applicable regulations, and subject to the following:
 - i) Where viable, integrating *low-impact development* techniques for the land use planning, urban design, and engineering approaches to manage stormwater, through site arrangement and design, green *infrastructure*, and on-site natural features;
 - ii) Efforts should be made to limit large-scale servicing demands for these development types, through considering the application of off-grid, low-impact, non-polluting energy sources (e.g. rainwater harvesting, compost toilets, passive heating and cooling systems, solar, etc.).

B4.4.5 Implementing Zoning By-law

All lands designated Rural shall be placed in a Rural Zone in the implementing Zoning By-law.

B4.4.6 Special Site Policies

B4.4.6.1 Schedule A – Part Lots 5 and 6, Concession 8

These lands may also be used for a gun and sportsman club and related uses.

B4.5 HAMLET AREA

B4.5.1 Objectives

It is the intent of this Plan to:

- recognize the existing Secondary Settlement Areas, as identified in the County Official Plan, that provide a limited opportunity for growth but also provide retail/commercial functions to local residents and the surrounding agricultural community;
- carefully control new residential *development* in the hamlets in order to maintain the *character* and scale of these areas; and,
- provide opportunities for *small-scale* commercial and tourism related uses that are *compatible* with the *character* and scale of the areas.

B4.5.2 Location

The Hamlet Area designation as shown on Schedule A applies to developed and undeveloped lands within the settlements of Ravenna and Heathcote as identified in the *County* Official Plan.

Changes to the boundaries (e.g. an expansion) of these Hamlets as shown on Schedule A of this Plan will require an Amendment to this Plan, the *County* of Grey Official Plan and Niagara Escarpment Plan, as applicable, and will be subject to the comprehensive review policies of this Plan.

B4.5.3 Permitted Uses

Permitted uses on lands designated Hamlet Area include:

- a) single-detached dwellings;
- b) additional residential units subject to Section B2.7;
- c) home occupations;
- d) commercial uses that serve the needs of the settlement area and the surrounding rural area;
- e) service commercial uses that serve the traveling public;
- f) dry industrial development in the form of repair garages, warehouses, workshops or manufacturing and/or fabrication plants;
- g) dry manufacturing operations with a retail component;
- h) institutional uses such as schools, places of worship, day care centres, community centres, libraries, cemeteries and similar uses;

- i) accommodation facilities such as hotels, motels, inns and bed and breakfast establishments subject to Section B2.5.1; and,
- j) public parks and recreational uses.

B4.5.4 The Role of Hamlet Areas

It is the intent of this Plan that the Hamlet Areas continue to function as small central places in the Town. It is a policy of this Plan that the scale and location of new *development* in the settlements maintain and/or *enhance* the settlement's *character*. This will be accomplished by encouraging:

- a) the *development* of diverse and, *compatible* land uses in proximity to each other which *enhance* the *character* of the settlements; and,
- b) the preservation and enhancement of the natural and historic features that exist in each settlement.

B4.5.5 Development Policies

B4.5.5.1 Servicing

All development in a Hamlet Area is intended to be serviced in accordance with the Building Code and/or the Ministry of the Environment and Climate Change's D-Series Guidelines, or any successors thereto.

Where new development is proposed on private services, it shall be ensured that conditions are suitable for the provision of such services.

New commercial or dry industrial uses proposed on private services shall only be permitted if it can be shown that the proposed uses can be accommodated by individual on-site services in accordance with the Building Code and/or the Ministry of the Environment and Climate Change's D-Series Guidelines, or any successors thereto.

B4.5.6 Implementing Zoning By-law

All lands that are used for residential purposes shall be placed in a Residential Zone in the implementing Zoning By-law. Lands that are used for non-residential uses shall be placed in appropriate zones that recognize the use.

B4.6 RURAL EMPLOYMENT LANDS

B4.6.1 Objectives

It is the intent of this Plan to:

- identify lands for industrial/commercial purposes in the rural area of Town; and,
- ensure *compatible* and appropriate *development* on lands currently designated for these purposes.

B4.6.2 Location

The Rural *Employment Lands* designation as shown on Schedule A applies to existing industrial and commercial areas in the rural areas of the Town.

B4.6.3 Permitted Uses

Permitted uses on lands designed Rural Employment Lands include:

- a) warehousing, processing and packaging of agricultural produce, and other uses which are related to and supportive of agricultural operations;
- b) certain *compatible* space extensive *industrial uses*;
- c) commercial and *industrial uses* which may conflict with residential or other uses in an urban centre or require their location in the rural area;
- d) other uses may be permitted to locate in the Rural *Employment Lands* designation provided that they are *compatible* in function and do not interfere or conflict with the satisfactory *development* and operation of the area for *industrial uses*. Such uses may include:
 - i) commercial uses, which are incidental and accessory to a permitted use such as commercial outlets dealing in the products made on the site;
 - ii) contractors yards, welding shops, auto body and repair (excluding gas stations) and transportation terminals and other similar uses; and,
 - iii) open space uses, parks or recreational facilities whether public or private.

It is the intent of this Plan that the Rural *Employment Lands* designation should be restricted to uses, which are appropriately located within the rural areas. Industrial and commercial uses, which are more

appropriately located within settlement areas, shall be directed toward such urban designations. All commercial and industrial uses shall be of a dry nature (i.e. not using large amounts of water or generating large amounts of sewage).

B4.6.4 Development Policies

Prior to considering applications to amend the Zoning By-law and for Site Plan Control to permit a use in accordance with the policies of this section, *Council* shall be satisfied that:

- a) adequate parking and loading facilities are provided on the site;
- b) new or redeveloping uses incorporate landscaping to *enhance* the site and surrounding area;
- c) *outdoor storage* areas are appropriately screened from view from public roads;
- d) the proposed use can be serviced with an appropriate water supply and means of sewage disposal;
- e) where the proposed use abuts or is in close proximity to an existing residential use, fencing, landscaping, berming or a culmination of these features are utilized to ensure that there is adequate screening between the uses; and,
- f) the uses require accessible sites to serve their market area.

B4.6.5 Implementing Zoning By-law

All lands designated Rural Employment Lands shall be placed in an appropriate zone in the implementing Zoning By-law.

B4.7 MINERAL RESOURCE EXTRACTION AREA

B4.7.1 Objectives

It is the intent of this Plan to:

- recognize existing *mineral aggregate operations*;
- protect known aggregate deposits and areas of high potential *mineral aggregate resources* for potential future resource use;
- ensure that new *mineral aggregate operations* are located where there will be no negative impact on natural heritage features and functions;

- ensure that the haul routes used are appropriate;
- ensure that extractive activities are carried out with minimal environmental and social cost;
- minimize conflicts between incompatible land uses; and,
- ensure the progressive rehabilitation of pits and quarries to an appropriate after use.

B4.7.2 Location

The Mineral Resource Extraction Area designation shown on Schedule A to this Plan applies to *mineral aggregate operations* that are licensed in accordance with the Aggregate Resources Act.

B4.7.3 Permitted Uses

Permitted uses on lands designated Mineral Resource Extraction Area are limited to:

- a) the extraction of stone, gravel, sand and other aggregates and associated operations and associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate or the production of secondary related products, provided all such uses are accessory to the principle use of the land for extraction purposes;
- b) *agricultural uses*;
- c) *essential* transportation and utility facilities;
- d) *forestry* and resource management uses; and,
- e) wayside pits and quarries and *portable asphalt plants* for road works in the area;
- f) Asphalt plants and concrete batching plants may be permitted as *accessory uses* to a licensed extractive operation subject to the following items being addressed through the Aggregate Resources Act site plan amendment process:
 - i. it is a non-permanent use and will cease to operate once the aggregate material has been completely removed or the operator stops removing material from the site on a regular basis;
 - ii. a traffic impact study is provided to the satisfaction of the Town and the County;

- iii. the applicant must demonstrate that the proposed location is appropriate and that impacts to the social and natural environment can be minimized; and
- iv. noise, odour and dust studies are provided which satisfy the Ministry of the Environment and Climate Change's standards.
- v. An Official Plan Amendment will be required for asphalt plants and concrete batching plants proposing to be located outside of the Mineral Resource Extraction Area designation identified on Schedule A to this Plan.

Permitted uses with the Mineral Resource Extraction Area designation within the Niagara Escarpment Plan are subject to the policies of the Niagara Escarpment Plan.

B4.7.4 Development Policies

B4.7.4.1 Relationship between the Town and the Ministry of Natural Resources

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, the *County* of Grey 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 and the *County* of Grey Official Plan.

It is also recognized that the Niagara Escarpment Commission considers *mineral aggregate operations* under the Niagara Escarpment Planning and Development Act within the area of the Niagara Escarpment Plan.

B4.7.4.2 Development Adjacent to Lands in Mineral Aggregate Resources Designation

When new *development* (through a Planning Act application) is generally proposed within 300 metres of a pit or 500 metres of a quarry within the Mineral Resource Extraction Area designation, *Council* shall be satisfied that the proposed use is *compatible* with the operation of the pit or quarry. In some cases, setbacks between the uses may be required to minimize conflicts.

B4.7.4.3 New Mineral Aggregate Operations or Expansions to Existing Operations

An Amendment to this Plan is required for all proposed quarry operations and quarry expansions as well as mineral aggregate operations proposed outside of areas identified as Aggregate Resource Area on Appendix 1, Constraint Mapping.

All new mineral aggregate operations and/or expansions to existing mineral aggregate operations onto lands that are not designated Mineral Resource Extraction Area shall be supported by studies that include;

- a) Submission of copies of all documentation provided to the Ministry of Natural Resources and Forestry as required for licensing, pursuant to the Aggregate Resources Act;
- b) A Planning Report prepared by a qualified individual indicating whether or not the proposed mineral aggregate operation is consistent with the Provincial Policy Statement and conforms to the policies of the Town and County Official Plans. The demonstration of need for mineral aggregate resources, including any type of supply/demand analysis, shall not be required;
- c) A Noise Impact Study prepared by a qualified individual which satisfies the Ministry of the Environment and Climate Change's standards. Any noise impacts generated from an extraction operation should be minimized to the greatest extent possible. If a Noise Impact Study is not required, information should be provided demonstrating how potential noise impacts will be mitigated.
- d) A Traffic Impact Study and/or a Road Assessment prepared by a qualified individual is required for all new mineral aggregate operations. The Traffic Impact Study and Road Assessment must demonstrate that the movement on existing streets or roads will not be unduly obstructed or interfered with by aggregate carrying vehicles during the operation of the pit or quarry. Information should be provided estimating the average number of trucks per day, the proposed haul route, identifying the potential impacts to traffic, an assessment of the road conditions on the proposed haul route, as well as a cost estimate for any necessary upgrades required to the proposed haul route. Where the haul route has existing deficiencies and has existing traffic, cost-sharing will be considered. Costs to upgrade the haul road that are directly attributable to the proposed operation shall be the responsibility of the Applicant and will be based on use of the haul route. During pre-submission consultation the Town and/or the County may exempt a proposed mineral aggregate application from the requirement of a Traffic Impact Study or Road Assessment after consultation with Town staff, the County Transportation Services Department, and/or the Ministry of Transportation.

Where an existing mineral aggregate operation exists, and the proposal is to expand the existing licensed area, a Traffic Impact Study or Road Assessment is not required so long as the annual tonnage limit on the proposed area of expansion is the same as the existing annual tonnage limit and a condition is placed on the site plan indicating that extraction will not occur on the expanded area until such time as the aggregate from the existing operation has been extracted. A Traffic Impact Study or Road Assessment may be required in cases where the area of expansion is to be extracted concurrently with the existing licensed area.

- e) For mineral aggregate operations proposing to remain above the established water table level identified in the Aggregate Resources of Ontario: Provincial Standards, a letter of opinion shall be provided by a qualified individual estimating the current water table level and determining whether the proposed operation will have any impacts to the quality or quantity of the surface or groundwater resources;
- f) A Hydrogeological Study, prepared by a qualified individual, shall be required for proposed aggregate operations which are proposing to proceed below the established water table level identified in the Aggregate Resources of Ontario: Provincial Standards.
- g) An Environmental Impact Study is required if the proposed licensed area is within or adjacent to a natural heritage feature. A Level 2 – Natural Environment Report required under the Aggregate Resources Act can act as a substitute for an Environmental Impact Study in accordance with section C9 of this Plan;
- h) A Stage 1 Archaeological Assessment prepared by a qualified individual is required. The findings of the Stage 1 Assessment may identify the need for further study.
- i) The Town requires that the proponent engage Town staff in pre-submission consultation prior to submitting any application to determine the studies/reports that are required in accordance with this Plan.

New Mineral Resource Extraction Areas producing over 20,000 tonnes annually may be permitted in the Escarpment Rural Area of the Niagara Escarpment Plan by an amendment to the Niagara Escarpment Plan.

B4.7.4.4 Criteria for Approval

An application for a mineral aggregate operation shall not be approved unless the applicant demonstrates that:

- a) the quality of groundwater and surface water in the area will be maintained and, where possible, improved or restored;
- b) the quantity of water available for other uses in the area and as base flow for rivers and streams in the sub-watershed will not be affected;
- c) as much of the site as possible will be rehabilitated by establishing or restoring natural self-sustaining vegetation; and,
- d) the health, diversity, size and *connectivity* of natural features on the site and on adjacent land will be maintained and, where possible, improved or restored.

B4.7.4.5 Haul Routes

Council recognizes that one of the most significant impacts of aggregate extraction is the use of area roads for gravel truck traffic. It is a policy of this Plan to encourage the establishment of new mineral aggregate operations on established haul routes. When a new mineral aggregate operation is being considered the following haul route policies shall apply;

- a) It shall be a policy of this Plan that an applicant who wishes to undertake a mineral aggregate operation other than a wayside pit and quarry must, if requested to do so by the Town, enter into a Development Agreement with the Town. The Agreement shall be entered into prior to local Council's enactment of the implementing Zoning By-law Amendment.

Such an Agreement may include:

- i) Capital arrangements regarding improvements beyond the boundary of the applicant's land, as they may be required by reason of the operation of that extractive industry, e.g. widening and improving roads; and
- ii) Routes to be used by trucks carrying aggregate.

B4.7.4.6 Aggregate Resource Areas

The protection of known high quality resources shall take precedence, wherever possible, over any use that would preclude its further extraction. Other known areas in the Town where resources may be present are indicated on Constraints Appendix 1 to this Plan.

It is the intent of this Plan that the lands so identified on Appendix 1 be protected from uses and/or activities that may hinder the effective and/or economical extraction of aggregate in the future. However, there may be cases where the economical and/or physical extraction of aggregate is not feasible and/or appropriate.

New non-agricultural uses may be considered on existing lots of record, where they are a permitted use in the Agricultural, Special Agricultural, or Rural land use types. Where such non-agricultural uses are not permitted by those land use types, and an official plan amendment is required, new non-agricultural uses may only be permitted if:

- a) The extraction of the aggregate resource is not feasible due to the quality or quantity of material or the existence of incompatible development patterns. The quality and quantity of the material will be determined by having a qualified individual dig test pits within the area proposed for the non-agricultural development as well as the lands within 300 metres of the aggregate operation; or that
- b) The proposed land use or development serves a greater long term interest of the general public than does aggregate extraction; and
- c) Issues of public health, public safety, and environmental impact are addressed.

Notwithstanding the foregoing, a proposed land use that conforms with the Official Plan and Zoning By-law, but requires Site Plan approval pursuant to Section 41 of the Planning Act, shall not be required to address the above criteria. Non-farm lot creation shall not be permitted on lands identified as Aggregate Resource Area on Appendix 1.

B4.7.4.7 After Uses

All uses of land that are not listed as permitted uses by Section B4.7.3 shall not be permitted until such time as the resource is shown to *Council's* satisfaction that it is not feasible to extract. In such cases, an Amendment to this Plan (and the Niagara Escarpment Plan, if appropriate) that has the effect of re-designating the lands to an appropriate designation will be required to facilitate the establishment of a use that will preclude the use of these lands for mineral aggregate extraction in the future.

It is the intent of this Plan that the after use be *compatible* with and will have minimal impact on the surrounding natural environment, vistas and views, and existing uses.

The determination of the appropriate designation of the lands for an after use will be made at the time an application is submitted. Factors to consider include:

- a) the use of the land before the extraction commenced;
- b) the land uses on adjacent properties;
- c) the proximity of the lands to agricultural lands and activities;
- d) the *character* of the area;
- e) the accessibility of the property;
- f) the recreational opportunities that the site may afford;
- g) the opportunities that may be available to *enhance* natural heritage features and functions in the area;
- h) the nature and cost of any long-term monitoring required on the site; and,
- i) if the lands are subject to the Niagara Escarpment Plan, as determined through the criteria for designation contained in the Niagara Escarpment Plan.

A change of use of a Mineral Resource Extraction Area in the Niagara Escarpment Plan will require an amendment to the Niagara Escarpment Plan.

B4.7.4.8 Rehabilitation

The progressive rehabilitation of all pits and quarries within the Town is a goal of this Plan. *Council* will work with pit and quarry operators and the Ministry of Natural Resources to ensure that all licenses have appropriate progressive rehabilitation plans.

If a site is to be rehabilitated to a natural state, it is the intent of this Plan that natural self-sustaining vegetation and hydrologic features be established and restored. If the site was formerly used for agricultural purposes it is the intent of this Plan that substantially the same land area and soil capability for agriculture is restored. The Grey County Official Plan provides additional guidance regarding site rehabilitation, outlining also those circumstances under which complete rehabilitation for agricultural purposes may not be feasible and identifying considerations that would apply to rehabilitation in those situations.

The rehabilitated area will be maximized and disturbed area minimized on an ongoing basis during the life cycle of an operation.

B4.7.4.9 Bedrock and/or Shale Resources Area

The Province has provided mapping for Bedrock and Shale Resource Areas, within 8 metres of the surface, which have been shown on Appendix E of the Grey County Official Plan. This mapping identifies areas subject to a potential development constraint to non-farm sized lot creation and establishment of certain non-Agricultural uses on subject properties within the Town of the Blue Mountains. The related policies of Grey County Official Plan shall apply.

B4.7.5 Implementing Zoning By-law

The implementing Zoning By-law shall place all existing *mineral aggregate operations* in a zone that permits quarries and sand and gravel extraction operations.

The implementing Zoning By-law may contain setbacks for extraction operations from adjoining properties designated for residential purposes by this Plan, municipal right-of-ways and property boundaries.

B4.7.6 Special Site Policies

B4.7.6.1 Schedule A – Part Lot 29, Concession 11

In addition to the Policies of the Mineral Resource Extraction Area designation the following provisions shall apply to these lands:

- a) The 'Late Woodland Site' located on the subject lands shall be protected from all extraction activities.
- b) Rehabilitation shall be coordinated with the adjacent property owner to the south adjacent to the extraction area.
- c) Rehabilitation shall be in accordance with the Ministry of Natural Resources Industrial Mineral Background Paper No. 6 "Rehabilitation of Sand and Gravel Pits for Fruit Production in Ontario.
- d) Appropriate setbacks from the steep bank adjacent to the Conservation area shall be established under the implementing Zoning By-law.

- e) The *development* of lands shall be subject to a Development Agreement that addresses those matters contained within Section B4.6 and the applicable special provisions noted herein.

B5 ENVIRONMENTAL AND OPEN SPACE

B5.1 INTRODUCTION

The Town of The Blue Mountains is committed to maintaining and promoting a healthy natural environment and protecting its unique and special natural heritage features for the present generation and all successive generations. Therefore, an *ecosystem*-based planning and management approach is required to guide the land use decision-making process. This approach must emphasize that *development* not only protect and manage *ecosystems* but also include the objective of enhancing and restoring *ecosystems* appropriately.

B5.1.1 Objectives

It is the intent of this Plan to:

- maintain and *enhance* the *ecological integrity of natural heritage features and areas*, and the *natural heritage system* where possible;
- eliminate the potential for the loss or fragmentation of *significant wetlands* and the habitats and *ecological functions* they provide; and,
- provide the tools to properly assess *development* applications located in close proximity to environmentally sensitive features and areas.

B5.2 NATURAL HERITAGE FEATURES

The Town is committed to maintaining and promoting a healthy natural environment and protecting its unique and special natural heritage features for the present generation and all successive generations. Therefore, an ecosystem based planning and management approach is required to guide the land use decision-making process. This approach must emphasize that *development* not only protect and manage *ecosystems* but also include the objective of enhancing and restoring *ecosystems* appropriately.

The diversity and connectivity of natural features in an area, and the long term *ecological function* and biodiversity of *natural heritage systems*, should be maintained, restored or where possible, improved, recognizing linkages between and among *natural heritage features and areas, surface*

water features and groundwater features. It is a policy of this Plan that a *natural heritage system* be prepared in accordance with the County of Grey's Natural Heritage Systems Study (Green in Grey).

All natural heritage features are considered to be important to the Town. While the location and significance of these features has yet to be determined in some cases, all of these features need to be considered when applications for development and site alteration are being evaluated. It is recognized that additional natural heritage features will be identified by the Town, County, applicable Conservation Authority or the Ministry of Natural Resources.

The Wetland designation as set out in Section B5.3 and as identified on Schedule A, is intended to identify and protect Provincially Significant Wetlands in the Town. Constraint Appendix 1 is intended to identify the following other features and areas:

- a) *Provincially Significant Areas of Natural and Scientific Interest;*
- b) Significant Woodlands as identified in the County Official Plan;
- c) karst topography;
- d) deer wintering areas;
- e) streams, rivers and water bodies; and,
- f) other wetlands as identified in the County Official Plan.

The boundaries of these features and areas are considered to be approximate. This Plan is not intended to limit the ability of existing *agricultural uses* to continue on lands that are identified on Constraint Appendix 1 and on *adjacent lands*.

Additional policies relating to components of the Natural Heritage System within Core Areas, Linkages and their adjacent lands are included within Section 7 of the Grey County Official Plan. The Natural Heritage System Core Areas and Linkages are shown on Schedule C to the County Official Plan and the related policies of that plan shall apply. Generally, development proposed within core areas, their 120m adjacent lands, or Linkages will be required to undertake an Environmental Impact Study (EIS) unless exempted by the policies of the Grey County Official Plan.

B5.2.1

Development and Site Alteration

- a) *Development and site alteration shall not be permitted in habitat of endangered species and threatened species, significant wetlands and significant coastal wetlands.*
- b) *Development and site alteration shall not be permitted in:*

- i) *significant woodlands;*
- ii) *significant valleylands;*
- iii) *significant wildlife habitat;*
- iv) *significant areas of natural and scientific interest; and*
- v) *other wetlands.*

unless it has been demonstrated that there will be no *negative impacts* on the natural features or their *ecological functions*.

- c) *Development and site alteration* shall not be permitted in *fish habitat* except in accordance with Provincial and Federal requirements.

Adjacent lands are the lands contiguous to a natural heritage feature or area where it is likely that *development* or *site alteration* would have a *negative impact* on the feature or area. For the purposes of this Official Plan, *adjacent lands* are defined as all lands within the specified distance of the boundary of *natural heritage features and areas* as set out in the following Table.

NATURAL HERITAGE FEATURE	ADJACENT LANDS (metres)
Provincially <i>Significant Wetlands</i>	120
Other identified wetlands	30
Lakes and Watercourses	30
Significant woodlands	120
Significant wildlife habitat	120
<i>Significant habitat of endangered species and threatened species</i>	120
Provincially <i>Significant Areas of Natural and Scientific Interest – Earth Science</i>	50
Provincially <i>Significant Areas of Natural and Scientific Interest – Life Science</i>	120
Significant Valleylands	120
Fish Habitat	120

No *development* or *site alteration* shall be permitted on these *adjacent lands* unless the *ecological function* of the *adjacent lands* has been evaluated and it has been demonstrated, through an Environmental Impact Study (EIS), that there will be no *negative impact* on the natural features or their *ecological functions*. The requirement for an EIS may be

waived by the Town with support from the applicable Conservation Authority, the County of Grey and/or the Ministry of Natural Resources.

B5.3 WETLANDS

Wetlands are lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case, the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four types of *wetlands* are swamps, marshes, bogs and fens. *Wetlands* play a very important role in the *natural heritage system*, since they:

- provide habitat for plants and animals;
- store water for *groundwater recharge* purposes;
- trap sediments, nutrients and contaminants thereby improving downstream water quality;
- provide corridors for plant and animal movements; and,
- provide flood control and protect shorelines from erosion.
- The purpose of the *Wetlands* designation is to recognize and protect *Provincially Significant Wetlands*.

B5.3.1 Permitted Uses

Permitted uses in the *Wetlands* designation include:

- a) *Forestry* in the form of reforestation and regeneration, and excluding commercial logging and managed woodlots; and,
- b) Uses connected with the conservation of water, soil, wildlife and other natural resources.

B5.3.2 Development Policies

No *development* or *site alteration* is permitted within the *Wetland* designation, except where such activity is associated with *forestry* and uses connect with the conservation of water, soil, wildlife and other natural resources but not including buildings and will not negatively impact on the integrity of the *wetland*.

All buildings or structures and non-farm lots shall be located a minimum of 120 metres from all *Provincially Significant Wetlands*. The successful completion of an Environmental Impact Study may reduce this *wetland*

setback. The Environmental Impact Study will indicate how adverse impacts on the natural features or *ecological functions* of the *wetland* are mitigated such that no *negative impacts* will occur to the natural features or *ecological integrity* of the *wetland*.

Development adjacent to *Wetland* areas may be subject to Site Plan Control and an accompanying *Development Agreement*.

B5.3.3 Implementing Zoning By-law

All lands within the *Wetland* designation shall be placed in an appropriate zone in the implementing Zoning By-law and the implementing Zoning By-law will incorporate appropriate standards for buffer planting, setbacks, and any other standards.

B5.4 HAZARD LANDS

The purpose of the *Hazard Lands* designation is to identify those lands having inherent environmental hazards such as flood susceptibility, erosion susceptibility, and dynamic beach hazards, and *hazardous sites* that exhibit instability, or poor drainage, or any other physical condition which is severe enough to pose a risk for the occupant, property damage or social disruption if developed.

B5.4.1 Permitted Uses

Permitted uses in the *Hazard Lands* designation include:

- a) *forestry*;
- b) uses connected with the conservation of water, soil, wildlife and other natural resources;
- c) agriculture;
- d) passive public parks;
- e) public utilities and *essential* municipal services; and,
- f) resource based recreational uses.

B5.4.2 Development Policies

Hazard designated lands within the Niagara Escarpment, as identified on the land use schedules attached to this Plan, are also subject to the policies of the Niagara Escarpment Plan. Should instances of conflict arise, the most restrictive policies of either Plan apply.

- k) No buildings or structures are permitted within *Hazard Lands*, except for the following subject to approval by the Conservation Authority:
 - i) renovated or minor expansions to existing buildings and structures which were legally established on the date of approval of this Plan;
 - ii) non-habitable buildings connected with public parks (i.e. picnic shelters);
 - iii) flood and erosion/sedimentation control structures;
 - iv) fences, provided they will not constitute an obstruction or debris catching obstacle to the passage of flood waters or create or aggravate an erosion problem; and
 - v) recreational facilities, as approved by the Niagara Escarpment Commission, on lands identified as being prominent escarpment slope.
- b) Where new *development* and *site alteration* is permitted in (b) above, it shall only occur if the following can be satisfied:
 - i) the hazards can be safely addressed, including access to and from the site, and no new hazards are created or existing hazards aggravated;
 - ii) no environmental impacts will result. An Environmental Impact Study may be required as a condition of all *development*;
 - iii) the *development* does not include *institutional uses* or emergency services or involve hazardous substances;
 - iv) the advice, or approval where required, of the appropriate *Conservation Authority* and the *County*, who will consider the mitigation of effects on vegetation, wildlife and fishery resources, and the natural features of the site; and,
 - v) there is no feasible location for the *development* outside of the *Hazard Lands* designation.
- c) Buildings and structures (excluding docks and boathouses which are portable or floating in nature) will be setback 30 metres from all lakes and watercourses unless approved by the Conservation Authority and County of Grey.
- d) Minor alteration of Hazard Lands mapping, as interpreted by the Town, in consultation with the appropriate Conservation Authority,

may occur without amendment to the Official Plan. It is the intent of the Town to include more detailed Hazard Land mapping in the implementing Comprehensive Zoning By-law as provided by the Conservation Authorities.

- e) *Development* will be setback from the top of bank of all slopes and ravines having a slope of 3:1 or greater, in accordance with the requirements of the appropriate Conservation Authority. In some instances, such as the replacement or renovation of existing structures within this setback, a geotechnical slope evaluation study, prepared by a qualified geotechnical engineer, may be required prior to the issuance of any building permits. The study must address slope stability with respect to structural impact, landscaping requirements, and the impact of surface drainage.
- f) The replacement or repair of existing structures, including minor extensions or enlargements, may be permitted subject to the following:
 - i) the feasibility of relocating the structure or use outside the hazard area has been assessed, and there are no reasonable alternatives;
 - ii) the replacement structure/use must be located where it will be least susceptible to damage;
 - iii) the replacement structure/use must not exceed the original structure in size or extend further into the hazard area; and
 - iv) the replacement structure/use must not result in a more intensive use than that of the original structure or use (i.e. the replacement of a non-habitable structure, such as a garage, with a habitable structure, such as a cottage is not permitted).
- g) Access through a hazard area, which requires filling or other alterations to existing grades, shall be permitted in situations where it presents the only available means of securing a safe and appropriate building site on an existing lot of record. Such access must be constructed such that it is not prone to erosion or instability and will not cause or aggravate erosion, flooding or instability on neighbouring properties. The access will generally require approval from the appropriate *Conservation Authority* under Ontario Regulation 41/24 (Prohibited Activities, Exemptions and Permits).

B5.4.3 Implementing Zoning By-law

All lands within the Hazard Lands designation shall be placed in an appropriate zone in the implementing Zoning By-law.

B5.5 SPECIAL CONSTRAINT AREAS

B5.5.1 Areas of Natural and Scientific Interest

Both Earth Science and Life Science Areas of Natural and Scientific Interest (ANSI's) are areas of land and water containing natural landscapes or features, which have been identified as having values, related to protection, natural heritage appreciation, scientific study or education. *Development* and *site alteration* within or adjacent to Areas of Natural and Scientific Interest shall be in accordance with Section B5.2.1. Additional information pertaining to the *area of natural and scientific interest* in regard to feature type may be obtained from the *County of Grey Official Plan*.

B5.5.2 Significant Woodlands

The criteria for the identification of *Significant Woodlands* were developed by the *County of Grey* with assistance from the Ministry of Natural Resources. The identification was primarily a desktop based Geographic Information Systems (GIS) exercise and the *County* acknowledges that inaccuracies or omissions in the mapping may be present. As a result, site visits by qualified individuals may be required at the application stage to scope any potential studies. Flexibility should be reflected in more detailed studies completed as part of the development review process.

In order to be considered *significant*, a woodland must be either greater than or equal to forty (40) hectares in size outside of settlement areas, or greater than or equal to four (4) hectares in size within settlement area boundaries. If a woodland which is outside of a settlement area fails to meet those criteria, such a woodland can also be *significant* if it meets any two of the following three criteria:

- a) Proximity to other *woodlands* i.e. if a woodland was within 30 metres of another *significant* woodland, or
- b) Overlap with other natural heritage features i.e. if a woodland overlapped the boundaries of a Provincially *Significant Wetland* or an Area of Natural and Scientific Interest, or
- c) Interior habitat of greater than or equal to eight (8) hectares, with a 100 metre interior buffer on all sides.

Development and *site alteration* within or adjacent to *Significant Woodlands* shall be in accordance with Section B5.2.1.

B5.5.3 Karst Topography

Karst Areas are a development constraint area that is shown on Appendix 1. Karst topography generally forms on limestone and dolostone plains and is marked by sink or karst holes, interspersed with abrupt ridges and irregular protuberant bedrock that is commonly underlain by caverns and solution-enhanced joints and bedding planes that influence the flow of surface and groundwaters. Due to the nature of its formation, karst terrains are ephemeral and are controlled by past and present climatic and local weather conditions. Due to its geological nature, karst topography presents a potential hazard to human safety which must be mitigated through development controls and approvals.

Areas shown on the Appendix 1 to this Plan as being karst topography are considered to be potential development constraint areas. It is recognized that the mapping is approximate and identifies areas of potential environmental constraint to development that must be addressed prior to development occurring. Development shall generally be directed to areas outside of karst topography unless the effects and risk to public safety are minor so as to be managed or mitigated. In areas suspected to have karst topography, the following shall be undertaken for any Planning Act to assess for the presence of karst topography and to mitigate against any potential hazard:

In areas mapped as 'Karst Area' on Appendix 1, it will be necessary for the proponent of any planning application to provide an assessment of the proposed area of development. Often, this can be accomplished by on-site test holes, however in some circumstances broader landscape features may indicate karst and may indicate the need for further assessment/confirmation. Depending on the site and the scale of the development, an environmental impact study, Hydrogeological or Karst Study, completed by a qualified individual may be required.

- 1) In determining if the constraint feature is present, the proponent shall dig two test holes in the location of the proposed main building (e.g. in the northwest & southeast corners), one test hole in the location of the proposed sewage system and one test hole in the proposed location of each accessory structure. The test holes shall be inspected by a qualified municipal or conservation authority official, or a qualified third party consultant, capable of determining karst features. A brief report of the findings is then be prepared and submitted to the County of Grey and local municipality.
- 2) If the test holes reveal shallow overburden, less than one metre in depth, above fractured bedrock, or if broader landform features indicative of karst are observed on the landscape, a study by a qualified individual shall be prepared to assess impacts and mitigation measures relating to the proposed development. Considerations

addressed by this study should include surface water drainage; groundwater quality; bedrock erosion; and, any anticipated hazard associated with unstable bedrock conditions potentially arising as a result of karst features. The study shall be to the satisfaction of the County of Grey, the local municipality, and the appropriate authority designated under the Ontario Building Code for sewage systems.

For the development of a single dwelling or accessory building the scale of the potential environmental impact, hydrogeological or karst studies may be limited. However for larger developments, including plans of subdivision, or commercial / industrial developments with the potential for greater impacts, a more robust study will be required by a qualified individual. In areas where full municipal water and sewer services are already installed, the Karst Area test hole/study requirements will not apply for new fully serviced development, save and except for proposed developments that by their nature or operation, could accidentally spill contaminants into sinkholes or disappearing streams.

B5.5.4 Significant Wildlife Habitat

A *significant wildlife habitat* area or a deer wintering area, is an area of land where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. There is no County-wide mapping of significant wildlife habitat available. *Development* and *site alteration* within or adjacent to *Significant Wildlife Habitat* shall be in accordance with Section B5.2.1.

B5.5.5 Threatened and Endangered Species Habitat

Species at Risk are identified as extirpated, endangered, threatened or species of special concern on the Species at Risk in Ontario List. The Ministry of Natural Resources (MNR) administers the *Endangered Species Act, 2007 (ESA)* to protect and conserve species at risk and their habitats. Under the ESA, the MNR is responsible for identifying and approving general and regulated habitat, as well as giving technical advice on species at risk and their habitats. The technical advice provided under the ESA supports the implementation of natural heritage policies found within the Provincial Policy Statement, 2014 (PPS). For the purposes of the PPS, MNR is responsible for approving the delineation of significant habitat for species identified as endangered and threatened.

Development and *site alteration* within or adjacent to significant habitat of *endangered species* and *threatened species* shall be in accordance with Section B5.2.1.

The significant habitat of *endangered species* and *threatened species* is not shown on Constraints Appendix 1. Environmental Impact Studies or other planning reports may help with identifying the extent of the habitat of

endangered species and threatened species. The significant habitat of *endangered species* and *threatened species* will be based on an evaluation of the following considerations:

- a) Assessments reviewed and approved by the Ministry of Natural Resources regarding the extent of the species' habitat;
- b) Habitats or areas delineated by MNR and/ or regulated under the ESA; and,
- c) Habitat that is necessary for the maintenance, survival, and/or the recovery of naturally occurring or reintroduced populations of *endangered species* or threatened 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.

B5.5.6 Fish Habitat

Fish habitat is spawning grounds and nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes. There is no County-wide mapping of fish habitat available.

B5.5.7 Valleylands

Significant Valleylands are identified through the County of Grey's Natural Heritage System Study. Detailed delineations of Significant Valleylands are illustrated within Schedule C of the GCOP and should be evaluated on a site-specific basis thru an Environmental Impact Study (EIS) using the criteria included within Section 7 of the Grey County Official Plan.

No development or site alteration may occur within Significant Valleylands of their 120m adjacent lands unless it has been demonstrated through an EIS that there will be no negative impacts on the natural features or their ecological functions.

Significant Valleylands will not be required to be mapped in municipal zoning bylaws, as these features are generally already covered by Hazard Land and regulation mapping across the County."

B5.5.8 Watercourses

All of the watercourses in the Town are considered to be environmentally *significant* since they:

- store storm and melt waters;
- contain fish and *wildlife habitat* areas;

- function as corridors for migrating *wildlife habitat* movement and vegetation dispersal;
- serve to maintain the *quality and quantity of water* (surface and ground water resources); and,
- assist in the improvement of air quality.

It is the intent of this Plan to protect all watercourses from incompatible *development* to minimize the impacts of such *development* on their function.

B5.5.9 Other Identified Wetlands

No development or site alterations are permitted within other identified wetlands, shown on Appendix 1, unless it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions

Development and site alteration within or adjacent to other identified wetlands shall be in accordance with Section B5.2.1.

B5.6 GENERAL POLICIES APPLYING TO THE NATURAL HERITAGE RESOURCE DESIGNATIONS

B5.6.1 Use of Lands in Private Ownership

Where any land within an Environmental designation is held under private ownership, this Plan shall not be construed as implying that such areas are free and open to the general public.

B5.6.2 Transfer of Environmental Lands into Public Ownership

Council shall work with the *County*, the *Nottawasaga Valley Conservation Authority* and the *Grey Sauble Conservation Authority* and other public agencies, such as the Province, to develop and implement a land securement strategy that would result in the transfer of environmental lands into public or other suitable ownership. However, given the financial limitations of every level of government, this policy does not imply that all lands within an Environmental designation will be purchased by the Town or any other public agency.

Council shall consider every opportunity to obtain the dedication of lands within an Environmental designation through the *development* approval process. However, such dedications will not be considered as part of the required parkland dedication set out by the *Planning Act*.

B5.6.3 Other Areas Identified Through a Planning Process

These are areas of land where a detailed planning approval process has identified an environmental or topographical feature that should be protected from *development*. These areas may have been identified at the time of the review of a *development* application or may have been identified as being sensitive as part of a Secondary Plan process. Examples of such areas in the Town include low and wet areas that have not been classified as *wetlands* by the Ministry of Natural Resources. The identification of new such areas would only occur through the review of a major *development* application requiring an amendment to this Plan.

B5.7 MAJOR OPEN SPACE

B5.7.1 Objectives

It is the intent of this Plan to:

- Identify the principle recreational open space lands in the Town currently owned and maintained by public agencies or proposed for acquisition for such purposes;
- ensure that the impacts of the use of the open space lands on adjacent land uses are minimized; and,
- ensure that the residents of the Town have access to a properly planned and accessible parkland system.

B5.7.2 Location

It is generally intended that lands designated Major Open Space are available for use by all Municipal residents and in addition, are used by many non-residents.

The Niagara Escarpment Plan area also contains an extensive Parks and Open Space System, linked by the Bruce Trail, which includes lands within the Town. The Niagara Escarpment Plan should be referred to for policies and information on parklands and open spaces within the Niagara Escarpment Plan.

B5.7.3 Permitted Uses

Permitted uses in the Major Open Space designation are limited to:

- a) passive and active recreational uses including *essential* buildings or structures directly related to the use;
- b) public parks;

- c) *conservation uses;*
- d) *wildlife management;*
- e) interpretive centres; and,
- f) *forestry uses in accordance with good management practices and accessory uses.*

B5.7.4 Land Use Policies

- a) It is intended that lands designated Major Open Space be used in accordance with the management plans to be implemented by the body which owns and manages particular parcels.
- b) Sound resource management techniques should be considered in all decisions regarding development or change in land use or activity. All development should be compatible with the environment and designed in both form and colour with the natural landscape. It shall be the policy of this Plan that all management or development plans pertaining to such public lands shall be reviewed by Council and the public prior to the approval and implementation of such plans by the public agency responsible.
- c) Where public use is intended, adequate off-street parking facilities shall be provided, where feasible. Access shall be limited in number and designed to minimize the danger to vehicular and pedestrian traffic.

B5.7.5 Zoning By-law Implementation

All lands in the Major Open Space designation shall be placed in an Open Space Zone in the implementing Zoning By-law.

B6 NIAGARA ESCARPMENT PLAN AREA

The Niagara Escarpment is a prominent landform feature and ecological area in the Town of The Blue Mountains. The Province of Ontario passed special legislation for the preservation of the Niagara Escarpment in 1973. The Niagara Escarpment Plan provides for the maintenance of the Niagara Escarpment and land in its vicinity substantially as a continuous natural environment and ensures that *development is compatible* with that natural environment.

In 1990, the United Nations Educational, Scientific and Cultural Organization (UNESCO) designated the Niagara Escarpment Plan area as a World Biosphere Reserve. This designation recognizes the natural features and the ecological importance of the Escarpment and endorses

the Niagara Escarpment Plan in its protection of the Escarpment environment.

The land use designations and policies of the Niagara Escarpment Plan generally take precedence over local planning documents. The Niagara Escarpment Plan (as amended) must be referred to for policies relating to the use of land within the Niagara Escarpment Plan area of the Town. The area of the Niagara Escarpment Plan within the Town is outlined on Schedule A.

In the event of a conflict between the policies of the Town's Official Plan and the policies of the Niagara Escarpment Plan, those of the Niagara Escarpment Plan will prevail, unless the policies of the Town's Official Plan are more restrictive, then the more restrictive policies will prevail.

PART C
WATER, ENVIRONMENTAL
AND HAZARD POLICIES

C1 OBJECTIVES

It is the objectives of this Plan to:

- a) recognize *watercourses* in the Town and protect them through the planning process from *development* that may have an impact on their function as an important component of the *natural heritage system*;
- b) ensure that *development* does not occur on lands that are unstable or susceptible to flooding;
- c) encourage improvements to air quality wherever possible, through facility management, land use planning, transportation management, roadway design, operation and maintenance, and other complementary programs;
- d) together with the Federal, Provincial and County governments, public interest groups and the private sector, work to reduce greenhouse gas emissions;
- e) ensure that land use change is managed on the basis of approved watershed and sub-watershed studies;
- f) achieve integrated watershed management through partnership with stakeholders within the watershed;
- g) ensure that *development* does not occur on or near hazardous slopes;
- h) protect the *quality and quantity of water* available for drinking water purposes;
- i) protect water resources as an integral component of the natural environment;
- j) ensure that the integrity of the Town's watersheds are maintained or *enhanced*;
- k) encourage the further study of natural heritage features and related *ecological functions* to provide information that may assist in determining appropriate measures to protect them;
- l) encourage the regeneration of natural areas near *watercourses*;
- m) preserve trees and wooded areas and facilitate the planting of trees, to the extent practicable, including through the *development* process;
- n) encourage energy efficiency in the design of public and private buildings;

- o) identify the tools that are required to evaluate an application for *development* in or adjacent to natural heritage features and related *ecological functions* that are considered to be an integral component of the *natural heritage system* of the Town;
- p) encourage the protection of water quality and quantity through stormwater management and sourcewater protection; and,
- q) identify what information is required to support an application that may have an impact on the hydrological features of the Town.

C2 WATERCOURSES

C2.1 FUNCTION OF WATERCOURSES

All of the *watercourses* in the Town as shown on the Constraints Mapping Appendix 1 to this Plan are considered to be environmentally *significant* since they:

- a) contain fish and *wildlife habitat* areas;
- b) function as corridors for migrating *wildlife habitat* movement and vegetation dispersal;
- c) serve to maintain the quality and quantity of surface and ground water resources;
- d) assist in the improvement of air quality;
- e) provide base flow and food supply to downstream areas; and,
- f) provide stormwater conveyance and control.

It is the intent of this Plan to protect all rivers and streams from incompatible *development* to minimize the impacts of such *development* on their function. In this regard, no *development* is permitted within 30 metres of any top of bank of any river, stream, lake or Georgian Bay unless authorized by the Conservation Authority and County of Grey. Water use for snow-making associated with a permitted major recreational use is permitted subject to the policies of this Plan and subject to approval from the Ministry or Environment, Conservation and Parks and any applicable Conservation Authority regulations.

C2.2 IMPLEMENTATION

In order to implement the objectives of this Plan, the implementing Zoning By-law shall place all lands below the top of bank of any river or stream in a specific Environmental Protection Zone. Uses permitted in this Environmental Protection Zone shall be limited to *agricultural uses* that existed on the date the By-law is passed by *Council* and open space *conservation uses*, excluding those uses, such as golf courses, which necessitate tree cutting. No buildings or structures, with the exception of *essential* structural works required for flood and/or erosion or sediment control, will be permitted in this Zone.

The implementing Zoning By-law shall also specify that all buildings and structures be set back a minimum of 15 metres from the boundaries of the Environmental Protection Zone in appropriate designations and 30 metres in all other designations. The reduced 15 metres setback in appropriate designations will apply to developed areas only. The zoning by-law will provide regulations to permit limited expansion of existing buildings within these setbacks.

C3 FLOODPLAIN PLANNING

It is the intent of this Plan that no *development* or *site alteration* be permitted within the *floodplain* of a river or stream system in accordance with the one-zone concept. The intent of this policy is to minimize and eliminate any risks to life and property resulting from flooding.

The following policies shall apply to *development* proposed on lands susceptible to flooding under regulatory flood conditions:

- a) Additions to existing buildings may be permitted subject to the approval of the applicable Conservation Authority, provided the addition will not cause a measurable reduction in flood conveyance capability and/or storage capacity or cumulatively affect the control of flooding.
- b) The reconstruction of buildings or structures in areas of *significant* risk within a *floodplain* is not permitted; and,
- c) The construction of parking lots and access roads may be permitted, subject to the approval of the appropriate Conservation Authority, provided safe and reasonable alternative access is available in cases of flooding, as required.

In order to implement the objectives of this Plan, all lands within an identified *floodplain* shall be included within an Environmental Zone in the implementing Zoning By-law and a Natural Hazards Assessment is

required for any *development* proposal in the Environmental Protection Zone.

The appropriate Conservation Authority should be consulted to confirm the limits of the natural hazards associated with these watercourses and for permitting requirements within regulated areas under the Conservation Authorities Act.

C4 GROUND AND SURFACE WATER RESOURCES (SOURCEWATER PROTECTION)

It is a policy of this Plan to protect the quality and quantity of ground water and surface water of the Town in order to ensure that existing and future water consumption needs of the Town's residents are met in a sustainable manner. Council considers sourcewater protection planning to be integral for the future health and well being of Town residents and visitors. Further, the Town considers groundwater to be a significant public resource, which should be protected, improved and restored where possible.

It is the intention of this Plan to protect the function of wellhead protection areas, significant ground water recharge/discharge areas, and highly vulnerable aquifer areas in the Town.

C4.1 GOALS

The Town's goals for sourcewater protection are to:

- a) provide for the sustainable use of groundwater resources;
- b) ensure the provision of safe and clean drinking water;
- c) sustain stream flows and valued ecosystem components where maintained by groundwater recharge;
- d) ensure that long-term municipal drinking water supplies are suitably protected from contamination from incompatible land uses thereby avoiding unexpected costs associated with the restoration of impacted water supplies; and
- e) promote and support water resource conservation and management initiatives.

C4.2 OBJECTIVES

In an effort to protect groundwater resources, steps should be made to achieve the following objectives:

- a) Identify sensitive groundwater areas;
- b) Identify high risk land use categories, based on the potential for groundwater impact that should be prohibited in sensitive areas;
- c) Apply land use restrictions through the Zoning By-law and the use of holding provisions to require risk assessment or hydrogeologic analysis where development may pose significant risk to groundwater resources, particularly in identified high risk areas;
- d) Require environmental impact review and site screening for development applications in sensitive areas;
- e) Encourage voluntary measures to address risk associated with existing land uses;
- f) Avoid any public work, which would impair the quality of the groundwater;
- g) Establish an area wide monitoring program that includes the quality and quantity of surface water and groundwater;
- h) Develop an integrated information management system; and
- i) Implement programs of community awareness and educate residents about potential contamination sources and the risk associated with groundwater contamination.

C4.3 GENERAL POLICIES

The Town supports the preparation of Sourcewater Protection Plans as mandated by the Clean Water Act, 2006, or its successor. Council recognizes that Sourcewater Protection Plans may necessitate changes to the Official Plan in regard to risk management of significant drinking water threats, groundwater budgets, highly vulnerable aquifers, and significant groundwater recharge areas. Changes to mapping or policy as a result of Sourcewater Protection Plans will require an amendment to this Plan.

- a) All development applications in sensitive areas, including Wellhead Protection Areas and Areas of High Aquifer Vulnerability should be completed in consultation with the Risk Management Official to assess the potential risk involved with a new use and to better understand the history of past land uses on the site. The Risk Management Official will

assist the Town in determining the requirement for an Environmental Site Assessment to support a development application. Where lands have been occupied by a previous use, which may have caused soil or groundwater contamination, any development application should be accompanied by an environmental site assessment and/or a Record of Site Condition.

- b) The Town may develop and implement a community awareness and education program concerning development in sensitive areas, water conservation, sustainable use of aquifers, and associated best practices in regard to water use and protection.
- c) The Town is encouraged to establish a program that separates combined sewers to better control the quality and quantity of stormwater and wastewater in the Town.
- d) During pre-consultation and *development* application review, the Town will provide information related to source water protection to the proponent, to indicate whether the proposed application is within a *vulnerable* area and that the associated *source protection plan* policies, and any other policies, may apply.
- e) Within designated *vulnerable* areas identified in the *source protection plans*, any use or activity that is, or would be, a *significant* drinking water threat is required to conform to all applicable *source protection plan* policies and, as such, may be prohibited, regulated or otherwise restricted by those *source protection plan* policies. The Town will implement land use restrictions where necessary to protect municipal drinking water supplies and designated *vulnerable* areas as shown on Appendices A and F of the Grey County Official Plan. Land use decisions within designated *vulnerable* areas will need to protect, improve, or restore the *quality and quantity of water*. Land use planning decisions should take into consideration surface and *groundwater features* at the watershed and subwatershed level and have regard for issues that cross jurisdictions.
- f) A groundwater impact assessment may be required for *development* within designated *vulnerable* areas to demonstrate how the *vulnerable* water feature will be protected, improved, or restored.
- g) In accordance with Section 59(1) of the Clean Water Act, all land uses identified within a *Wellhead protection area* (WHPA) or *Intake protection zones* (IPZs) are designated as Restricted Land Uses and subject to the policies of the Grey County Official Plan.

C4.4 SIGNIFICANT THREATS

Vulnerable areas include Wellhead protection areas (WHPA), Surface Water Intake protection zones (IPZ), highly vulnerable aquifers (HVA), Events-based Areas, and significant groundwater recharge areas. Vulnerable areas that are protected through the local source protection plans are shown on Appendix A of the Grey County Official Plan.

- a) *Intake protection zones (IPZ's)* are areas of land and water, where run-off from streams or drainage systems, in conjunction with currents in lakes and rivers, could directly impact on the source water at the municipal drinking water intakes. Within the context of *Grey County*, vulnerability scores for IPZ's range from 4 to 7. IPZ's are shown on Appendix A of the Grey County Official Plan and further information can be found in the local *source protection plans*.
- b) A *Wellhead protection area (WHPA)* is the area around the wellhead where land use activities have the potential to affect the quality or quantity of water that flows into the well. These are areas of high vulnerability where the greatest care must be taken in the storage, use and handling of materials that could, if mishandled or spilled, pollute or contaminate a municipal well. WHPAs are shown on Appendix A of the County Official Plan and further information about WHPAs can be found in the local *source protection plans*.
- c) A *highly vulnerable aquifer (HVA)* is an aquifer used as a water supply and is particularly susceptible to contamination due to the proximity to the surface or to the type of materials found in proximity to the aquifer. For example, near surface fractured rock is considered more *vulnerable* than clay as the fractured rock provides transport pathways for containments to reach groundwater sources. An aquifer is an area of soil or rock under the ground that has many cracks and spaces and has the ability to store water.
- d) An area where the rain or snow seeps down into an aquifer is called a *groundwater recharge area*. Recharge areas often have loose or permeable soil, such as sand or gravel, which allows the water to seep easily into the ground. Areas with shallow fractured bedrock are also often recharge areas. A recharge area is considered *significant* when it helps maintain the water level on an aquifer that supplies a municipality with drinking water.
- e) An *Events-based Area* is an area determined by modelling and other forms of analysis of spills that could cause an exceedance at an intake. This area allows potential significant drinking water threats to be identified for surface water intakes. The identification of activities as significant drinking water threats for *Events-based Areas* are found in the local *source protection plans*. *Events-based*

Areas are shown on Appendix A of the County Official Plan and further information about *Events-based Areas* can be found in the local *source protection plans*.

C5 STORMWATER MANAGEMENT

All proposals for major commercial, industrial, institutional and residential *development* (five lots or more) shall be supported by a Stormwater Management (SWM) Report. The content and scope of the SWM Report shall be determined when the *development* is proposed.

The SWM Report shall be prepared by a qualified professional to the satisfaction of the Town, applicable Conservation Authorities, *County of Grey* and appropriate agencies, and be prepared in accordance with the more restrictive of Stormwater Management Practices Planning and Design Manual (2003) or its successor and/or the Town's Engineering Standards and shall:

- a) provide recommendations on a stormwater quantity system, which ensures that post-*development* run-off rates will not be greater than the pre-*development* run-off rates for storms up to and including the 1:100 year flood and the regional storm flood;
- b) document the possible impacts of *development* on watershed flow regimes including their interconnection with *groundwater resources*;
- c) provide recommendations on how to maintain pre-*development* water quality and improve run-off where appropriate;
- d) document the means by which stormwater volume control will be provided;
- e) provide a design that considers recreational amenity opportunities; and,
- f) determine and describe the necessary measures required to be undertaken during construction to mitigate the potential negative impact of *development*.

All stormwater management facilities in a Plan of Subdivision shall be placed in the Environmental Protection Zone in the implementing Zoning By-law to reflect the potential for these lands to be flooded and to ensure that their intended use is recognized. Stormwater management facilities for condominium *developments* and other large single uses may be privately owned and maintained. Agreements with the Town may be required as a condition of approval, to provide for their continued maintenance.

Stormwater management facilities shall be designed to meet all specified requirements of the Saugeen-Grey Sauble-Northern Bruce Peninsula *Source Protection Plan* and South Georgian Bay-Lake Simcoe *Source Protection Plan*, as applicable.

C6 HAZARDOUS SLOPES

The following policies shall apply to *development* proposed in association with steep slopes and ravines.

- a) *Development* of buildings or structures, except for recreational structures or equipment that rely on the slopes will not be permitted on slopes that are subject to active erosion or historic slope failure.
- b) *Development* shall be sufficiently setback from the top of bank of slopes greater than 1V (vertical) in 3H (horizontal). The *development* setback distance shall be determined in consultation with the Town and the applicable Conservation Authorities and be subject to the following criteria:
 - i) soil type and groundwater patterns;
 - ii) vegetation type and cover;
 - iii) severity of slope; and,
 - iv) nature of *development*.
- c) In some instances, where a sufficient *development* setback cannot be achieved, the proponent shall be required to provide a slope stability report as a prerequisite to any *development*. A natural hazards assessment may also be required. Where applicable, the report shall be prepared to the satisfaction of the Town, the County and the applicable Conservation Authorities.

C7 WATER TAKING

In order to establish a commercial water taking operation proposing to take water in excess of 50,000 litres per day for commercial sale, a *County* Official Plan Amendment, an Amendment to this Plan and a Zoning By-law Amendment will be required. Application for the amendments noted above must be accompanied by the following information:

- a) A planning justification report prepared by a qualified individual indicating whether or not the proposed water taking operation is consistent with the Provincial Policy Statement and conforms to the policies of the *County* of Grey Official Plan.

- b) A hydrogeological study prepared by a qualified individual demonstrating that the quality and quantity of ground and surface water will not be negatively impacted by the proposed operation.
- c) Any other study that may be required by the Town or the *County*. Pre-Consultation with the Town and the *County* is required prior to submitting any application to determine the studies/reports that are required.
- d) In assessing applications haulage routes for the transporting of the water to processing and/or bottling plants, and the subsequent distribution must be appropriate for the proposed use. A Traffic Impact Study prepared by a qualified individual may be required.
- e) The effect of land use proposals on the groundwater aquifer utilized by approved water taking operations will be considered before *development* is permitted so as to maintain the quality and quantity of the *groundwater resource* within the aquifer.
- f) If permits for the commercial taking of water currently exist at the date of adoption of the Official Plan and remain in place, the above subsections do not apply.

C8 WATERSHED PLANNING

C8.1 OBJECTIVES

It is the objective of this Plan to:

- a) support the preparation and implementation of Watershed and Subwatershed Plans within the Town and the surrounding area;
- b) ensure that there is an appropriate balance between the objectives of water supply management, habitat protection, flood management and land use to protect and *enhance* water quality and quantity for future generations;
- c) protect and/or restore streams, *groundwater discharge* and recharge areas and *wetlands* for the benefit of fish, wildlife and human uses;
- d) promote best management practices regarding fertilizer and pesticide application;
- e) ensure that any Watershed and Subwatershed planning process is open and transparent and includes opportunities for public input;

- f) ensure that necessary resources are provided for the implementation of Watershed and Subwatershed Plans;
- g) ensure that Watershed and Subwatershed Plans contain goals and objectives that are appropriate for the Watershed and Subwatershed and can be implemented by the Town, agencies and landowners; and,
- h) ensure that Watershed and Subwatershed Plans are scientifically defensible and designed to be continuously improved as new information and science becomes available.

C8.2 THE INTENT OF WATERSHED PLANS AND SUBWATERSHED PLANS

A Watershed is an area of land that drains into a *watercourse* or body of water. Unlike municipal boundaries, watershed boundaries are defined by nature and, as a result, watersheds often overlap a number of jurisdictions. A Subwatershed is an area of land that drains into a tributary of a larger *watercourse* or body of water. The intent of Watershed and Subwatershed Plans is to provide direction and target resources for the preservation of naturally functioning watersheds and for the restoration and/or augmentation of natural watersheds and subwatershed functions affected by development. Such plans are intended to:

- a) serve as a guide for improving water quality, reducing flood damage and protecting natural resources in a watershed;
- b) prevent existing watershed problems from worsening as a result of future land *development*, public work activities and agricultural and other activities; and,
- c) provide an opportunity for multiple jurisdictions with varying priorities to coordinate their efforts and accept their responsibility for the impact their actions have both on upstream and downstream areas.

Council shall have regard to the above when making decisions or commenting on the preparation of Watershed and Subwatershed Plans.

C8.3 CONTENT OF WATERSHED PLANS

All Watershed Plans should contain the following:

- a) a detailed assessment and integrated analysis of the natural heritage features and functions and linkages on a watershed basis for incorporation into the natural heritage system;
- b) an assessment of the opportunities for preserving and augmenting Watershed functions and constraints to *development*;
- c) an estimate of the *development* capacity of the watershed based on defined water quality and quantity objectives;
- d) a water budget analysis;
- e) a description of the tools that are available to improve conditions in the Watershed and address the cumulative impacts of *development*;
- f) an action plan that contains a series of recommended programs and projects for preserving and augmenting the natural functionality of subwatersheds;

It is the intent of the action plan to set out the responsibilities of the various jurisdictions within the Watershed so that each can contribute to the monitoring, prevention, augmentation, and remediation of Watershed problems and opportunities.

C8.4 CONTENT OF SUBWATERSHED PLANS

All Subwatershed Plans shall contain the following:

- a) a detailed analysis of the natural heritage features that identifies the functional linkages on a subwatershed basis for incorporation into the natural heritage system;
- b) a characterization of the Subwatershed in terms of its environmental resources;
- c) a summary of the existing environmental issues related to watershed-based planning as described in provincial guidelines;
- d) preparation and testing of a predictive impact assessment model to assess the potential impacts from stressors within Subwatersheds that exist or will be exacerbated when a new proposed development is approved;)
- e) the identification of alternative management solutions for preserving Subwatershed functions that would otherwise be displaced by the approval of a proposed new development or redevelopment on the Lands. The solutions shall identify where and how watershed functions shall be relocated elsewhere within the proposed

development, or by augmenting the Town's supporting infrastructure to support the development being proposed; and

- f) detailed management strategies for the implementation of the Subwatershed Plan that describe how the strategy will: prevent flooding, incorporate guidelines for development; and develop Terms of Reference for the preparation of Environmental Implementation Reports, including storm water management strategies, and ongoing monitoring programs for measuring the effectiveness of the Subwatershed Plan.

C8.5 IMPLEMENTATION

Relevant recommendations contained in Watershed and Subwatershed Plans shall be incorporated by Amendment into this Plan. A Subwatershed Plan shall be in place prior to the approval of a Secondary Plan that implements a settlement area expansion. In addition, all applications for *development* shall conform with the recommendations made in an approved Watershed or Subwatershed Plan that have been incorporated by Amendment into this Plan.

C9 REQUIREMENTS FOR AN ENVIRONMENTAL IMPACT STUDY

Where the policies of this Plan require that an Environmental Impact Study (EIS) be prepared, such an EIS shall be prepared in accordance with the requirements of this section.

C9.1 PURPOSE OF AN EIS

The purpose of an EIS is to:

- a) collect and evaluate all the appropriate information in order to have a complete understanding of the boundaries, attributes and functions of relevant environmental feature(s); and,
- b) make an informed decision as to whether or not a proposed use will have a negative impact on the critical natural features and *ecological functions* of the Town.

Any EIS required by this Plan must describe the site's natural features and *ecological functions*, identify their significance and sensitivities and describe how they could be affected by a proposed *development*. The EIS should give consideration to the relevant aspects and inter-relationships of various components of the *natural heritage system* on and off the site. In addition, the EIS must address how the proposed

development will protect, maintain or restore the critical natural features and *ecological functions* of the *natural heritage system*.

Prior to approval of associated proposed development, Council and appropriate agencies must be satisfied with the findings and recommendations in the EIS.

C9.2 CONTENTS OF AN EIS

The EIS should include a description of:

- a) the proposed undertaking;
- b) the natural features and *ecological functions* of the area potentially affected directly and indirectly by the undertaking, and an assessment of their sensitivity to *development*;
- c) any lands that support environmental attributes and/or functions that may qualify the lands for designation within the *Wetlands* and *Hazard Lands* designations, and Special Constraints Areas;
- d) the direct and indirect effects to the ecosystem that might be caused by the undertaking;
- e) any environmental hazards (i.e. slope, flooding contaminants) that need to be addressed as part of the design and how they will be addressed;
- f) any monitoring that may be required to ensure that mitigating measures are achieving the intended goals;
- g) how the proposed use affects the possibility of linking core areas of the *natural heritage system* by natural corridors that may or may not be identified on the schedules to this Plan; and,
- h) a Management Plan identifying how the *adverse effects* will be avoided or minimized over the construction period and the life of the undertaking and how environmental features and functions will be *enhanced* where appropriate and describing the net effect of the undertaking after implementation of the Management Plan. The Management Plan shall also establish the limits of buffers and setbacks adjacent to *watercourses*, *waterbodies*, *valleys*, *significant wetlands* and *vegetation* to protect the natural feature and its attributes and/or function from the effects of *development*.
- i) policy review of the EIS requirements and technical guidance under the Grey County Official Plan.

C9.3 WHAT AN EIS SHOULD DEMONSTRATE

The EIS should demonstrate, where applicable, that the proposed use will:

- a) not have a negative impact on significant natural heritage features and related ecological functions;
- b) not discharge any substance that could harm air quality, groundwater, surface water and associated plant and animal life;
- c) be supplied by an adequate supply of water and that the groundwater taking associated with the use will not harm existing water supplies, surface water features and associated plant and animal life;
- d) not cause erosion or siltation of *watercourses* or changes to *watercourse* morphology;
- e) not interfere with *groundwater recharge* to the extent that it would adversely affect groundwater supply for any use;
- f) not cause an increase in flood potential on or off the site;
- g) maintain/*enhance*/restore/rehabilitate the natural condition of affected *watercourses*, and protect/*enhance*/restore/rehabilitate aquatic habitat;
- h) not encourage the demand for further *development* that would negatively affect *wetland* function or contiguous *wetland* areas;
- i) *enhance* and restore endangered terrestrial and aquatic habitat where appropriate and feasible;
- j) not interfere with the function of existing or potential natural corridors;
- k) not lead to a *significant* reduction in the forest resource or interior forest habitat in an area; and,
- l) not lead to species loss or *negative impacts* on endangered, threatened or vulnerable species and/or their habitat.

In addition, the EIS shall demonstrate that there will be no *negative impacts* resulting from the proposed use on the natural features that are identified on Schedule A and Constraints Appendix 1 to this Plan or the *ecological functions* for which the area is identified.

C9.4 SCOPED EIS

A reduction in the scope and/or content of the EIS may be authorized by the Town, where the impacts of a development application are expected to be limited in area and/or scope, or where a Comprehensive Environmental Impact Study or Subwatershed Master Plan has previously been prepared.

C10 SOLID WASTE DISPOSAL AREAS

Closed and open *waste disposal sites* in the Town are shown on the Schedule A to this Plan. The *development* of new uses or new or enlarged buildings or structures within an assessment area 500 metres from the fill area of sites, may be permitted provided an assessment is completed to determine:

- a) the impact of any potential methane gas migration;
- b) whether the proposed use will be adversely affected by noise, odour, dust or other nuisance factors from the *waste disposal site*;
- c) potential traffic impacts;
- d) whether the proposed use will be adversely affected by ground and surface water contamination by leachate migrating from the *waste disposal site*; and,
- e) the impact of the proposed use on leachate migration from the *landfill site*.

The assessment is intended to address these matters and other items outlined in the Province's Guideline D-4, April 1994, or its successor as required to ensure that the proposed land uses are compatible in nature and do not adversely impact upon each other. Notwithstanding the above referenced buffer, if an approved Landfill Closure Plan exists, the requirements of that plan shall prevail.

The studies required to support a *development* application within the assessment area shall be based on the type and/or scale of the *development* proposed or the studies may be waived as appropriate. The nature of the required studies and their scope shall be determined by the Town in consultation with the *County* of Grey at the time the *development* is proposed.

All lands within the assessment area shall be subject to a Holding provision in the implementing Zoning By-law. The lifting of a Holding provision permitting the *development* of any new use or new or enlarged buildings or structures within the assessment area shall not occur until *Council* is satisfied that all of the studies required by the Town and *County* have been completed.

In cases where an Amendment to the Official Plan and/or Zoning By-law is required to permit a proposed use, appropriate studies dealing with the matters set out above shall be submitted for *Councils'* consideration.

An amendment to this Plan will be required for a new *waste disposal site*.

It is a policy of *Council* to encourage the reduction, reuse and recycling, and composting of solid waste to ensure that the amount of waste required to be stored in landfills is minimized.

C11 SEWAGE TREATMENT PLANT AREAS

Land uses and development which may be sensitive to the effects of odour, noise, and other contaminants including residences, child care facilities, or commercial, industrial and health facilities shall generally not be permitted within 100 metres of a municipal sewage treatment plant property line. This buffer area for the Thornbury and Craigleith sewage treatment plant is shown on the Constraint Mapping.

All land uses and development within the buffer setback shall be subject to a relevant study submitted for review by the County of Grey and Town of The Blue Mountains to address the current and future impacts, and to assess appropriate design, buffering and separation distances in conformity with Ministry of Environment and Climate Change guidelines and information requirements. Implementation of the study's recommendations may be required under an agreement between the proponent and the Town.

C12 SHORELINE OF GEORGIAN BAY

The shoreline flood prone area of Georgian Bay is defined by the 100-year flood line plus an allowance for wave uprush and other water related hazards. This is a 30-metre setback but can vary depending on site-specific features and conditions. The area within the 30-metre setback is regulated for the construction of buildings under Ontario Regulation 41/24 administered by the Grey Sauble Conservation Authority. (Note: A permit from the *Conservation Authority* is required prior to the construction of buildings in the regulated area).

The shoreline *erosion hazard* is determined using a stable slope allowance plus an erosion allowance of at least 30 metres. The dynamic beach hazard is defined by the *flooding hazard* plus an additional 30 metres if required.

The shoreline also provides habitat for fish and other wildlife species. In keeping with the ‘environment first’ approach, this Plan encourages the maintenance of vegetative buffers, migratory bird stopovers/roosts/nesting grounds and fish spawning areas along the shoreline. Any alteration to the shoreline below the 100-year flood elevation should be completed with the appropriate approvals from the Ministry of Natural Resources and/or the Federal Department of Fisheries and Oceans.

C13 LAND USE COMPATIBILITY

It is recognized that some uses may be sensitive to the odour, noise, vibration or other emissions associated with highways, and various type of industries. It is a policy of this Plan that incompatible land uses be separated or otherwise buffered from each other. Where a proposed *development* is located adjacent to a potentially incompatible land use, an assessment of the compatibility of the proposal in accordance with Ministry of Environment Guidelines may be required by *Council*.

Such a study shall be prepared to the satisfaction of *Council* and the appropriate agencies and shall include recommendations on how the impacts can be mitigated. The approval of *development* proposals shall be based upon the achievement of adequate distances and the recommendations of the required studies.

The implementing Zoning By-law may utilize a Holding provision on certain properties where incompatible land uses are located in close proximity to each other to ensure that the intent of this section is met before *development* occurs.

C13.1 NOISE AND VIBRATION

It is a policy of this Plan to minimize any adverse noise and vibration impacts from highways and arterial roads on *sensitive land uses*. To this end, a Noise Impact Study in accordance with Ministry of Environment guidelines shall be undertaken for proposed *development* involving *sensitive land uses* (with the exception of normal farm practices) that are adjacent to or in proximity to a highway, arterial road or *industrial use* to the satisfaction of *Council* and the County. The approval of *development* applications shall be based on the implementations of the required study, such as the restriction of new residential and other *sensitive land uses* and the provision of appropriate safety and mitigating measures and notices on title.

C14 POTENTIALLY CONTAMINATED SITES

C14.1 PURPOSE

- a) Potentially *contaminated sites* are sites where the environmental condition of the property or properties may have potential for *adverse effects* on human health, ecological health or the natural environment. In order to prevent these *adverse effects*, prior to permitting *development* on these properties, it is important to identify these properties and ensure that they are suitable or have been made suitable for the proposed land use(s) in accordance with provincial legislation, regulations and standards.
- b) While the identification of potentially *contaminated sites* is important in the planning application review process, the policies in this section should not be interpreted as a commitment on the part of the Town to identify all *contaminated sites*. Rather, these policies should be regarded as an effort by the municipality to responsibly utilize available information in the planning application review process to help ensure that *development* takes place only on sites where the environmental conditions are suitable for the proposed use of the site.

C14.2 POLICIES

- a) The following list of general uses represents current or past activities on a property that may be causing or may have caused environmental contamination:
 - i) activities involved with the elimination of waste and other residues, including, but not limited to *landfill sites* and waste disposal areas;
 - ii) industrial and commercial activities involving the storage and/or use of hazardous substances, including but not limited to fuels, oils, chemicals, paints or solvents; and,
 - iii) railway lands.
- b) The Town will utilize available information in the planning application review process to help ensure that *development* takes place only on sites where the environmental conditions are suitable for the proposed use of the site.
- c) The Town will require *development* proponents to document previous uses of a property or properties that are subject of a planning application and/or properties that may be adversely impacting a property or properties that are subject of a planning application in order to assist in the determination of the potential for site contamination.
- d) Where the Town determines that there is a proposed change in land use to a more sensitive use on a property or properties that

have been identified through the Town’s planning application review process as “potentially contaminated”, the Town will:

- i) require as a condition of planning approval, written verification to the satisfaction of the Town from a Qualified Person as defined by provincial legislation and regulations, that the property or properties in question are suitable or have been made suitable for the proposed use in accordance with provincial legislation, regulations and standards, including where required by the Town or provincial legislation and/or regulations, filing by the property owner of a Record of Site Condition (RSC) signed by a Qualified Person in the Environmental Site Registry, and submission to the Town of written acknowledgement from the Ministry of Environment specifying the date that the RSC was filed in the Environmental Site Registry;
 - ii) establish conditions of approval for planning applications to ensure that satisfactory verification of suitable environmental site condition is received as per (d)(i);
 - iii) where applicable, utilize the holding provisions of the *Planning Act* to ensure that satisfactory verification of suitable environmental site condition is received as per (d)(i).
- e) Where the Town is deeded land for public highways, road widenings, parks, stormwater management, easements, or for any other purpose, the Town may require, as a condition of transfer, satisfactory verification of environmental site condition as per (d)(i).

PART D
GENERAL DEVELOPMENT POLICIES

D1 WATER AND SANITARY SEWER SERVICING STRATEGY

D1.1 OBJECTIVES

It is the intent of this Plan to:

- ensure that public health and safety is protected;
- ensure that all development has a safe and adequate water supply, sewage services and stormwater management practices;
- encourage the progressive extension and economic utilization of municipal sewer and water services; and,
- identify the preferred means of servicing in the Town.

D1.2 PREFERRED MEANS OF SERVICING IN SETTLEMENT AREAS

The preferred means of servicing settlement areas is by full municipal water and sewage services. It is recognized that limited *development* shall be permitted within the partially serviced areas of Clarksburg, until such time as municipal sanitary services are provided to permit more concentrated growth.

Partial services shall only be permitted where they are necessary to address failed individual on-site sewage services and individual on-site water services in existing development.

The Town will endeavor to obtain all necessary approvals for the required future expansion of existing municipal water and sewage service facilities in order to keep pace with *development* demands within the financial capabilities of the Town. A commitment of servicing capacity shall be required for all existing and future *development* based on the staging priorities and categories identified under this Plan. When expansion of the existing municipal water and/or sewage facilities become necessary, such expansion shall be subject to the approval process under the Environmental Assessment Act. The Environmental Assessment approvals may include the phased expansion of municipal facilities, with additional design servicing capacity for future expansion phases, as well as other associated municipal *infrastructure* works, as further provided under this Plan.

Prior to the creation of any new lot, approval of any new *development* or *redevelopment* or zoning by-law amendment in any settlement area, *Council* shall be satisfied that appropriate municipal services are available to the lands and that there is sufficient capacity to accommodate the use. Any proposal that would require the extension of water or sewage

services shall provide a comprehensive servicing analysis prior to consideration of the proposal.

Other interim servicing measures approved by the Ministry of Environment, Conservation and Parks (MECP) and/or its delegated agent may be utilized for residential, commercial or industrial development only in such cases where development is designed to, in a very short time, be connected to the pending installation of a permanent municipal servicing system. A Servicing Options Study will need to be completed in accordance with the MECP's D-5-3 Guideline or any future updates to this Guideline. The timing of when the development is required to hook-up to full municipal services will need to address the Town's requirements and will need to be identified through the development approvals, and/or through an agreement between the owner and the Town.

Where new services must be extended to service a new development, the services shall be required to extend along the entire frontage of the development, within the existing right-of-way, to facilitate future service connections for neighbouring landowners that are also located within the same settlement area.

D1.3 SERVICING OF DEVELOPMENT OUTSIDE OF SETTLEMENT AREAS

All new *development* on lands outside of Settlement Areas shall be serviced by private wells and septic systems.

D1.4 STAGING CATEGORIES

Development approvals under this staging plan shall be dependent upon the monitoring of available design capacity, and the expansion of required municipal service *infrastructure* to keep pace with *development* needs. The staging priorities identified under Section D1.4.1 are to be implemented under staging categories which are intended to provide an order ranking for the commitment of available plant capacity and system capacity on the basis of the *development* approval status. "Plant capacity" refers to the capacity of the physical plants for water, wastewater and/or stormwater management infrastructure. "System capacity" refers to the capacity of the entire water, wastewater and/or stormwater management systems, including all infrastructure such as pipes, pumping stations and other facilities.

The commitment of available plant capacity for *development* approvals shall be based on the following five staging categories:

- Stage 1: Designated lands with *development* approvals and zoned to permit *development*. The allocation of existing servicing capacity is committed under a *development* agreement.
- Stage 2: Designated lands with *development* approvals and zoned under the holding zone category. The reservation of design capacity is committed. Advancement to Stage 1 is subject to the allocation of existing plant capacity and system capacity under a *development* agreement and rezoning for removal of the holding symbol.
- Stage 3: Designated lands with partial *development* approvals to permit future *development*, such as a lot or block within a plan of subdivision which is subject to condominium or site plan approval. These lands should be zoned under a holding, deferred *development*, or other appropriate zoning category, depending upon the nature of the partial approval details. Design capacity is not committed; however, future capacity requirements are recognized based on potential *development* approvals. Advancement to Stage 2 is subject to further *development* approvals and reservation of servicing capacity.
- Stage 4: Designated lands with no *development* approvals. These lands should be zoned under a deferred *development* or other similar zoning category. The required design capacity is recognized based on potential *development* approvals. Advancement to Stage 3 is subject to *development* approvals and the availability of plant capacity and system capacity.
- Stage 5: Lands designated Future Secondary Plan Area with no *development* approvals. These lands should be zoned under a deferred *development* or other similar zoning category. The required design capacity is not reserved. Advancement to Stage 4 is subject to re-designation and the availability of servicing capacity.

In addition to the *significant* residential *development* potential, plant capacity must also be provided for commercial, industrial, recreational and other potential *development*. It may also be appropriate to retain a buffer amount of plant capacity for potential minor infilling *development*, including potential *redevelopment*, and lot creation.

The staging of *development* approvals and the reservation of design capacity based on the staging priorities for all existing and future *development* lands, and any other relevant matters, will be determined at the sole discretion of Council.

D1.4.1 Staging Priority

Staging priority shall be given to existing *development* areas and Stage 1 to 3 lands, which are currently designated to permit *development*. However, the re-designation of Stage 5 lands may be considered where advanced staging priority is demonstrated to be necessary and appropriate in the public interest. Any such amendment to re-designate additional lands shall demonstrate to the satisfaction of Council an *enhancement* to recreational/tourism facilities, and the provision of added public benefit. Applications to amend the Plan shall address the following:

- a) The establishment of new major recreational/tourism facilities, such as a golf course or community *recreation* centre.
- b) The dedication or acquisition of property for parks, Niagara Escarpment, the Nipissing Ridge, natural or cultural heritage features areas of ecological significance, public walkways, open space and shoreline areas, regional stormwater management facilities and municipal service *infrastructure*, or other similar benefits.
- c) The extension of logical and orderly planned *development* in-keeping with the overall staging priorities established by Council.
- d) The support and participation in the ESR approval processes.
- e) The participation in a municipal servicing project to establish new or expanded municipal treatment plant facilities, extend trunk lines, or provide other similar works which will also benefit existing *development* areas and other designated lands.
- f) The participation in public private partnerships and front end financing for the provision of recreational facilities or service *infrastructure* which may not otherwise be possible or feasible due to financial limitations of the Town.
- g) The advancement of desired community objectives and public benefits which otherwise may be postponed or not feasible.

Any re-designation shall only be considered where the public benefit is clearly identified under the amendment, and where there is no long-term detrimental impact on the staging priorities for existing *development* areas and other designated lands, including the availability of design capacity and staging category status. The required ESR approvals, front-end financing of service *infrastructure*, recreational facilities, land dedications and other relevant matters which comprise the public benefit shall be provided prior to or in conjunction with any *development*. Re-designation

may also be subject to a staging program to regulate the timing and sequence of *development*, and the commitment of servicing capacity. Development approvals and commitment of design capacity for some re-designated lands may be deferred until other designated lands have been developed.

D1.5 MONITORING OF SERVICING CAPACITY

The monitoring of servicing capacity is intended to identify the availability of required municipal water and sewage services for existing and future *development*. *Development* approvals shall be restricted on the basis of design capacity limitations.

The design capacity of the applicable water and sewage treatment plant facilities shall be reserved for all units within any site plan, plan of subdivision and plan of condominium *development* approvals, including all residential and non-residential *development*. Where such reservation of design servicing capacity is not available, any application for *development* shall be considered to be premature, and *development* approvals shall not be given.

The existing plant capacity of the applicable water and sewage treatment plant facilities shall only be allocated for units within any approved *development*, or phase of *development*, which is recognized as Stage 1 for municipal servicing priority purposes, as identified under Section D1.4. Phasing of *development* and allocation of existing plant capacity shall be provided under a *development* agreement. Where such allocation of existing plant capacity is not available, the *development*, or phase of *development*, shall not be permitted to advance to Stage 1, and *development* shall not proceed.

The Town shall have regard to competing demands for servicing capacity and proposed schedules of build out when considering the commitment of plant capacity, with particular regard for appropriate servicing limitations related to phases of large *developments*. The allocation of existing plant capacity for Stage 1 lands shall generally be restricted to *development* phases of approximately 100 units, where practical. The remaining *development* potential for the lands may be placed in a deferred *development* or holding category in the Zoning By-law, and reservation from the design capacity may also be deferred for some future *development* phases where further detailed *development* approvals are required. Once the current phase of *development* has been substantially completed, a subsequent phase may advance to Stage 1, subject to the availability of existing plant capacity at that time, the payment of applicable *development* charges, rezoning for the removal of any holding symbol, and any other applicable requirements. In addition to *development* phasing, the commitment of plant capacity shall normally be subject to appropriate securities and time limitations.

It is recognized that larger phases of *development* may be necessary in some circumstances to facilitate proposed *development*, such as a single multiple residential building containing more than 100 units. Larger phases of *development* may also be considered necessary to help finance a municipal servicing project. Such larger phases shall only be permitted where smaller phases are not practical, and where the Town is satisfied that there will be no negative impact on the staging priorities for other existing and future *development*. In some cases, *development* approvals and the commitment of plant capacity may be more appropriately deferred for future *development* phases. The Town may refuse to approve large-scale *development* proposals in excess of 500 units. Larger *development* proposals may be included under a Concept Plan with future *development* phases. Lots or blocks may also be established under plan of subdivision approvals, with future detailed plan of subdivision or other applicable *development* approvals to be required. The commitment of plant capacity may also be deferred for such lands, including appropriate zoning.

The design capacity reservation and plant capacity allocation limitations shall be recognized in the applicable *development* agreement, including any appropriate conditions for *development* phasing, advancement to Stage 1, zoning and any other relevant matters. Where plant capacity has been transferred, any related securities held by the Town shall also be released. Where payment of *development* charges has already been made, associated plant capacity for the affected lands shall be allocated.

D1.6 HOLDING AND DEFERRED DEVELOPMENT ZONES

Holding and deferred *development* zones shall be established under the implementing Zoning By-law to recognize the commitment of design capacity, with particular regard for the *development* phasing and servicing limitations identified under this Plan. Appropriate zones shall also recognize the municipal staging priorities and categories, as further provided under this Plan. Advancement to Stage 1 and the allocation of existing plant capacity under *development* agreement shall be a condition of any rezoning.

All lots or blocks within a plan of subdivision or condominium shall generally be placed in a Holding (H) zone under the implementing Zoning By-law until such time as all necessary approvals for *development* have been obtained, existing plant capacity allocation is available, and all other matters required by the Town have been satisfied.

Where lots or blocks for future *development* are proposed under a Concept Plan or included under a plan of subdivision, and approved on the basis that design capacity is not yet available or that further detailed *development* approvals are required, such lands shall be placed in a

Deferred Development or other appropriate zone under the implementing Zoning By-law.

D2 TRANSPORTATION

D2.1 OBJECTIVES

It is the objective of this Plan to:

- facilitate the safe and efficient movement of people and goods within the Town's communities and to and from adjacent municipalities;
- promote a Vision Zero goal to ensure a transportation network that is safe and protects pedestrians from serious injuries or fatalities;
- establish an integrated transportation system that safely and efficiently accommodates various modes of transportation including walking and cycling, public transit and automobiles;
- promote public transit, cycling and walking as energy efficient, affordable and accessible forms of travel;
- protect transportation corridors to facilitate the *development* of a transportation system that is *compatible* with and supportive of existing and future land uses;
- support the improvement of east-west travel capacity through Thornbury & Clarksburg, including support for revisiting the 2015 Study by the Ministry of Transportation to examine a potential bypass around Thornbury & Clarksburg to address traffic congestion in this area;
- ensure that new roads are constructed safely, designed in a grid-oriented street network to help distribute car and truck traffic evenly and provide access for the future operation of an efficient public transit system;
- ensure that appropriate right-of-way widths for all existing and proposed roads are provided;
- encourage the efficient use of land along transportation corridors to maximize the use of public transit;
- restrict *development* on private roads; and
- support the strategies and policies within the Transportation Master Plan.

D2.2 ROADS IN THE TOWN

D2.2.1

The responsibility for approving an entrance onto a public road in the Town depends on which of the three levels of government (Town, County or Province) maintains the road. The types of roads described in this section of the Plan are shown on Schedules B-1 and B-2. New roads and re-constructed roads under the Town’s jurisdiction shall be developed to comply with the classification, function and general design requirements outlined in Table 1 – Function of Transportation Facilities. An Official Plan Amendment is required to change the classification of a road on Schedules B-1 and B-2.

Table 1 – Function of Transportation Facilities		
Type of Facility	Function	General Design Guidelines
Highway 26 and connecting links	<ul style="list-style-type: none"> • Serve mainly inter-regional travel demands • Accommodate truck traffic • Accommodate rapid transit services and high occupancy vehicle lanes • Carry high volumes of traffic • Connect urban areas or nodes in different municipalities • Significant scenic corridor 	<ul style="list-style-type: none"> • Right-of-way width up to 50 m • Access is restricted (under the jurisdiction of MTO) • Transit-supportive land uses to be encouraged along right-of-way within urban areas • Adjacent development will be subject to the minimum safety and geometric requirements of MTO. MTO permits required prior to any construction and/or grading being undertaken. • Adjacent development subject to minimum visual buffering requirements • Not recommended for Bicycle Facilities unless separated multi-use trail (e.g. Georgian Trail) • Potential for protected bicycle facilities on-street or raised bicycle paths along connecting links.
County Roads	<ul style="list-style-type: none"> • Serve mainly inter-regional and regional travel demands • Accommodate truck traffic 	<ul style="list-style-type: none"> • Right-of-way width up to 30 m • For County Roads outside of settlement areas (as defined by the County)

Table 1 – Function of Transportation Facilities		
Type of Facility	Function	General Design Guidelines
	<ul style="list-style-type: none"> • Carry high volumes of traffic • Connect urban areas or nodes in different municipalities 	<ul style="list-style-type: none"> • Official Plan), on-street parking is not permitted • For County Roads outside of settlement areas (as defined by the County Official Plan), access is restricted with access points consolidated where possible • Recommend painted bike lanes (min. width of 1.5 metres + 0.5-metre buffer)
Major Collector Roads	<ul style="list-style-type: none"> • Connect neighbourhoods • Distribute traffic to and from County Roads • Provide access to adjacent land uses • Users also include Transit vehicles and cyclists 	<ul style="list-style-type: none"> • Right-of-way width up to 26 m and 30 m with on-street parking • On-street parking generally permitted • Access is restricted with access points consolidated where possible • Recommend painted bike lanes (min. width of 1.5 metres + 0.5-metre buffer)
Minor Collector Roads	<ul style="list-style-type: none"> • Connect neighbourhoods • Distribute traffic to and from County Roads • Provide access to adjacent land uses • Users also include cyclists 	<ul style="list-style-type: none"> • Right-of-way width up to 26 m • 2 travel lanes • On-street parking generally permitted • Access is partially controlled • Recommend painted bike lanes (min. width of 1.5 metres)
Local Roads	<ul style="list-style-type: none"> • Connect individual properties to collectors and arterials • Carry comparatively low volumes of traffic 	<ul style="list-style-type: none"> • Right-of-way width up to 20 m and 23 m for rural cross-sections • 2 travel lanes • Convenient linkages to collector roads • Parking in rural areas is generally restricted • Parking in urban areas may be allowed on both sides

Table 1 – Function of Transportation Facilities		
Type of Facility	Function	General Design Guidelines
		<p>depending on pavement widths</p> <ul style="list-style-type: none"> • Access control not required • For Local Roads within a settlement area, recommend 1.2-metre minimum paved shoulder on both sides for cyclists, or a 2.4-metre multi-use paved shoulder • For paved Local Roads outside a settlement area, recommend 1.5-metre minimum paved shoulder + 0.5-metre buffer
Local Heritage Roads	<ul style="list-style-type: none"> • Serves mainly low volume local traffic • Recognizes those roads where the historic method of construction, terrain and local environment may be considered to be below modern road geometric standards • Includes historic routes/roads and cottage roads 	<ul style="list-style-type: none"> • Right of way width up to 20 m • Up to 2 travel lanes • Area specific construction standard to be used • Limited opportunity for road improvements • Recommend upgrading Local Heritage Roads to Local Roads where adjacent to developed areas
Seasonal Roads	<ul style="list-style-type: none"> • Under the jurisdiction of the Town providing access to <i>adjacent lands</i> • These roads will not be maintained during the winter season 	<ul style="list-style-type: none"> • Right of way width up to 20 m • Up to 2 travel lanes • Area specific construction standard to be used • Limited opportunity for road improvements
Private Roads	<ul style="list-style-type: none"> • Historic laneways and shared driveways that may or may not be owned or assumed by the Town • Condominium roads established under the Condominium act 	<ul style="list-style-type: none"> • Area specific construction standard to be used • All condominium roads shall be designed and built wide enough to accommodate emergency vehicles, and parking of

Table 1 – Function of Transportation Facilities		
Type of Facility	Function	General Design Guidelines
		vehicles on one side of the road.
<ul style="list-style-type: none"> *Right-of-way widths in some cases may need to be wider to accommodate design features, intersection improvements including extra turning lanes and traffic control devices, sight triangles, drainage culverts, bridges and underpass construction, cuts, fills, noise walls, turning lanes, bike paths, and utilities etc. Final right-of-way requirements along roads will be determined through functional designs and subdivision approvals. 		

As a condition of development or redevelopment, the Town may require that lands, to the extent of the road rights-of-way widths specified in Table 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.

D2.2.2 The maximum number of units to be considered under a single access shall be in accordance with Town standards. New residential *developments* that exceed minimum Town standards will need to have a separate and dedicated emergency access or two or more full accesses. Access to new residential *developments* will be considered through the phasing of the *development* however the above thresholds will be used to consider the design and phasing of the access. This policy shall not be interpreted to limit intensification on increased density; however, where the above standards for multiple accesses cannot be met, it shall be demonstrated that suitable and safe access can be provided to the satisfaction of the road authorities and emergency services.

D2.3 RESTRICTIONS ON CERTAIN TYPES OF ROADS

D2.3.1 Local Heritage Roads, Private Roads, Unopened Road Allowances and Unassumed Roads

The creation of new lots on roads identified as local heritage roads, private roads, unopened road allowances, or unassumed roads is not permitted. Exceptions may be considered with respect to local heritage roads and private roads. The creation of new lots on local heritage roads

may be considered where it can be demonstrated that the proposed *development* will maintain the intended function and design of the local heritage roads. The creation of new lots on private roads may be considered where *development* is proposed by way of Plan of Condominium where multiple accesses over condominium blocks are required to access other condominium blocks or where there was an agreement regarding the use of the road registered on title at the time of approval of this Plan.

All lots that front on these private roads shall be subject to Site Plan Control and be subject to a Holding Provision in the implementing Zoning By-law that may prohibit the *development* of a dwelling and significant enlargements, renovations or additions to a dwelling unit that existed on the date the implementing Zoning By-law is passed by *Council* until the occupant satisfies the requirements in Section D.2.3.3. Once these requirements are satisfied, the Holding Provision shall be lifted by Council.

The construction or *development* of new private roads or extensions to existing private roads shall not be permitted unless the private road is in a Plan of Condominium. New rights-of-way, in the form of private driveways, may be granted by Council for access only to parcels that are presently land locked and which are the site of a residential use on the date the implementing by-law is passed. All proposed rights-of-way for existing land locked parcels must be developed from an existing maintained public road and is of a standard acceptable to the Town.

Council shall consider any request for the Town to assume a private road or the upgrade of an unopened road allowance, and be satisfied that the new road is built to municipal standards and is in the financial interest of the Town.

D2.3.2 Seasonal Roads

The creation of new lots on roads identified as seasonal roads is prohibited.

D2.3.3 Conditions under which Holding Provision will be Removed

The following criteria have to be satisfied before *Council* will remove a Holding Provision applying to lots that are subject to Section D2.3.1:

- a) The use on the lot must be permitted by the implementing Zoning By-law.
- b) The lot and all buildings and structures on the lot shall comply with the implementing Zoning By-law.
- c) The appropriate approvals are obtained for sewage disposal and a

potable water supply is available.

- d) The property owner, at their own expense, enters into a Site Plan Agreement with the Town that indicates that:
 - i) the owner acknowledges and agrees that the lot in question does not front on an improved public road;
 - ii) the owner acknowledges and agrees that the Town does not or is not required to maintain or snowplow the said road or street;
 - iii) the owner acknowledges and agrees that the Town will not take over or assume an unopened, unassumed or private road or street as a Town public road or street unless it has been built according to municipal standards then in force;
 - iv) the owner acknowledges and agrees that the Town is not liable for any injuries, losses or damages as a consequence of the Town issuing a building permit; and,
 - v) the Site Plan Agreement shall, at the expense of the owner, be registered against the lands.

D2.4 TRAFFIC IMPACT STUDIES / ROAD ASSESSMENTS

Traffic impact studies or road assessments may be required by the Province, the County and/or the Town to support a development application. The intent of such studies is to ensure that the proposed development can be designed and sited to ensure that the impacts of the development on the adjacent road network are addressed.

D2.5 ACTIVE TRANSPORTATION

Active transportation (walking and cycling) is an important component of building active communities, reducing dependence on single occupant vehicles and increasing climate resilience. *Active transportation* is a sustainable travel mode that assists in climate change adaptation, greenhouse gas reduction and growing a greener community.

In order to plan for and encourage walking and cycling, *Council* shall:

- a) promote a connected, safe and well designed *active transportation* network which can include exclusive facilities for pedestrians and cyclists (sidewalks, bicycle lanes, trails, etc.) that are connected to origins and destinations within and beyond the Town;
- b) encourage and promote ways to make walking and cycling around

Town more viable by addressing pedestrian comfort, safety and accessibility;

- c) support the provision of safe and convenient cycling and walking routes in the review of all *development* applications;
- d) consider implementing a road safety plan and associated actions to reduce road-related fatalities and serious injuries and protect vulnerable road users;
- e) encourage tourism and recreational developments that support *active transportation*, including expansions of new ski runs, outdoor skating venues, snowshoe trails, development of new hiking and biking trails, connecting to existing trails, and other tourism uses that encourage *active transportation*;
- f) recognize the Georgian Trail right-of-way as a major *active transportation* corridor through the Town, providing a connecting link between Collingwood and Meaford;
- g) prioritize the maintenance and alignment of the Georgian Trail along the former CN rail line;
- h) require the provision of sidewalks in settlement areas and hamlets, where appropriate;
- i) encourage mixed-use and pedestrian-oriented neighbourhood design that supports connections between land use and transportation *infrastructure*;
- j) in the design of mixed-use areas and neighbourhoods, block lengths shall generally not exceed 200 metres and where a block extends beyond 200 metres, a mid-block pedestrian connection should be provided in the form of a walkway, parkette or privately-owned publicly accessible space;
- k) investigate and provide for bicycle lanes wherever possible in the construction or reconstruction of roads and bridges;
- l) encourage and support measures which will provide for barrier-free design of pedestrian facilities;
- m) support an accessible network that allows for use by all members of the community, which includes barrier-free design of pedestrian facilities which considers the location and width of sidewalks, use of curb cuts, pedestrian crosswalks and signals, etc.;
- n) ensure that lands for bicycle/pedestrian paths are included with the land requirements for roads;

- o) require the provision of bicycle racks at public facilities, trail heads, parks and public spaces;
- p) encourage the provision of covered and safe bicycle racks in all new commercial developments;
- q) encourage pedestrian and cycling amenities, both on the *active transportation* network and at key destinations, and can include shower facilities and lockers at major employers, appropriate pedestrian and cyclist signaling, and water fountains and benches along trail networks;
- r) ensure that the rights and privacy of adjacent property owners are factored into the design process for pedestrian and cycling routes;
- s) ensure that all pedestrian and cycling routes are designed to be safe; and,
- t) consider implementation of these policies through community design guidelines, zoning, street design manuals, etc.

D2.6 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. In support of TDM, *Council* shall:

- a) promote and support initiatives to support the objectives of reducing private vehicle trips, reassigning trips, reducing peak period trips and increasing vehicle occupancy;
- b) consider the formation of a comprehensive TDM Strategy to achieve the objectives set out in subsection (a);
- c) promote alternative modes of transportation;
- d) promote the implementation of “last mile” transportation options, where appropriate, to ensure there are connections for individuals to arrive at their destinations in the final leg of their transit or *active transportation* journey, including the provision of trails or trails and sidewalks that are accessible, as well as consideration for shared transportation options, such as bicycles or scooters;
- e) promote initiatives that reduce the demand for parking, and supporting municipal employees to take transit and/or cycle to work; and,

- f) include TDM in the secondary plan review and *development* review processes.

D2.7 PUBLIC TRANSIT

The Town of the Blue Mountains, together with Grey County and other local municipalities, shall work together with existing transit providers to support the growth of a County-wide public transit system that will provide service to people within the Town of the Blue Mountains and better connect people to various destinations within Town as well as to other destinations within Grey County and neighbouring communities. In support of transit, *Council* shall:

- a) consider the use of technology to increase public transit use, including systems such as car/ride sharing and car-pooling;
- b) New development should include age-friendly, safe, comfortable and transit supportive design elements such as sidewalks, trails and bicycle paths linking new development to the public street network and other public areas;
- c) encourage growth and development, compact development, and a mix of land uses within settlement areas and built-up areas along existing or future transit corridors;
- d) support medium and higher density development within Thornbury/Clarksburg along existing or future planned transit corridors as well as at key transit nodes (e.g. transit stops, proximity to community facilities), in accordance with other applicable policies of this Plan;
- e) support the development of a Transit Strategy for the Town.

D2.8 PARKING

In support of the provision of adequate parking throughout the Town, *Council* shall:

- a) consider the development of an Integrated Parking Management Strategy for Downtown Thornbury and Downtown Clarksburg. Alternatively, the Town could establish a protocol for regularly assessing their long-term parking supply in order to plan for parking demand;
- b) consider reducing minimum required parking standards when development is proposed in transit accessible and walkable locations, where higher densities are proposed, particularly within Downtown

Thornbury, and along the Highway 26 Corridor within Thornbury;

- c) encourage improved trailhead parking supply and design, as well as opportunities for additional parking locations, in collaboration with Grey County; and
- d) consider alternative off-site parking scenarios where developments are unable to provide adequate on-site parking, provided that:
 - i. the alternative parking site is no more than 500 metres from the proposed development;
 - ii. a safe pedestrian route is available to connect between the proposed development and alternative parking site (i.e sidewalks, paved shoulders and/or trails are available);
 - iii. the owner of the alternative parking site enters into an agreement with the developer and the Town; and
 - iv. the alternative parking site can accommodate the parking requirements of both sites.

D3 CULTURAL HERITAGE

D3.1 OBJECTIVES

It is the intent of this Plan to:

- recognize that the maintenance of the Town’s heritage resources will contribute to the preservation of the Town’s *character*;
- encourage the establishment of and seek the advice of a Municipal Heritage Advisory Committee when making decisions regarding the conservation of *cultural heritage resources* in the Town; and
- engage with, consult, learn from and grow in collaboration with the Indigenous communities who have inhabited The Blue Mountains as traditional stewards of the land when considering development applications and studies that may affect matters of mutual interest and concern.

D3.2 GENERAL POLICIES

D3.2.1 Cultural Heritage Master Plan

In order to implement the objectives of this Official Plan, *Council* may consider the preparation of a Cultural Heritage Master Plan (CHMP) in the future. Such a Master Plan would survey, inventory, examine and study the Town’s *cultural heritage resources*. The intent of the CHMP is to make recommendations on how the *cultural heritage resources* of the Town should be *enhanced* and protected in accordance with the goals

and objectives of this Plan. In addition, the CHMP shall make recommendations on:

- a) the need for the preparation of a *Heritage Conservation District Plan* in accordance with the Ontario Heritage Act and as described in this section of the Plan; and,
- b) the need for area-specific Official Plan policies and/or Zoning By-law regulations for cultural heritage areas.

The appropriate Indigenous communities shall be provided notification with regard to the matters of mutual interest and concern, including the identification of burial sites and *significant archaeological resources*.

D3.2.2 Cultural Heritage Impact Statements

Council may require the submission of a Cultural Heritage Impact Statement (CHIS) to support an application for *development* if the affected lands are the site of an identified cultural heritage resource or are located in close proximity to an identified cultural heritage resource. The intent of the CHIS is to determine what impacts the *development* will have on the resource and whether the application for *development* will conform to the goals, objectives and policies of this Plan and if applicable, the Cultural Heritage Master Plan (CHMP) described in Section D3.2.1 of this Plan.

The CHIS shall be in the form of a report undertaken by a qualified professional with expertise in heritage studies, and contain a description of:

- a) the proposed *development*;
- b) the cultural heritage resource(s) to be affected by the *development*;
- c) the effects upon the cultural heritage resource(s) by the proposed *development*;
- d) the measures necessary to mitigate the *adverse effects* of the *development* upon the cultural heritage resource(s);
- e) how the proposed *development* will relate, in terms of height, bulk, massing and presence with identified heritage buildings on the property and in the area; and,
- f) how the policies of the CHMP have been incorporated or satisfied, where one has been prepared.

Prior to considering a *development* that requires the preparation of a CHIS, *Council* shall be satisfied that the *development* will conform to the goals and objectives of this section and will be *compatible*, in terms of height, massing, bulk and scale with adjacent *development*.

D3.2.3 Public Works

Public authorities have the ability to make decisions affecting the public realm that can have a positive impact on *cultural heritage resources*. On this basis, the carrying out of any public work by any Public Authority shall have regard to the retention and protection of identified *cultural heritage resources* in accordance with the goals and objectives of this Plan and the CHMP.

D3.2.4 Mitigation of Impacts on Cultural Heritage Resources

Council may impose as a condition of any *development* approval the retention and conservation of *cultural heritage resources* identified in a CHIS or the CHMP, or the implementation of appropriate mitigation measures, to minimize the impact of the *development* on the cultural heritage resource.

D3.2.5 Restoration and/or Rehabilitation of Identified Cultural Heritage Resources

It is the intent of this Plan to encourage the restoration or rehabilitation of identified cultural heritage resources by assisting with funding applications, establishing grant programs and creating special taxation districts. Council may also encourage the restoration and retention of heritage properties through means permitted by the Planning Act. Council may lead by example by restoring, rehabilitating, enhancing and maintaining municipally owned cultural heritage resources, through appropriate heritage stewardship practices. Council may also develop more specific policies to facilitate the protection, maintenance or enhancement of cultural heritage resources. This can be examined through the Cultural Heritage Master Plan.

D3.2.6 Pioneer Heritage Cemeteries

Council shall discourage the closure and relocation of pioneer cemeteries since they contribute to the *character* of the Town and are an excellent representation of the Town's history and identity.

D3.3 BUILT HERITAGE AND CULTURAL LANDSCAPE RESOURCES

D3.3.1 Built Heritage Inventory

An inventory of *built heritage resources* within the Town shall be maintained. Inventoried heritage resources may be considered for designation under the Ontario Heritage Act and/or conservation through the review of any proposed *development*, subject to all relevant legislation. The inventory may be included within the CHMP described in this Plan.

D3.3.2 Cultural Heritage Landscape Inventory

In July 2009, the Town released a *Cultural Heritage Landscape Assessment Report*, which provided an assessment of *cultural heritage landscapes* in the Town. *Council* may update or prepare additional inventories of *cultural heritage landscapes*. A *cultural heritage landscape* is a defined geographical area of heritage significance that has been modified by human activities. Such an area is valued by a community and is of significance to the understanding of the history of a people or place. Landscapes such as existing rural and agricultural areas, historic hamlets, and heritage roads will be identified in the inventory.

D3.3.3 Designation under the Ontario Heritage Act

Council may by-law designate *cultural heritage resources*, such as individual properties and conservation districts pursuant to the Ontario Heritage Act and the policies of this section. Prior to the passage of such a by-law, *Council* shall be satisfied that:

- a) the building or property is strongly associated with the life of a person who played an integral role in the *development* of the Town and/or is well-known locally, nationally or internationally;
- b) the building or property is the location of, or is associated in a *significant* way, with a *significant* local, national or international event;
- c) the building has an architectural style that is distinctive and representative of a period of history and/or is the work of a recognized architect;
- d) the building or property is considered to be an easily recognizable landmark in the Town and contributes to the *character* of the community; or,
- e) the neighbourhood contains a collection of buildings and properties described in Sections a), b), c) and d) above and which collectively contribute to the *character* of the Town.

D3.3.4 Heritage Conservation Districts

Where merited by the concentration and significance of *cultural heritage resources*, *Council* may consider the establishment of a *Heritage Conservation District* to conserve an area's heritage *character*.

Prior to designating a *Heritage Conservation District* pursuant to the Ontario Heritage Act, *Council* will:

- a) pass a by-law to define an area to be examined for future designation;
- b) prepare and adopt a *Heritage Conservation District Plan*; and,
- c) establish a Heritage Conservation District Committee to advise *Council* on matters pertaining to the designated district.

Within designated *Heritage Conservation Districts*, property owners, in consultation with the appropriate Heritage Conservation District Committee, will be encouraged to maintain and repair heritage buildings and seek government grants and loans, where applicable, for eligible conservation work.

D3.3.5 Contents of Heritage Conservation District Plan

The general principles pertaining to *Heritage Conservation Districts* will be outlined in a *Heritage Conservation District Plan*. The *Heritage Conservation District Plan* will:

- a) delineate boundaries of the designated area and reasons for the designation;
- b) inventory *cultural heritage resources*;
- c) prescribe policies, conservation and design guidelines, and other pertinent material relating to the sound and prudent management of the district's unique *character*;
- d) be adopted by *Council* after consultation with affected property owners and other interested agencies as considered appropriate; and,
- e) be implemented by municipal review of heritage permit applications for changes and alterations to individual buildings and structures within the designated district.

In reviewing proposals for the construction, demolition or removal of buildings or structures, or the alteration of buildings within a *Heritage*

Conservation District, Council shall be guided by the applicable Heritage Conservation District Plan.

D3.3.6 Area-Specific Official Plan Policy and Zoning By-law Provisions

Council may, by Amendment to this Plan or incorporation into a Secondary Plan, include policies that are intended to provide guidance on how buildings and properties can be developed/redeveloped in an area where a concentration of significant cultural heritage resources in an area exists. The intent of the policies would be to conserve and enhance the cultural heritage of an area, in accordance with the goals and objectives of this Plan. These policies shall:

- a) describe the historical *development* context of the area;
- b) review the existence and significance of *cultural heritage resources* in the area;
- c) identify the conservation priorities for identified and defined *cultural heritage resources*;
- d) establish how *cultural heritage resources* should be considered through a *redevelopment* process; and,
- e) identify and describe the architectural design and streetscape guidelines that will guide *development* in a defined area.

The policies may be implemented in the implementing Zoning By-law through the creation of a heritage overlay zone or an area-specific heritage area zone, as appropriate.

D3.3.7 Retention/Relocation of Heritage Buildings

*Council shall encourage the retention of buildings of architectural and/or historical significance in their original locations whenever possible. All options for on-site retention shall be considered before approval is given for relocation to another site. These options include: integration within new *development* areas, adaptive re-use of the building in its original location (e.g. use as a community centre within a residential subdivision), and relocation of the building on the *development* site.*

D3.3.8 Prevention of Demolition of Built Heritage Structures

Pursuant to the *Ontario Heritage Act*, and as part of an overall strategy to conserve *built heritage resources*, *Council* may refuse to permit the demolition of heritage buildings or structures that have been designated under the *Ontario Heritage Act*.

D3.4 ARCHAEOLOGICAL RESOURCES AND INDIGENOUS AND DESCENDANT COMMUNITIES CONSULTATION

D3.4.1 Archaeological Assessment Requirements

Council recognizes that there are archaeological remnants of prehistoric and early historic habitation as well as archaeological potential areas within the Town. Archaeological sites and resources contained within these areas can be adversely affected by any future *development*.

Council shall therefore require archaeological impact assessments/reports and the preservation or excavation of *significant archaeological resources* in accordance with Provincial policies.

Archaeological impact assessments/reports by licensed archaeologists are to be in compliance with guidelines set out by the Ministry of Tourism, Culture and Sport, as well as licensing requirements referenced under the Ontario Heritage Act. Applicants shall consult with and work with Indigenous communities throughout the process and in advance of submitting an Archaeological Impact Assessment.

Council may conserve the integrity of *archaeological resources* by adopting zoning by-laws to prohibit land uses on sites where an identified *significant* archaeological heritage resource exists.

Archaeological Impact Assessments will be required in support of new plans of subdivision or condominium, where the development is being proposed on sites which have not already been significantly disturbed. Additional development applications may also require the preparation of an Archaeological Impact Assessments where recommended by the Town, the County, the Ministry of Culture, Tourism and Sport, or by Indigenous communities.

Where significant Indigenous archeological resources are to be preserved on site, the Town, the development proponent and the archaeologist will engage with the appropriate Indigenous community(ies) to identify approaches to the landscaping and interpretation of the site. Where preservation is not possible, the appropriate Indigenous community(ies) will be engaged to identify interpretive and commemorative opportunities relating to the resource.

D3.4.2 Consultation with Indigenous Communities

The Town and applicants shall notify and engage with Indigenous communities on a broad range of development applications and land use decisions including Official Plan Amendments, Zoning By-law Amendments, Minor Variances, Plans of Subdivision, Plans of Condominium and through Site Plan Control. The Town shall endeavor to

consult with Indigenous communities on Planning Act applications early in the process in order to address any and all matters of mutual interest or concern and will negotiate notification and consultation protocols as necessary to ensure appropriate consultation is occurring prior to making decisions in a manner that both respects territorial and treaty rights and is in full compliance with Federal and Provincial laws and regulations.

The appropriate Indigenous communities shall be provided notification with regard to the identification of burial sites and *significant archaeological resources* relating to the activities of their ancestors. Where Indigenous communities burials are discovered, consultation will occur with the nearest Indigenous community and the Indigenous community with the closest cultural affiliation, if that can be determined.

D4 SUBDIVISION OF LAND

This section is intended to contain policies that are to be considered with every application to subdivide land in the Town. Regard shall also be had to the specific policies dealing with lot creation in each land use designation.

D4.1 PREFERRED MEANS OF LAND DIVISION

Land division by Plan of Subdivision, rather than by consent, shall generally be deemed necessary if:

- a) the extension of an existing public road or the *development* of a new public road is required to access the proposed lots; or,
- b) the area that is proposed to be developed is not considered to be infilling; or,
- c) a Plan of Subdivision is required to ensure that the entire land holding or area is developed in an orderly and efficient manner.

Creation of lots through part-lot control by-laws and deeming by-laws shall also be subject to these policies.

D4.2 NEW LOTS BY CONSENT

Any consent applications filed under Section 53 of the Planning Act are to be accompanied by:

- a) Prescribed information established by the Planning Act and regulations thereto;
- b) Any other information or material that Town considers may be required in accordance with the provisions of the Official Plan; and

- c) Failing the submission of those materials the Town may refuse to deem the application complete or further consider the application.

D4.2.1 General Criteria

Prior to considering an application to create a new lot for any purpose, the Town shall be satisfied that the proposed lot:

- a) fronts on and will be directly accessed by a public road that is maintained on a year-round basis;
- b) will not cause a traffic hazard as a result of its location on a curve or a hill;
- c) can be serviced with an appropriate water supply and means of sewage disposal;
- d) will not have a negative impact on the drainage patterns in the area;
- e) will not affect the developability of the remainder of the lands, if they are designated for *development* by this Plan;
- f) will not have a negative impact on the features and functions of any environmentally sensitive feature in the area and lot lines should avoid bisecting environmental features; and,
- g) will not be subject to flooding hazards, erosion hazards, dynamic beach hazards, or be located within hazardous sites.

D4.2.2 Boundary Adjustments

A consent may be permitted for the purpose of correcting conveyances, enlarging existing lots or through acquisition by a public body, provided no new building lot is created. In reviewing an application for such a boundary adjustment, Council shall be satisfied that the boundary adjustment will not affect the viability of the use of the properties affected as intended by this Plan. In addition, Council shall be satisfied that the boundary adjustment will not affect the viability of the agricultural parcels affected.

D4.2.3 Lots for Utilities

The creation of new lots for public utilities, communication utilities and water and sewer *infrastructure* may be permitted, provided:

- a) the area of the proposed lot is minimized and reflects what is required for the use; and,

- b) the implementing Zoning By-law, as a condition of Provisional Consent, only permits uses that are related to the utility on the lot.

D4.2.4 New Lots for Public Purposes

New lots may be created for acquisition by a public or quasi-public body.

D4.3 SUBDIVISION DEVELOPMENT POLICIES

This section is intended to contain general Plan of Subdivision policies that are to be considered with every application for Plan of Subdivision. Regard should also be had to the specific policies dealing with lot creation in each land use designation.

Applicants are required to pre-consult with the approval authority prior to submitting an application.

Prior to the consideration of an application for Plan of Subdivision, *Council* shall be satisfied that:

- a) the approval of the *development* is not premature and is in the public interest;
- b) the lands will be appropriately serviced with *infrastructure*, schools, parkland and open space, community facilities and other amenities, as required;
- c) the density of the *development* is appropriate for the area;
- d) the subdivision, when developed, will be easily integrated with other *development* in the area;
- e) all development by plan of subdivision shall be consistent with Section D5 of this Plan;
- f) the subdivision conforms with the environmental protection and management policies of this Plan; and,
- g) the proposal conforms to Section 51 (24) of the Planning Act, as amended.

Prior to the registration of any Plan of Subdivision, a Subdivision Agreement between the landowner and the Town will be required.

D5 COMMUNITY DESIGN

D5.1 OBJECTIVES

It is anticipated that the Town's population and the range of services offered will continue to grow over the planning period. This growth will occur within the existing built-up area through *redevelopment* and *intensification* and in new *greenfield* areas. In order to ensure that the community areas evolve in a manner that *enhances* the quality and vibrancy of life of the current and future inhabitants of the Town, it is the desire of *Council* to create and encourage a high quality of built form. On this basis, it is the intent of this Plan to:

- a) improve the aesthetic quality of the Town's built form, and promote *development* which is based on good design principles and standards that reflect the goals, objectives, and policies of this Plan;
- b) *enhance* the unique *character* of the Town's community areas by encouraging high quality design that is complementary and *compatible* with existing *development*, the Town's cultural and natural heritage, and which fosters a strong sense of civic identity and pride;
- c) *enhance gateways* into the community areas, strengthen the Thornbury and Clarksburg downtown communities, refine *development* in, and connections to, Georgian Bay and the Niagara Escarpment, and revitalize the Highway 26 corridor;
- d) ensure high quality design is employed in the *development* of all public works and that these public works contribute to an improved community environment;
- e) exercise municipal *development* control in order to achieve a consistently high quality of site, building and landscape design; and,
- f) ensure the safety and security of public and publicly accessible places through community design.

D5.2 DESIGN POLICIES

All relevant municipal *development* controls will be considered in order to achieve a consistently high standard of site, building and landscape design. The community design policies of this Plan are to be implemented by:

- a) ensuring that the implementing Zoning By-law is regularly reviewed and amended to include standards that reflect the objectives and policies of this Plan;

- b) ensuring that the design guidelines contained in the Town-Wide Community Design Guidelines are consulted as a guidance tool;
- c) ensuring that the Town’s engineering standards are regularly refined to reflect the objectives and policies of this Plan and the Town-Wide Community Design Guidelines;
- d) ensuring that the Town’s Site Plan Control Policy sets out the minimum requirements of the Town in a clear and concise manner;
- e) ensuring that all Public Works decisions generally conform with this Plan and Town-Wide Community Design Guidelines; and,
- f) utilizing architectural control in new development areas, where appropriate, to detail proposed building designs and materials, and in order to avoid repetitive building forms along residential subdivision streets.

All *development* applications shall be evaluated to determine the extent to which the application respects the community design and development policies of this Plan and the Town-wide Community Design Guidelines.

D5.3 COMMUNITY GATEWAYS

Community *Gateways*, as identified on the Community Structure Plan and Schedules B-1 and B-2 of this Plan, are intended to achieve a sense of entrance and arrival to the Town and neighbourhoods through built form, building design and landscaping. It is a policy of this Plan to plan and design Community *Gateways* to:

- a) encourage a high quality design in the built form which is distinctive and which contributes to the identity of the particular *Gateway*;
- b) orient the most active and architecturally detailed building façade to the public street by use of main entrances and a large percentage of fenestration addressing the streetscape;
- c) locate parking facilities at the rear and/or side of buildings instead of between the front of the building and the public street.
- d) use one style of *gateway* feature for the overall system in commercial areas that allows all to read as Town-wide system, but which accommodates the uniqueness of each commercial area through special design elements;
- e) use local materials for *gateway* features that reflect the *character* of the area;

- f) emphasize *gateway* features with surrounding planting material that is native, non-invasive, low maintenance, salt tolerant, and suited to the soil conditions;
- g) design *gateway* features with materials and elements that ensure they are durable and easily maintained;
- h) use simple and universally readable lettering for any signage that is part of a *gateway* feature; and,
- i) consider energy-efficient forms of lighting to highlight the *gateway* features at night.

D5.4 HIGHWAY 26 CORRIDOR

Highway 26 is recognized as a significant scenic corridor through the Town with views and vistas of Georgian Bay and the Niagara Escarpment. As such it is a policy of this Plan that the scenic values of this corridor be protected and enhanced. Buffer strips shall generally be required for new development along Highway 26 excluding lands within the Thornbury Downtown Area designation (connecting link) and Craighleith Village Area. Buffers shall generally be 10 metres in width and subject to an approved landscape plan to ensure adequate visual screening. The Town’s Community Design Guidelines will further characterize the streetscape and refine direction for development along Highway 26.

D5.5 VIEWS AND VISTAS

- a) The preservation, enhancement and/or creation of *significant* views and vistas shall be encouraged as part of comprehensive planning studies, such as Secondary Plans and during the review of *development* applications. Examples of significant views include the Niagara Escarpment, Nipissing Ridge, waterfront areas, the Downtowns, important public or historic buildings and natural heritage features and open space.
- b) Public and institutional buildings shall be encouraged to locate at:
 - i) the termination of a street or view corridor;
 - ii) street intersections

D5.6 RURAL CHARACTER

It is the intent of Council to only permit *development* outside of Settlement Areas and Hamlet Areas that is compatible with the character, role and function of the rural landscape since the existing character of the rural area greatly contributes to the quality of life enjoyed by the Town's residents. The rolling hills and undulating topography, the rivers and streams and the open and natural setting of the rural landscape are all components that define this character. It is the intent of this Plan to protect the natural and rural character of the rural landscape in accordance with the policies of this Plan.

On this basis, Council shall ensure, as a condition of any *Planning Act* approval for development located outside of Settlement Areas and Hamlet Areas that:

- a) uses be designed to blend in with the existing topography and vegetation;
- b) existing trees are maintained wherever possible;
- c) new buildings on farm properties are sited in existing building clusters wherever possible;
- d) all signage, if required, reflects the rural and natural character of the area;
- e) all lighting, if required, is subdued and appropriate for the use; and,
- f) existing buildings, structures, barns and other agricultural buildings are upgraded and/or restored wherever possible.

D5.7 CULTURAL HERITAGE

Development shall be designed to incorporate, conserve and *enhance* identified heritage resources as distinct elements and/or focal points, and incorporate these features into the overall site and building design in accordance with Section D3.

D5.8 SAFETY

Personal safety for individuals for new *development* shall be promoted including the provision of:

- a) Appropriate lighting, visibility and opportunities for public surveillance for parking lots, walkways, parking garages and open space area;
- b) Unobstructed views into parks and open spaces from adjoining streets;

- c) Design and siting of new buildings shall provide opportunities for visual overlook and ease of public access to adjacent streets, parks and open space.
- d) Views into and out of publicly accessible buildings shall be encouraged;
- e) Landscaping that maintains views for safety and surveillance; and,
- f) Clear and appropriately located signage.

D5.9 BARRIER-FREE ACCESS

The Town supports improving accessibility for all people and therefore, it is a policy of the Town to ensure through the review of *development* applications that:

- a) Barrier-free access for persons using walking or mobility aids shall be provided in all public and publicly-accessible buildings and facilities and along major pedestrian routes. Such barrier-free access features may include level surfaces, ramps and curb cuts, railings, automatic door openers and rest areas;
- b) Barrier free features shall be integrated with the functional and design components of the site and/or buildings; and,
- c) The private sector be encouraged to be proactive in modifying existing private buildings and facilities to improve accessibility.

D5.10 ARTS AND CULTURE

The Town recognizes the contributions libraries, art and culture make to the vibrancy, attractiveness and economic viability of our communities. Thriving and visible local arts and culture also help to define the identity of our community, help revitalize neighbourhoods (economically and socially) and create a legacy.

It is a policy of this Plan that *Council* will:

- a) Promote an environment where arts, culture and creativity can thrive;
- b) Encourage public art throughout the Town in prominent public locations where appropriate, which fosters community identity by interpreting local history, traditions and culture;
- c) Encourage the inclusion of public art on properties under the jurisdiction of the Town, its agencies and boards and other levels of government;

- d) Ensure that the design and placement of public art on public and private properties is consistent with the Community Design Policies of this Plan; and,
- e) Encourage accessible library services and resources to facilitate healthy and complete communities for residents of all ages, backgrounds and abilities.
- f) Encourage arts and cultural facilities in the Town and the use of open public areas for festivals and community gathering events.

D6 PUBLIC PARKLAND AND OPEN SPACE

D6.1 OBJECTIVES

It is the objective of this Plan to:

- a) establish and maintain a system of public open space and parkland areas that meets the needs of present and future residents;
- b) *enhance* existing parkland areas wherever possible to respond to changing public needs and preferences;
- c) ensure that appropriate amounts and types of parkland, and land along the shoreline and for access thereto, are acquired by the Town through the *development* process;
- d) encourage the dedication and donation of environmentally sensitive lands into public ownership to ensure their continued protection;
- e) protect and *enhance* the public open space and parkland areas in a manner that is consistent with the environmental objectives of this Official Plan;
- f) promote the establishment of a continuous linear open space system connecting natural, cultural and recreational land uses within the Town and to surrounding municipalities;
- g) coordinate with other public and private agencies in the provision of open space, recreational and cultural facilities;
- h) encourage the *development* of a walking and cycling trail system within the open space system that is accessible to the public utilizing trails, paths, streets and other public open spaces; and,
- i) ensuring that the services, infrastructure and facilities required to support these uses are in place.

D6.2 GENERAL POLICIES APPLYING TO ALL PUBLIC PARKLAND

D6.2.1 Leisure Activities Plan

The 2021 Leisure Activities Plan (LAP), initially prepared and adopted in 2006 and previously updated in 2015, informed the policies in this section of the Plan. The LAP is intended to enable the Town to effectively deliver leisure services for its residents and visitors. The LAP shall be updated, as required, to respond to changing needs and circumstances.

D6.2.2 Overall Public Parkland Standard

Council shall encourage the provision of public parkland to achieve a minimum ratio of 1.2 hectares of local parkland per 1,000 residents (permanent and seasonal) and 2.5 hectares of non-local parkland per 1,000 residents (permanent and seasonal). Specific requirements respecting local and non-local parkland are set out in Section D6.3.

D6.2.3 Integration of Other Public Uses with the Public Parkland System

The co-location of public parkland with educational or major recreational facilities is encouraged, particularly in proximity to residential and commercial uses. Where public parkland is to be integrated with an educational or major recreational facility, it is the intent of this Plan that the two uses complement each other by ensuring that there are no physical barriers between the uses.

D6.2.4 Other Sources of Parkland and Facilities

Where appropriate, *Council* may:

- a) encourage other agencies to provide open space and *amenity areas* for *public use*;
- b) enter into joint use/management agreements respecting the *development* of specific recreational facilities that are available to the general public;
- c) provide linkages between municipal open space areas and the facilities provided by other agencies or private organizations;
- d) ensure the adequate provision of private indoor/outdoor amenity spaces through regulations pertaining to *development* applications; and,
- e) accept treed lands, particularly those within *Hazard Lands* and along the Niagara Escarpment and the Nipissing Ridge, to

maintain the visual quality of the resort area but shall not be considered a parkland dedication under the Planning Act.

D6.2.5 Dedication of Land through the Development Process

As a condition of approval of development or redevelopment of land, the Town shall require the dedication of land for park or other public recreational purposes in accordance with 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:

- a) For residential purposes:
 - i) An amount not exceeding 5% of the land being developed;
 - ii) Or, if Council enacts a by-law permitting an alternative rate:
 - a. 1 hectare per 600 dwelling units for parkland dedication;
 - b. The equivalent of 1 hectare per 1000 dwelling units for cash-in-lieu of parkland dedication;
 - iii) Where using an alternative parkland dedication rate, for sites 5 hectares or less, no more than 10% of the developable land can be required for parks or other recreational purposes. For sites greater than 5 hectares, no more than 15% of the land can be required for parks or other purposes.
- b) For commercial or industrial purposes: an amount not exceeding 2% of the land being developed.

All lands dedicated to the Town shall be conveyed in a physical condition satisfactory to the Town.

Lands within the *Hazard Lands* designation and/or which have been identified as *hazard lands* shall not be considered as part of the required minimum dedication of parkland pursuant to this section of the Plan.

The Town shall prioritize parkland dedication over cash-in-lieu of parkland in order to accommodate a range of parkland facilities in Town, in proximity to residential and commercial development. Where cash-in-lieu of parkland dedication is proposed, the Town shall ensure that one or more of the following circumstances is met:

- i) Where the required land dedication fails to provide an area of suitable shape, size or location for development as public parkland;

- ii) Where the required dedication of land would render the remainder of the site unsuitable or impractical for development; and/or
- iii) Where existing park and recreational facilities in the vicinity of the site area, in the opinion of the Town, clearly adequate to serve the projected increase in population.

D6.2.6 Lands Not Accepted

Lands, which may be conveyed to the Town that shall not be considered part of the required dedication for parkland purposes, unless specified by the Town to be required as parkland dedication, include the following:

- a) lands designated as *Hazard Lands*;
- b) lands, which comprise part of any required open space component;
- c) walkways which are provided as part of the overall subdivision or site plan approval;
- d) lands which are required for other municipal *infrastructure* purposes, including roads, service lines and stormwater management facilities; and,
- e) lands which are otherwise conveyed to the Town, whether used for *recreation* purposes or not.

D6.2.7 Use of Monies Received Through the Cash-in-Lieu Process

All monies received under the provisions of Section D6.2.5 shall be used for the sole purpose of developing and acquiring public parkland and/or developing recreational facilities in accordance with the *Planning Act*. The Town shall aim to spend 60% of the monies received through cash-in-lieu of parkland annually. These monies may be used by *Council* for the:

- a) acquisition of land for park purposes;
- b) acquisition of additional land to expand existing parks where appropriate;
- c) acquisition of vacant infill sites to create new small parks;
- d) acquisition of redundant properties owned by public agencies;
- e) improvement of park design and *development* within existing parks to ensure safety and full accessibility; and/or,
- f) establishing priorities for acquisition through *Council* approval of updated Recreation Master Plans.

D6.2.8 Parkland Dedication By-law

Council shall enforce the Parkland Dedication By-law that establishes:

- a) the lands to which the by-law is applicable;
- b) the rate of parkland dedication in accordance with this Plan;
- c) the *development* applications which are subject to parkland dedication requirements; and
- d) land uses, which are exempt from parkland dedication requirements.

D6.3 PARKLAND DEVELOPMENT POLICIES

D6.3.1 Parkland Siting and Design

It is the intent of this Plan that all public parkland:

- a) have as much street frontage as possible and be open to view on as many sides as possible to maximize visibility from adjacent streets and promote safety;
- b) maximize public safety and accessibility through park block size, visibility, configuration and location of park fixtures and facilities;
- c) be accessible for all ages and abilities and designed using the principles of universal design and CPTED (Crime Prevention Through Environmental Design);
- d) have direct and safe pedestrian access from adjacent residential areas or adjacent greenlands where appropriate;
- e) be designed to minimize any potential *negative impacts* on adjacent residential areas through the use of such measures as planting, fencing and the provision of appropriate access, parking and buffers to active recreational facilities;
- f) incorporate natural heritage features and the planting of native species and naturalized landscapes wherever possible into the design of the parkland;
- g) integrate, where appropriate, elements such as play structures, informal playgrounds, seating, hard surface areas, public art, shaded areas, open air structures, pedestrian-scaled lighting and distinctive tree, shrub and ground cover planting;

- h) be designed to provide a focal area, feature or plantings that provide character to the park, as well as a range of passive and informal uses; be integrated into the fabric of the adjacent neighbourhood by promoting open space or walkway linkages to adjacent facilities, neighbourhoods and natural features;
- i) be connected, wherever possible, to trail systems, cycling routes, walkways, natural heritage corridors, utility corridors and drainage systems;
- j) incorporate multi-purpose community/recreational centers through the co-location of uses that may include schools, public and cultural facilities, libraries, *cultural heritage resources*, child care facilities and recreational facilities; and
- k) Consider minimizing tree and vegetation removal on Town owned parks and open spaces and include consideration of existing tree/vegetation cover in the planned function of a proposed park.

D6.3.2 Parkland Classification System

There are two types of public parkland in the Town. The Local Parkland classification applies to lands that are intended to be used by residents in the immediate area. The Non-Local Parkland classification applies to lands that are intended to be utilized on a community wide or Town basis. Policies for both types of parkland are contained within this section of the Plan.

D6.3.3 Local Parkland

Local Parkland is intended to fulfill the needs and interests of residents in the surrounding residential area. The major components of Local Parkland include:

- a) Parkettes; and,
- b) Neighbourhood Parks

Parkettes and Neighbourhood Parks are a permitted use in the Community Living Area and Residential Recreational Area designations and do not require a separate land use designation. New Secondary Plans shall conceptually delineate the location of Local Parkland. *Council* will encourage the provision of Local Parkland at a ratio of 1.2 hectares per 1,000 residents (permanent and seasonal). *Council* recognizes that factors, such as the amount and location of available vacant land, the proximity of lands within the natural heritage system and the location of schools, places of worship and Non-local Parkland may influence the amount and location of Local Parkland provided in each area of the Town.

It is the intent of this Plan to encourage the development of larger parkland parcels as part of the overall design of subdivision *development* within the resort areas of Town and that the required parkland dedication for smaller parcels shall generally be encouraged as a cash-in-lieu provision.

D6.3.3.1 Parkettes

Parkettes shall:

- a) generally service lands within a 0.2 to 0.4 kilometre radius, depending on population density;
- b) generally range from 0.2 to 0.5 hectares in size;
- c) be required when site conditions or neighbourhood design restrict access to other Town facilities;
- d) be required for housing *developments* that provide smaller lots with reduced opportunities for *amenity areas*;
- e) be centrally located within the neighbourhood it is intended to serve; and,
- f) provide a range of opportunities for active and passive activities, particularly for young children and older adults seeking close to home activities.

D6.3.3.2 Neighbourhood Parks

Neighbourhood Parks shall:

- a) service the immediate neighbourhood, generally servicing lands within a 0.4 to 0.8 kilometre radius, depending on population density;
- b) generally range from 0.5 to 4.0 hectares in size;
- c) be comprised mostly of tableland and be configured to support their intended use;
- d) be centrally located within the neighbourhood or neighbourhoods it is intended to serve;
- e) have frontage on a Collector Road that is adequate for the provision of on-street parking and site visibility;
- f) be located adjacent to an elementary school, other community facilities where feasible, other open space lands or storm water

detention areas to complement existing facilities and/or provide a neighbourhood focal point; and,

- g) where adjacent to an elementary school have complementary facilities such as sports fields, hard surface play areas and components, and play apparatus.

D6.3.4 Non-local Parkland

Non-local Parkland is intended to fulfill the needs and interests of all Town residents and visitors to the Town. The major components of Non-local Parkland include:

- a) Community Parks; and,
- b) Town Wide Parks.

Council will encourage the provision of Non-local Parkland at a ratio of 2.5 hectares per 1,000 residents (permanent and seasonal). *Council* will encourage the coordinated *development* of Non-local Parkland with schools and other major *institutional uses*, and natural heritage features that form part of the natural heritage system.

D6.3.4.1 Community Parks

Community Parks shall:

- a) generally service a settlement area, Secondary Plan Area or *Hamlet Area*;
- b) generally have a minimum site area of 4.0 hectares of primarily tableland;
- c) be located adjacent to a school or community facility such as a community centre, arena, pool or library where feasible, or other major open space lands to complement other neighbourhood facilities and provide a community focal point;
- d) have frontage on an County or Collector Road;
- e) where adjacent to a school, have complementary facilities such as major sports fields, hard surface play areas and other active park uses; and,
- f) be the site of primarily outdoor recreational uses with broader community facilities such as water play areas, gardens or special event staging areas with associated washrooms, pavilions or service areas.

D6.3.4.2 Town Wide Parks

Town Wide Parks shall:

- a) generally service the entire Town and visitors;
- b) generally have a minimum area of 6.0 hectares of primarily tableland;
- c) be located on an County Road or Provincial Highway;
- d) provide passive recreational areas (e.g. woodlots, natural areas and open space) and/or active recreational areas including major athletic facilities or standard sports fields, hard surface play areas, special event staging areas, and other major *recreation* facilities with associated play, water play, washrooms, pavilions or service areas; and,
- e) where appropriate, integrate public cemeteries and other complementary *public uses* and community facilities.

D6.3.5 Public Walkway Policies Trail Network

It is intended that the Town will continue to establish a network of trails designed to provide a practical recreational facility for walking, skiing and biking, and to facilitate pedestrian access between major recreational activities associated with the Niagara Escarpment and Nottawasaga Bay, and the major residential and commercial centres in the Town. Particular attention is also to be given to the establishment of an open space corridor along the Nipissing Ridge, with linkages which support the integration and enhancement of the Bruce and Georgian Trails. Such linkages shall be encouraged within the required open space component for *development*.

- a) The primary linkages for the overall trail network are identified as on Schedules B-1 and B-2. These primary linkages shall be provided for in the design of proposed new *development*, always ensuring that the general orientation of pedestrian access is maintained. The location of such linkages shown on Schedules B-1 and B-2 shall be considered conceptual only, with some flexibility in subdivision and site plan design.
- b) As a condition of new *development*, proponents shall provide for the dedication to the Town of new public trails in accordance with the Town's engineering standards. It is noted that the trails may vary from a simple foot path in wooded, low density areas to a higher capacity surfaced walkway in denser developed areas. Paved or concrete pathways shall generally be required for internal walkways within subdivision areas. Multi-functional trail

networks for walking, skiing and biking shall also be encouraged. In some cases, extra wide or dual trail networks may be appropriate for such multi-functional purposes. The standard of construction shall be determined by the Town bearing in mind the anticipated user demand and *character* of the environment. Subdivision design shall incorporate an extensive network of open space public trails, where appropriate, in addition to sidewalks along roadways. These open space trails shall be considered part of the required municipal *infrastructure*, and shall not be considered part of any required parkland dedication.

- c) Easement access including but not limited to for public access through otherwise private condominium lands for such matters including but not limited to public access to the waterfront, parks, connections between pedestrian/trail systems and/or to establish and fulfill objectives of the transportation master plan and trails master plan shall be required as a condition of approval where appropriate.
- d) Trail linkages between residential, commercial and institutional areas should be enhanced wherever possible through the development process.
- e) This Plan encourages a coordinated effort between ski clubs and resorts and municipal and provincial bodies in establishing integrated hiking and nature trails to encourage summer recreational activity, as well as winter ski trails where appropriate.
- f) The location and design of County-owned trails shall be informed by the Grey County Recreational Trails Master Plan.
- g) The Town shall undertake the *development* of a Parks and Trails Master Plan or Active Transportation Master Plan to identify key trail *development* priorities and policies to effectively guide pedestrian trail network decision-making.
- h) The location and design of trails shall be guided by the following:
 - i. The trail network 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.
 - ii. The right-of-way shall generally be a minimum of 6 metres in width. Greater or lesser right-of-way width may be required based on the location, design and nature of the pathway.

- iii. The location should be oriented towards treed areas and areas of frequent change in elevation or contour while avoiding steep, unstable slopes.
 - iv. Routes should be separated from roadways, where possible, but may substitute for sidewalks where paralleling the road allowance.
 - v. A practical route should be provided for walking, skiing and biking, with appropriate separations wherever possible.
 - vi. Conflicts with adjacent uses should be minimized through appropriate setbacks and vegetative screening.
 - vii. Public open space walkways should be integrated with subdivision and golf course design, with pedestrian access to all lots or units, where possible.
 - viii. The trail network shall utilize abandoned railway lines, unopened municipal road allowances, easements and other means to establish a connected trails network.
 - ix. Bicycle lanes shall be provided in the construction or reconstruction of roads and bridges and links to recreational trails, wherever possible.
 - x. Trail linkages should be improved and expanded wherever possible to provide public access to the waterfront.
 - xi. A coordinated and comprehensive system of wayfinding should be integrated and enhanced across the trail network.
 - xii. Bicycle racks, seating, rest areas, shade trees and vegetation should be incorporated and maintained along the trail network, particularly at main entrances.
- i) Trails should not limit adjacent land uses including, but not limited to, normal farm practices, land stewardship, sustainable forest management, wildlife management and legal uses.
 - j) It is a policy of this Plan to support the integration and enhancement of the Bruce Trail. The location and design of the Bruce Trail shall take into consideration:
 - i. the ownership and use of the land upon which the trail traverses;
 - ii. the mitigation of potential impacts; and

- iii. the provisions of adequate parking to meet the needs of trail users.

D6.3.6 Shoreline Acquisition and Access Policies

It shall be the policy of this Plan to expand both the number and areal extent of public access points to the shoreline of Nottawasaga Bay. This may be achieved by:

- a) the dedication of lands as a condition to the approval of the *development*;
- b) the acquisition of lands through purchase with funding from the Shoreline Reserve Fund, or other available sources;
- c) encouraging public agencies to make available lands for shoreline recreational activity or increase their present day use capacity;
- d) encouraging the Provincial Government through its agencies and programs to facilitate the acquisition and *development*, or redevelopment, of shoreline lands for public *recreation* purposes; and
- e) establishing partnerships with the private sector for public access to the satisfaction of Council.

The objective of the shoreline acquisition and access policies of this Plan is to eventually create an appropriate number of public waterfront parks distributed along the length of the shoreline. Lands acquired should have sufficient size and depth so as to provide adequate access and parking. Acquisition of shoreline lands adjacent to existing public holdings shall be encouraged. Shoreline walkways shall be especially encouraged as part of the *development* of plans of subdivision. Particular regard shall be given to the acquisition of larger Proposed Park areas along the shoreline.

D6.3.7 Nipissing Ridge

It shall be the policy of this plan to recognize the Nipissing Ridge as a prominent geological feature formed by the first bluff of the Lake Nipissing Shorecliff. The Nipissing Ridge shall be considered a high priority for acquisition by the Town as a condition of development approval for open space, public walkways and linkages with parks.

Because of the unique nature of this feature, and the significance to the open landscape character, the Nipissing Ridge shall generally be protected, with a high priority given to the retention of these lands in their natural state, to be maintained as a continuous natural corridor, where

possible. Development of limited permitted uses shall be under strict control, and subject to the requirements of Section C9 to this Plan.

Some limited golf course development and trails in association with the Nipissing Ridge may be considered, provided careful attention is given to ensure minimal visual and environmental disruption. Other uses permitted in the Hazard Lands designation shall generally be prohibited along the Nipissing Ridge, unless required for conservation purposes.

D7 HOUSING

D7.1 MONITORING OF HOUSING

A monitoring program shall be established by the Town to:

- a) review historic housing production levels by location, type and tenure;
- b) identify the location and spatial distribution of the supply of vacant designated residential land within the Official Plan;
- c) identify the number of draft approved and vacant registered residential lots;
- d) identify the price of housing available on the market;
- e) describe the location, spatial distribution, the amount and pricing of housing available for rent;
- f) describe the type, location and spatial distribution of infill housing *development* that has occurred; and,
- g) identify how many *additional residential units* have been legally created in accordance with this Plan.

The results of this monitoring program will be reported to *Council* on an annual basis and will be analyzed at the time of a five-year Official Plan review.

D7.2 HOUSING SUPPLY

It is a policy of this Plan to maintain a ten year supply of land through *residential intensification, redevelopment*, and if necessary lands *designated and available* for residential *development*, and a three year supply of land zoned for *residential intensification* and residential lots/units in registered and draft plan approved subdivisions within the context of the population target contained in this Plan.

D7.3 HOUSING MIX

It is the policy of this Plan to ensure the provision of a range of housing types in the Town's settlement areas.

The 2023 Housing Needs Assessment should be considered for new development that assists in achieving identified housing gaps and supporting required housing mix shall be encouraged. In addition, Official Plan Amendment applications that propose the down-designation of sites from medium and high-density housing shall be discouraged, since these sites will ultimately assist in achieving an appropriate balance of housing in the Town.

D7.4 AFFORDABLE AND ATTAINABLE HOUSING

Affordable housing includes all forms of housing tenure (ownership, rental, cooperative ownership) provided by the public, private and not-for-profit sectors. The term "*affordable housing*" is often used interchangeably with "social housing" or to define rental housing subsidized by the government, however it actually includes any part of the housing continuum from temporary emergency shelters through transition housing, supportive housing, subsidized housing, market rental housing or market ownership.

Housing is considered affordable when households of low and moderate incomes are spending no more than thirty percent (30%) of their gross household income a purchase or rental.

Attainable housing generally refers to the ability of households to enter, and graduate to successively higher levels of the local housing market. Implicit in making sure there is *attainable housing* is the provision of a range of housing options (types, sizes, tenures, costs) in the local market. Households at various income levels can find and secure (attain) suitable housing and can ultimately advance to a different level.

The Town of The Blue Mountains will take measures to ensure that housing options meet the needs of all residents by planning and supporting the provision of attainable and *affordable housing* units to meet the needs of the Town so that all people can call The Blue Mountains home. This Plan contains policies that encourage affordable and *attainable housing* by encouraging a broad mix of housing types and densities through intensification and development in greenfields, promoting integrated mixed-use developments in the Downtown Area, encouraging compatible infill and intensification in existing neighbourhoods including the development of *additional residential units* and *converted dwellings* and promoting *employee housing*.

The Town will plan to achieve and provide for *affordable housing* and *attainable housing* by:

- a) requiring all development proposals with more than 10 residential dwelling units to demonstrate how affordable housing units can be provided;
- b) planning to achieve a minimum target of 30% of new housing, or units created by conversion, to be affordable;
- c) utilizing incentive programs, Community Improvement Plans, community planning permit systems, supportive zoning by-laws, strategic reductions of development fees, and/or alternative site-development standards (either offered through the County or Town) that reduce the cost of construction and maintenance of services for *affordable housing* units;
- d) requiring all development proposing ground-related housing, including single-detached, semi-detached, and street townhouse dwellings to consider design options that provide purchasers the ability to have up to two residential units within the main building and/or an additional dwelling unit in an ancillary structure;
- e) encouraging the use of innovative building methods (such as prefabricated housing or modular housing) to help to reduce the cost of housing, and consider adopting pre-approved designs for certain housing typologies (including *additional residential units* and single, semi-detached and townhouse units) to accelerate the planning approvals process;
- f) requiring the submission of an *Affordable/Attainable Housing Report* as part of a development application, demonstrating how the application provides the type, size and tenure of housing required to addresses *affordable housing* needs and meet the *affordable housing* target of this Plan;
- g) maintaining an inventory of viable surplus Town-owned properties to be sold or leased that have been deemed appropriate for the development of *affordable housing* at or below market value; and
- h) working with the County to identify and pre-zone sites, including vacant or underutilized sites, for *affordable housing*.

D8 SUSTAINABLE DEVELOPMENT

This section is intended to assist the Town in achieving and implementing its sustainability vision, goals and objectives, as set out in the Community Sustainability Plan: Future Story, by setting out specific policies related to sustainable *development* in the Town.

D8.1 GREEN DEVELOPMENT STANDARDS

Green development standards are intended to recognize the importance of and support sustainable site and building design in both the public and private realms. It is a policy of the Town to:

- a) develop green development standards, in consultation with the *development* industry, to ensure the sustainability goals and policies of this Plan are addressed through *development* applications;
- b) require all *development*, including all new municipal buildings and projects, to meet the minimum standards necessary to satisfy the applicable required elements outlined in the green development standards;
- c) ensure the green development standards include, but are not limited to, the following:
 - i) minimum standards for energy efficient building design to achieve reduced energy consumption and demand;
 - ii) Minimum standards for efficient use of municipal infrastructure;
 - iii) minimum standards for water conservation in all buildings, and landscaping and maintenance;
 - iv) green building material requirements to promote durability and reduce the heat island effect;
 - v) requirements for dark sky compliant practices for exterior lighting;
 - vi) requirements for waste reduction, reuse and recycling in the construction process;
 - vii) requirements for the application of stormwater management at the site level to maximize infiltration and reduce phosphorus loading; and,
 - viii) recommendations and standards for the installation of on-site renewable energy generation and energy recovery, where practicable.

D8.2 TREE CANOPY

Supporting the protection and enhancement of tree canopies can contribute to improvements to air and water quality, reductions in greenhouse gases, the support of biodiversity, and enhancement of natural features and systems. It is a policy of the Town to:

- a) encourage the planting of native or non-native non-invasive tree species and vegetation that are resilient to climate change and provide high levels of carbon sequestration, particularly through new *development* and on municipally-owned land;
- b) implement measures to protect, *enhance*, and expand the tree canopy, including but not limited to:
 - i) requiring tree planting in areas of extensive surface parking; and,
 - ii) promoting *development* that maximizes areas for tree planting.
- c) consider the establishment of a forest resource stewardship strategy and plan;
- d) require reimbursement, in the form of new trees or financial compensation, for all healthy trees proposed to be removed in *development* applications, based on the findings of a Tree Inventory and Preservation Plan; and,
- e) encourage tree planting by local residents and organizations, and educate residents about the benefits of planting trees on their property and the environmental impact of removing trees.

D8.3 URBAN AGRICULTURE

Urban agriculture involves growing, processing and/or distributing food in and around urban areas. Urban agriculture can contribute to a sustainable food supply close to markets, providing high quality and affordable product to communities. It is a policy of the Town to:

- a) promote the growing and sharing of a wide variety of local produce and preserved foods year-round;
- b) encourage the establishment of community gardens in any land use designation with the exception of lands designated Wetlands or Hazard Lands. Community gardens and associated *accessory structures*, such as garden sheds, shall be minor in scale and secondary to the primary permitted land use(s);
- c) require that the owners and/or operators of community gardens on privately or publicly owned land, intended for *public use*, to enter into an agreement with the Town address matters including, but not limited to, ownership/operator responsibilities and maintenance, insurance and security requirements, the location and appearance of structures, and irrigation sources and usage; and
- d) support the establishment of seasonal or year-round marketplaces

in key locations where locally grown and preserved foods can be sold, and function as places of social interaction.

D8.4 ENERGY CONSERVATION AND EFFICIENCY MEASURES

Energy conservation and efficiency is an important component to achieve sustainability goals and objectives. Energy conservation and efficiency not only reduces environmental footprints, it helps to reduce energy costs for individuals, businesses and organizations. It is a policy of the Town to:

- a) support initiatives and educational programs that promote energy conservation and efficiency measures;
- b) promote the reduction in energy consumption in all Town-owned, maintained and operated facilities and equipment in a cost-effective manner, including upgrading and retrofitting of existing buildings where practical;
- c) ensure that all new Town facilities are designed to incorporate energy conservation measures;
- d) require, where appropriate, new commercial and industrial *development* to use light-coloured roofing material;
- e) seek to minimize energy consumption by:
 - i) promoting mixed use *development*, compact urban form and complete communities;
 - ii) maximizing existing *infrastructure*;
 - iii) encouraging the adaptive reuse of existing buildings;
 - iv) promoting building designs and orientations that incorporate energy conservation features; and,
 - v) promoting walking and cycling, and providing for bicycle parking and secure bicycle storage facilities;
- f) support the use of renewable energy systems, such as geothermal systems (provided such systems do not negatively impact *natural heritage features and areas*, and hydrologic features and their functions) and solar photovoltaic, solar hot water, and solar air heating systems, in locations where they can operate in full sun year-round; and,
- g) require new *development* to be designed to maximize solar gains and encourage building design that allows for future solar

installations.

D8.5 AIR QUALITY

Air quality can impact us as individuals (health effects), as a society (health care costs) and on a global scale (climate change), but there are many ways to improve and maintain air quality. It is a policy of the Town to:

- a) ensure that municipal operations and facilities meet or exceed applicable Provincial regulations with respect to air quality and support incremental reduction of greenhouse gas emissions and air pollutants;
- b) reduce reliance on private automobiles through the *development* of compact, mixed use, and pedestrian friendly communities to minimize contributions to air pollution; and,
- c) support initiatives to reduce and/or eliminate idling times.

D8.6 WATER CONSERVATION

Water conservation can help reduce water and wastewater *infrastructure* costs and protect these resources for future generations. Moreover, the conservation of water has benefits from environmental, social and economic perspectives. It is a policy of the Town to:

- a) encourage the reduction of water consumption levels through the promotion of the efficient use of water and the implementation of water saving technologies;
- b) encourage the use of alternative water supply and demand management systems such as, rain water harvesting and grey water reuse in all new *development* and/or *redevelopment*;
- c) encourage property owners to utilize low water use/drought-tolerant landscaping alternatives to minimize water consumption;
- d) support water efficiency measures that reduce the demand for energy to pump and treat water resources;
- e) supporting reductions in stormwater flows to stormwater and sanitary sewer systems by using approaches such as the use of pervious and natural surfaces, and diverting surface runoff to pervious and natural areas; and,
- f) encourage educational initiatives and awareness programs to educate the public on methods of water conservation.

D8.7 OUTDOOR LIGHTING

Appropriately placed and designed outdoor lighting can improve energy efficiency and reduce 'light pollution' and environmental impacts. It is a policy of the Town to:

- a) use and promote the use of responsible lighting practices that eliminate or reduce light pollution and glare, while maintaining sufficient light levels for a safe built environment;
- b) consider an outdoor lighting by-law that would help prevent the *negative impacts* of excessive or misdirected light and encourage responsible lighting that is purposeful and energy efficient;
- c) use energy efficient lighting fixtures in all new and retrofitted municipal facilities and properties, and in transportation corridors owned and/or maintained by the Town, such as roads, trails and parking lots;
- d) require the installation of full cutoff lighting for all new and retrofitted outdoor lighting and prohibit wall mount lights that shine horizontally and those with sag lenses; and,
- e) require the submission of a Lighting and Photometric Plan with Site Plan applications that demonstrates compliance with the Official Plan, including an implementation and maintenance plan. After *development* is complete and prior to the release of performance guarantees, the photometric performance of lighting plans shall be confirmed by a field test and a letter from the lighting designer certifying that the test meets the predicted photometric performance of the lighting plan and complies with the policies of this Plan.

D8.8 HEALTH IMPACT ASSESSMENT

This Plan recognizes that there is a relationship between land use, infrastructure and public health that affects the vitality and resilience of the community. Elements such as built form, community design, road and trail networks, open spaces, the public realm, the natural heritage system and infrastructure shape citizens' physical and psychological well-being.

To support a health-promoting, age-friendly community, the Town may require a Health Impact Assessment in support of development applications, which shall address how:

- a) physical activity and pedestrian mobility is addressed in project designs that are safe and convenient for persons using all modes of travel regardless of age or ability;
- b) the potential health impacts or risks of proposals are mitigated and potential benefits are maximized; and,
- c) access to the natural heritage system, clean air and clean water is maximized.
- d) marginalized or vulnerable parts of the population may be affected differently in comparison to the broader target population;
- e) societal and economic risk factors such as income, employment, housing and food security, to name a few, are mitigated; and
- f) access to services such as health, transportation and leisure are maximized.

**PART E
PLAN IMPLEMENTATION
AND ADMINISTRATION**

E1 PLAN IMPLEMENTATION AND ADMINISTRATION

This Plan is ultimately implemented by Council. Where this Plan refers to approval by Council, that approval authority includes delegated staff and Committees of Council.

E1.1 ZONING BY-LAWS

A review of the Town’s Comprehensive Zoning By-law shall be undertaken to ensure that it properly implements the policies of this Plan.

Where a community planning permit by-law has been enacted by the Town, references to “zone”, “zoning” or “zoning by-law” within this Plan shall be understood to apply to the applicable terminology associated with the community planning permit by-law.

E1.2 COMMUNITY PLANNING PERMIT BY-LAW

- a) The Town may identify one or more areas, including the entire Town, as a community planning permit area.
- b) Any community planning permit by-law will support, at a minimum, the following objectives, as applicable:
 - i. Supporting Housing Diversity:
 - Facilitate and prioritize the development of higher density housing in appropriate locations that provide a more diverse range of attainable options, following direction of the updated Official Plan.
 - Prioritize the provision of *affordable housing*.
 - Prioritize development projects that increase housing supply and options in a streamlined and efficient manner.
 - ii. Prioritizing Community Character and Design:
 - Coordinate with the Town wide Community Design Guidelines and set out corresponding regulations that are enforceable through development review.
 - Provide built form and public space design direction.
 - Recognize the Town’s existing community areas and provide further direction for development based on existing character.
 - iii. Supporting Sustainability and Natural Elements:
 - Regulate tree protection and removal through a combined and fulsome process.
 - Regulate site alteration activities.
 - Focus and provide direction on green design,

landscaping and sustainability to help mitigate and adapt to the impacts of climate change.

- c) Within an area for which a community planning permit by-law has been enacted, the Town's Zoning By-law shall not apply, nor shall site plan control.
- d) If a community planning permit by-law is enacted, the use and development of land must comply with the permitted uses, standards and criteria set out in the community planning permit by-law as demonstrated by the issuance of a community planning permit unless the proposed use or development is expressly exempted from a permit as indicated in the community planning permit by-law.
- e) Where existing site plan agreements are already registered on a property, those agreements may be amended as long as such amendments comply with the applicable provisions of the community planning permit by-law.
- f) A community planning permit by-law will:
 - i. Contain a description of the area to which the by-law applies, which must be within the boundaries of the area identified in the Official Plan;
 - ii. Set out and define permitted and discretionary uses;
 - iii. Set out development standards with specified minimum and maximum standards;
 - iv. Set out any internal review for permit decisions;
 - v. Describe notification procedures for decisions;
 - vi. Set out criteria for determining whether a proposed use or development is permitted;
 - vii. Describe the process for amending development permits, development permit agreements and pre-existing site plan agreements;
 - viii. Outline any conditions of approval that may be imposed;
 - ix. Set out the scope of delegated authority, including any limitations; and,
 - x. Include a statement exempting placement of a portable

classroom on a school site existing on January 1, 2007 from the requirement for a permit.

- g) Town initiated amendments or an application to amend the community planning permit by-law must be considered in the context of the planned vision for lands within the area subject to the by-law. An application to amend the community planning permit by-law must be supported by a comprehensive planning rationale addressing this, and must include:
 - i. Information supporting the proposed amendment; and
 - a. Details of public and community engagement involving the Town and the community impacted by the proposed amendment.

Town initiated amendments or an application to amend the community planning permit by-law will be considered by Council only after the completion of the comprehensive planning rationale has been submitted and the public and community engagement has been completed.

- h) In addition to the prescribed requirements of the Planning Act, plans and reports identified as required to evaluate an amendment to the community permit by-law, unless it is determined, through a pre-consultation with the Town, that certain studies, plans, drawings and reports are not applicable.
- i) Applications for an amendment to the community planning permit by-law will comply with the complete application submission requirements for a community planning permit identified in Schedule 1 of Ontario Regulation 173/16.
- j) Where a community planning permit by-law has been enacted, Council may delegate its decision making authority respecting community planning permit applications and its authority to execute, amend and release community planning permit agreements to a Committee or body appointed by Council or an employee of the Town of The Blue Mountains as outlined in the community planning permit by-law.
- k) The community planning permit by-law may require an applicant to enter into and register on title an agreement with the Town to address some or all of the conditions of approval imposed on a community planning permit.
- l) The community planning permit by-law may require the applicant to provide financial security to ensure the satisfaction

of any condition imposed on the permit, including the completion, maintenance and on-going monitoring of the development.

- m) The community planning permit by-law may include details for the provision of facilities, services and matters, or cash contribution in lieu thereof, proportionate to and in exchange for the height being sought.
- n) The community planning permit by-law may also include any condition or requirement that may be imposed pursuant to the Planning Act, R.S.O. 1990, including but not limited to the following:
 - i. development shall be undertaken in accordance with a community planning permit, including submitted plans, reports and drawings;
 - ii. identification, protection, maintenance and enhancement of existing trees and other vegetation, including the restoration or replacement of vegetation where removed;
 - iii. transfer of land for road widenings including daylighting triangles to the extent established in the County and Town Official Plans;
 - iv. construction access plan to articulate how building materials will be placed on the site and how construction access will be provided to the subject property during construction;
 - v. lighting facilities shall be required to minimize the impacts on night skies and environmental features and a lighting impact analysis may be required to ensure the proposal is dark sky compliant;
 - vi. easements in favour of the municipality for access, construction, maintenance or improvement of watercourses, ditches, land drainage works and other utilities;
 - vii. facilities for the disposal of storm, surface and waste water from the land and from any buildings or structures thereon;
 - viii. payment of cash-in-lieu, in accordance with the Town's Parkland Dedication By-law, except where it has already been taken at the time of lot creation;

- ix. Environmental Impact Statement preparation, submission and mitigation measures;
 - x. site alteration plan to demonstrate alteration or restoration of the grade of land and the placing or dumping of fill;
 - xi. provision of sustainable/low impact design features;
 - xii. monitoring of the use of lands as is necessary for the protection of public health and safety or the protection of the natural environment;
 - xiii. specified agreement of exchange for increased height and or density;
 - xiv. in the case where action is recommended by a technical report, conditions which address the recommendations, including siting requirements that exceed minimum requirements may be imposed;
 - xv. approvals and permits from other regulatory bodies;
 - xvi. execution, maintenance and monitoring of any feature or works associated with a condition or a report;
 - xvii. enter into an agreement with the Town and/or any regulating bodies, to be registered on title, to confirm development will proceed in accordance with the Community Planning Permit, including the requirement of financial securities;
 - xviii. sun/ shadow/ shade study;
 - xix. contaminant and spill management plan;
 - xx. erosion and sediment control plan; and,
 - xxi. conformity with and compliance to all regulated authorities for matters associated with property standards, outstanding fees, enforcement and other by-laws.
- o) Council reserves the right through the implementing community planning permit by-law to further refine the list of permitted uses for each designation to ensure that new development is appropriate in the context of the adjacent and surrounding community.

E1.3 MINOR ZONING BY-LAW AMENDMENTS

Where Council has, by By-law or Resolution, delegated the authority to pass by-laws per of the Planning Act, that are minor in nature, to the Director of Planning and Development Services, the Director of Planning and Development Services may pass by-laws related to:

- A by-law to assist in the interpretation of the Zoning By-law or for clerical changes; and
- Minor Zoning By-law Amendments.

A minor Zoning By-law Amendment applies to the following:

- Extension of a zoning boundary where a property is dual zoned or to reflect an addition of lands;
- To permit the removal of holding zones; or
- To permit a use not specified in the Zoning By-law but conforms to the Official Plan.
- To permit a minor variance to the Zoning By-law.

A Minor Zoning By-law Amendment is subject to the following criteria:

- An Official Plan Amendment is not required, and the proposal must conform to the Town's Official Plan; and
- A Draft Plan of Subdivision is not required in accordance with the Town's Official Plan.

E1.4 TEMPORARY USE BY-LAWS

The Town may pass temporary use by-laws to apply to private land for uses and circumstances permitted by this Plan, including, but not limited to, for:

- temporary housing;
- temporary tourist uses and facilities;
- parking lots for a specific one-time event; and
- Other permitted uses on a temporary basis.

These temporary uses may be authorized for a specific time period up to three years and should be applied where it is considered inappropriate by the Town to permit the proposed use on a permanent or continuing basis and where alternatives such as relocation are not practical. However, once the by-law has lapsed, the use must cease or otherwise will be viewed as contravening the implementing Zoning By-law.

Prior to the approval of a temporary use Zoning By-law, *Council* shall be satisfied that the following principles and criteria are met:

- a) The proposed use shall be of a temporary nature and shall not entail any 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;
- b) The proposed use shall be *compatible* with adjacent land uses and the *character* of the surrounding neighbourhood;
- c) The proposed use shall not require the extension or expansion of existing municipal services;
- d) The proposed use shall not create any traffic circulation problems within the area nor shall it adversely affect the volume and/or type of traffic serviced by the area's roads;
- e) Parking facilities required by the proposed use shall be provided entirely on-site; and
- f) The owner has entered into an agreement with the Town and/or posted securities, if necessary, to ensure that structures associated with a temporary use provision can be removed upon expiry of the by-law.

E1.4.1

- a) Council may by By-law delegate to the Director of Planning or their designate(s), the authorization to pass Temporary Use By-laws in accordance with policies of Section E1.2 and E1.1.2.
- b) Council may, by By-law, delegate to the Director of Planning or their designate(s), the authorization to pass a By-law to extend such period of time for further periods of time not exceeding three years each, during which the temporary use is authorized in accordance with policies E1.3. and E1.4.

E1.5 HOLDING PROVISIONS

In accordance with the Planning Act, *Council* may use a Holding (H) symbol in conjunction with the zoning of land to prohibit *development* until specific conditions of the Town have been met. The objective of utilizing a Holding Provision is to ensure that:

- a) the appropriate phasing of *development* or *redevelopment* occurs;
- b) *development* does not proceed until services and utilities are available to service the *development*; and/or,
- c) agreements respecting the proposed land use or *development* are

entered into.

- d) policies of this Plan related to cultural heritage conservation, urban design, Site Plan Approval, potentially contaminated sites, protection of the natural environment and the Natural Heritage designation, community improvement, and all other planning matters determined to be relevant to the development or redevelopment of the lands;

E1.5.3

Council may by By-law delegate to the Director of Planning and their designate(s) the authorization to pass a by-law in accordance with policies E1.3 and E1.5.2.

E1. 6 INTERIM CONTROL BY-LAWS

Council may pass interim control by-laws to restrict the use of land in a defined area for a period of up to one year in order to provide *Council* with the time to study a particular land use planning issue. The passage of such a By-law shall be preceded by the passage of a *Council* Resolution that identifies the land use planning issue and authorizes an appropriate review or study of the land use planning issue.

In the event that the review or study related to the Interim Control By-law has not been finalized within one year, *Council* may amend the Interim Control By-law in order to extend the period of time for which it is in effect, provided that the total period of time it is in effect does not exceed two years from the date of passing of the Interim Control By-law.

E1. 7 SITE PLAN CONTROL

All areas of the Town are designated as proposed Site Plan Control areas under the provisions of the *Planning Act*. Specific uses subject to site plan control shall be identified in the Town's Site Plan Control By-law passed under the provisions of the *Planning 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 Community Design Policies of this Plan (Section D5). 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.

The intent of a Site Plan Agreement is to ensure that any proposed *development* is designed to be *compatible* with adjacent *development*,

appropriately serviced and accessed and otherwise in conformity with the goals and strategic objectives of this Plan. Any required site plan agreement shall deal with the following, as appropriate:

- a) road widenings;
- b) location of vehicular access points;
- c) loading, parking and driveway locations;
- d) the surfacing of loading, parking and driveway areas;
- e) the location and design of walkways and walkway ramps;
- f) the location, massing and conceptual design of any buildings and structures;
- g) the location and type of lighting and landscaping;
- h) the location and type of garbage storage;
- i) the location and nature of easements;
- j) the grade and elevation of the land;
- k) the type and location of water, and storm, surface and wastewater disposal facilities; and,
- l) the location and type of snow removal facilities.

Where a community planning permit by-law has been enacted by the Town, references to “site plan”, “site plan control” or “site plan approval” within this Plan shall be understood to apply to the applicable terminology associated with the community planning permit by-law.

E1. 8 PUBLIC PARTICIPATION

It is a policy of this Plan that public participation be an integral component of any land use planning process and the Town will encourage the involvement of residents, businesses, stakeholders and other levels of government. On this basis, before making any planning decision, *Council* shall be satisfied that:

- a) adequate public notice in accordance with the *Planning Act* has been given;
- b) enough information to enable a person to reasonably understand the nature of the proposal and its impacts is available prior to any public meeting;

- c) all public and agency comments have been assessed and analyzed by the Town; and,
- d) their decision will appropriately balance the overall public interest against the private interest expressed in the application.

Proponents shall be encouraged to pre-consult with neighbouring landowners to obtain their views before a formal application is submitted.

Public Open Houses shall be required for major municipally-initiated planning programs and studies, such as Secondary Plans and Zoning By-law reviews.

Applicants for large scale development approvals for Official Plan Amendments, Zoning By-law Amendments, Plans of Subdivision/Condominium and Site Plans are encouraged to provide a proposed strategy for consulting with the public with respect to the requested approval and shall provide a public consultation strategy comments/response matrix summarizing how they have considered public comment provided with respect to the subject proposal. Included within this strategy should be public engagement, at a minimum through advising Council of a forthcoming development application.

The following are suggested:

1. Submit a Deputation Request Form and materials to the Town Clerk 10 days in advance of the Council meeting or 11 days in advance of the Committee of a Whole Meeting
2. Complete a mailout within 120 meters of the subject lands in which the application will apply.
3. Provide a brief overview of the application to be submitted including:
 - a. Description of the subject lands including land-use designations and zoning provisions
 - b. Identifying any constraints related to the subject lands and if known, relevant agencies to be consulted.
 - c. Provide a conceptual description of the development proposal identifying key characteristics such as types of uses being proposed, unit counts, square footage etc.
4. Ensure all materials provided to Council can be published and made publicly available.

Council may eliminate notice to the public and a public meeting for a minor Official Plan Amendment that:

- a) changes the numbers of sections or the order of sections in this Plan, but does not add or delete sections;

- b) consolidates previously approved Official Plan Amendments in a new document without altering any approved policies or maps;
- c) corrects grammatical or typographical errors in this Plan that do not affect the intent of the policies or maps; and,
- d) rewords policies or re-illustrates mapping to clarify the intent and purpose of this Plan or make it easier to understand without affecting the intent or purpose of the policies or maps.

In all other instances, notification to the residents of the Town of public meetings held by *Council* shall be given in accordance with the procedures of the *Planning Act*.

E1. 9 TOWN ENGINEERING STANDARDS

All development and works shall be in accordance with the Town of The Blue Mountains Engineering Standards, as amended from time to time.

E2 PHASING

E2.1 OBJECTIVES

It is the intent of this Plan to:

- a) ensure that *development* occurs in an orderly, well-planned manner;
- b) ensure that the provision of community services and facilities is coordinated with the *development* of new communities;
- c) give priority to the *development* of employment lands, infilling and completion of existing neighbourhoods and communities;
- d) maintain an acceptable balance between residential and non-residential assessment; and,
- e) ensure that detailed phasing plans that describes the sequencing of *development* and the timing of any *infrastructure* improvements are prepared in advance of major development.

E2.2 GENERAL PHASING CRITERIA

Development shall be phased in accordance with the following criteria:

- a) the proposal contributes to the protection and enhancement of natural heritage features and *ecological functions* and provides opportunities for public ownership of these lands;
- b) the proposal represents the logical completion or extension of the existing built-up area, roads and other *infrastructure* to avoid scattered *development* patterns;
- c) the proposal can be adequately and economically serviced by municipal water and wastewater services and storm drainage facilities;
- d) the proposal will provide neighbourhood amenities such as park sites, school sites and portions of a community-wide trail system;
- e) the proposal provides an opportunity for both employment and residential uses in order to encourage improved live/work relationships and to attract non-residential assessment;
- f) where appropriate, proposals for residential *development* provide a mix and range of housing to accommodate the Town's housing needs;
- g) the proposal can be accommodated within the financial capabilities of the Town to provide the necessary services without decreasing the level of service to existing *development*;
- h) the proposal participates in local or County servicing and financial agreements pursuant to the *Development Charges Act*;
- i) ensure that growth occurs in a staged and well planned manner and provides for the creation of a complete community; and,
- j) ensure utilities, transportation and servicing *infrastructure* and community facilities are provided concurrently with *development* in a fiscally responsible manner.

More detailed phasing strategies shall be included in Secondary Plans and where appropriate, Block Plans.

E3

SECONDARY PLANS AND MORE DETAILED PLANS

E3.1

SECONDARY PLANS

Secondary Plans will be prepared for specific areas of the Town where it is considered necessary to determine ultimate lands uses and to provide more detailed planning objectives and policies to direct and guide *development* or *redevelopment*. Areas which may warrant a Secondary Plan include, but are not limited to:

- a) large areas for *Greenfield development*;
- b) areas which are in transition or experiencing land use *compatibility* issues; and/or,
- c) areas which are experiencing pressure for land use conversion or *intensification*.

The purpose of any Secondary Plan is to establish a detailed *development* concept for *infrastructure* and land use in specific areas of the Town, such as new communities or the *redevelopment* of an existing community. More specifically, it shall be the intent of any Secondary Plan to:

- a) establish clear and appropriate boundaries for the new community or the *redevelopment* of an existing community;
- b) establish population capacity and employment targets;
- c) establish the most appropriate mix of land uses that recognizes the location of the area and the goals and objectives of this Plan;
- d) ensure that the environmental and natural heritage objectives of this Plan are met, including policies for the protection and enhancement of natural heritage features and *ecological functions*;
- e) ensure that the community design objectives and policies of this Plan are met;
- f) ensure there are adequate transportation networks and that the transportation network is adequately supported by the proposed *development* pattern;
- g) ensure that adequate water and wastewater servicing is established to serve the anticipated *development* and that they can be phased in a way that is cost-effective and efficient;

- h) ensure that appropriate Secondary Plan policies, including phasing, servicing and financing policies, are in place to clearly and effectively guide future *development* within the Secondary Plan Area;
- l) incorporate appropriate policies pertaining to the provision and location of utilities;
- j) ensure community *connectivity* between existing and new *development* areas; and,
- k) ensure the compatibility of *development* relative to existing stable residential areas and the need to provide an appropriate transition between different land uses and densities.

Secondary Plans shall be adopted by an Amendment to this Plan and shall generally conform with and implement the intent of this Plan as set out in the Goals, Strategic Objectives and other relevant objectives and policies of this Plan. In the event of a conflict between the policies in this Plan and those contained in Secondary Plans, the Secondary Plan policies shall prevail to the extent of the conflict within the geographic area covered by the Secondary Plan.

New Secondary Plans shall be based on the following studies:

- a) a Subwatershed Study in accordance with the policies of this Plan;
- b) a Functional Servicing Report/Plan that demonstrates the means by which the new community will be appropriately serviced;
- c) Community-specific Design Guidelines in accordance with the policies of this Plan;
- d) A detailed Traffic Impact Study that determines the impact of the *development* on the surrounding road network and recommends necessary improvements to the transportation network consistent with the goals, objectives and policies of this Plan;
- e) A Fiscal Impact Study/Analysis that demonstrates *development* shall not negatively impact the Town's financial position; and,
- f) A Market Impact Assessment that determines the need for additional commercial floorspace, having regard for the planned function of existing commercial designations established by this Plan.

Additional studies may be identified as part of the Terms of Reference for a new Secondary Plan as prepared by the Town.

E3.2 BLOCK PLANS

Block Plans are detailed *development* plans for a defined area that are intended to further coordinate *development* for the defined area, such as but not limited to, a Secondary Plan area or Community Plan area prior to the granting of official plan amendment, zoning, site plan and/or subdivision approvals. Such an area may be in one, or a limited number of ownerships, where it is proposed to phase *development* over a period of time. *Council* may require the preparation of a Block Plan, in accordance with defined Terms of References and studies, to show:

- a) the various land uses and densities;
- b) the location, dimensions and intersection details of all existing and proposed roads;
- c) the location of existing and proposed water and wastewater servicing, stormwater management ponds and utilities;
- d) the location and the anticipated timing of any schools and community centres;
- e) location, dimensions and areas of lands to be conveyed to the Town for parks and open space purposes; and,
- f) the phasing of *development*.

Where *Council* has determined that a Block Plan is required to coordinate the *development* for a defined area, the approval of draft plans of subdivision and implementing zoning by-laws shall be considered premature. Prior to the completion of a Block Plan to the satisfaction of the Town in consultation with the relevant agencies, lands within the area under consideration may be placed in a *Development Zone*.

E3.3 COMPREHENSIVE DEVELOPMENT PLANS

Comprehensive Development Plans are detailed plans for a defined area within existing urban communities that are intended to provide an appropriate context for the consideration of infill, *intensification* and *redevelopment* proposals. Comprehensive Development Plans are intended to address matters such as appropriate distribution of uses, built form, community design, access, parking, and streetscaping. These Plans may relate to one or a number of ownerships as appropriate and are to be approved by *Council* prior to the consideration of *development* applications pursuant to the Planning Act.

E3.4 MAINTENANCE AND OCCUPANCY BY-LAWS (PROPERTY STANDARDS)

E3.4.1 Minimum Standards

Council may update or enact a Property Standards By-law in accordance with the Building Code Act, 1992, regarding minimum standards for the following:

- a) the physical condition of buildings and structures;
- b) the physical condition of lands;
- c) the adequacy of sanitation;
- d) the fitness of buildings and structures for occupancy;
- e) maintenance and occupancy of property; and,
- f) require property that does not conform to be repaired and maintained to conform.

E3.5 COMMUNITY IMPROVEMENT

E3.5.1 Purpose

- a) Community Improvement within the Town is intended to provide for the maintenance, rehabilitation, *redevelopment* and revitalization of the existing built environment to improve the safety and quality of buildings, structures and facilities, maximize the efficient use of existing services and facilities, create attractive and safe pedestrian-oriented streetscapes and public spaces, and improve *infrastructure* where deficiencies or deteriorating conditions exist.
- b) The Community Improvement provisions of the *Planning Act* allow municipalities to prepare community improvement plans for designated community improvement project areas that require community improvement as the result of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic *development* reason. Once a community improvement plan has been adopted by a municipality and has come into effect, the municipality may offer grants and loans in conformity with the community improvement plan, to registered owners, assessed owners and tenants of lands and buildings within the community improvement project area, and to any person to whom such an owner or tenant has assigned the right to receive a grant or loan, to pay for the whole or any part of the eligible costs of the

community improvement plan. The municipality may also undertake a wide range of actions for the purpose of carrying out the community improvement plan.

E3.5.2 Goals

The goals of community improvement are to:

- a) To preserve, rehabilitate and redevelop the existing built environment.
- b) To maximize the use of existing public *infrastructure*, facilities and amenities.
- c) To coordinate private and public community improvement activities.
- d) To promote *development* and *redevelopment* that is sustainable in nature.
- e) To guide the Town in setting priorities for municipal expenditure respecting community improvement projects.
- f) To participate, wherever possible, in Federal and/or Provincial programs to facilitate community improvement.
- g) To reconcile existing land use conflicts and minimize future land use conflicts.
- h) To provide new affordable housing.

E3.5.3 Objectives

Community Improvement Plans may be prepared and adopted by the Town to:

- a) Encourage the renovation, repair, rehabilitation, *redevelopment* or other improvement of lands and/or buildings, including environmental remediation, *development*, redevelopment, construction and reconstruction of lands and buildings for rehabilitation purposes, or for the provision of energy efficient uses, buildings, structures, works, improvements or facilities;
- b) Encourage the preservation, restoration, adaptive reuse and improvement of historical or architecturally *significant* buildings;
- c) Encourage the restoration, maintenance, improvement and protection of natural habitat, parks, open space, recreational and heritage facilities and amenities, and to establish new facilities

where deficiencies exist to meet the needs of the citizens of the community;

- d) Encourage residential and other types of infill and *intensification* on lands which are already serviced with municipal services;
- e) Encourage the provision of affordable housing through new development proposals and conversion of existing developments.
- f) Improve and maintain the transportation network to ensure an adequate traffic flow, pedestrian circulation and parking facilities;
- g) Maintain and improve municipal services including the water distribution system, the sanitary and storm sewer systems, roads, sidewalks, street lighting, and to provide a safe health standard for the citizens of the community;
- h) Improve and maintain the physical and aesthetic amenities of the streetscape, especially in the commercial core areas of Thornbury, Clarksburg and Craigleith;
- i) Encourage the eventual elimination and/or relocation of incompatible land uses, and where this is not feasible, to encourage physical improvements to minimize the incompatibility;
- j) Encourage, support and co-ordinate both public and private investment opportunities in the rehabilitation and improvement of property and facilities which will result in stability in the community;
- k) Establish an atmosphere through revitalization and improvements within the commercial core areas of Thornbury, Clarksburg and Craigleith that will encourage existing business and property owners to make improvements to their facilities and new business to locate in these areas;
- l) Encourage improvement activities which contribute to a strong economic base including commercial, industrial, recreational and tourism activity and job creation;
- m) Improve environmental conditions;
- n) Improve social conditions;
- o) Promote cultural and tourism *development*;
- p) Facilitate and promote community economic *development*; and,
- q) Improve community quality, safety and stability.

E3.5.4

Criteria for Selection of Community Improvement Project Areas

- a) The Town may designate by by-law one or more Community Improvement Project Area(s), the boundary of which may be part or all of the municipality.
- b) For an area to be identified as a Community Improvement Project Area, one or more of the following conditions must be present:
 - i) Buildings, building facades, and/or property, are in need of maintenance preservation, restoration, repair, rehabilitation, energy efficiency or renewable energy improvements, or redevelopment;
 - ii) Deficiencies in physical *infrastructure* including but not limited to the sanitary sewer system, storm sewer system, and/or watermain system, roadways, sidewalks, curbs, streetscapes and/or street lighting, and municipal parking facilities;
 - iii) Vacant lots and/or underutilized properties and buildings which have potential for infill, *redevelopment* or expansion to better utilize the land base;
 - iv) Commercial areas with high vacancy rates and/or poor overall visual quality of the built environment, including but not limited to, building facades, streetscapes, public *amenity areas* and community design;
 - v) Presence of buildings and/or lands of architectural or heritage significance;
 - vi) Known or suspected environmental contamination;
 - vii) Deterioration or deficiencies in the level of community and social services such as public open space, municipal parks, neighbourhood parks, indoor/outdoor recreational facilities, and public social facilities;
 - viii) Non-conforming, conflicting, encroaching or incompatible land uses or activities that threaten to disrupt the predominant land use and lifestyle of the citizens of the area;
 - ix) Demonstrated deficiency in the condition or provision of accessible parking;
 - x) Demonstrated problem or deficiency associated with the circulation and/or access of traffic;

- xi) A shortage of land to accommodate widening of existing rights-of-way, building expansion, parking and/or loading facilities;
 - xii) Other *significant* barriers to the repair, rehabilitation or *redevelopment* of underutilized land and/or buildings; and,
 - xiii) Other *significant* environmental, social or community economic *development* reasons for community improvement.
- c) Priority for the designation of Community Improvement Project Areas and the preparation and adoption of Community Improvement Plans shall be given to:
- i) The Thornbury, Clarksburg and Craigleith commercial core areas;
 - ii) Existing built up areas;
 - iii) Those areas where the greatest number of criteria for selection of Community Improvement Project Areas are present;
 - iv) Those areas where one or more of the criteria for selection of Community Improvement Project Areas is particularly acute; and/or,
 - v) Those areas where one or more of the criteria for selection of Community Improvement Project Areas exists across the entire municipality or a large part of the municipality.
- d) Community improvement plans will be prepared and public comment sought in accordance with the provisions of the *Planning Act*.

E3.5.5 Phasing

The phasing of community improvements shall be prioritized to:

- a) Permit a logical sequence of improvements to occur without unnecessary hardship on area residents and the business community;
- b) Implement those improvements that will most substantially improve the aesthetic, environmental and service qualities of a community improvement project area;

- c) Reflect the financial capability of the Town to fund community improvement projects;
- d) Take advantage of available senior government programs that offer financial assistance for community improvement efforts; and,
- e) Coordinate the timing of related capital expenditures from various municipal departments with departmental priorities.

E3.5.6 Implementation

- a) In order to implement a Community Improvement Plan in effect within a designated Community Improvement Project Area, the Town may undertake a range of actions, including:
 - i) Municipal acquisition of land and/or buildings, and the subsequent;
 - ii) Clearance, grading, or environmental remediation of these properties;
 - iii) Repair, rehabilitation, construction or improvement of these properties;
 - iv) Sale, lease, or other disposition of these properties to any person or governmental authority; and,
 - v) Other preparation of land or buildings for community improvement.
- b) Provision of public funds such as grants and loans to owners of land and their assignees;
- c) Programs and measures to promote energy efficient *development, redevelopment* and retrofit projects;
- d) Application for financial assistance from and participation in senior level government programs that provide assistance to municipalities and/or private landowners for the purposes of community improvement;
- e) Coordination of public and private *redevelopment* and rehabilitation by providing administrative and liaison assistance;
- f) Support of heritage conservation and improvement through means available under the *Ontario Heritage Act*;
- g) Provision of information on municipal initiatives, financial assistance programs, and other government assistance programs;

- h) Continued support of existing Business Improvement Areas, and the encouragement of the establishment of new Business Improvement Areas and the expansion of existing Business Improvement Areas in an effort to maintain strong and vital commercial areas;
- i) Continued enforcement of the Town’s Zoning By-law, Property Standards By-law and Sign By-law, and other related municipal by-laws and policies;
- j) Preparation of Design Plans for commercial core areas that include streetscape improvements, parkettes, public parking areas, lookouts and trail *development*; and,
- k) Coordinate streetscaping improvements with the installation/upgrading of municipal services, e.g., sewer installation, road and sidewalk reconstruction.
- l) *Council* shall be satisfied that its participation in community improvement activities will be within the financial capabilities of the Town.

E4 SETTLEMENT AREAS – NEW AND EXPANSIONS

The establishment of new settlement areas and settlement area expansions may only be permitted at the time of a comprehensive review.

A comprehensive review shall also be required for the re-designation of *employment lands* to non-employment land uses.

Expansion of a settlement area on *partial services* is not permitted.

E5 NON-CONFORMING USES

E5.1 INTENT OF OFFICIAL PLAN

As a general rule, existing uses that do not conform with the policies of this Plan should gradually be phased out so that the affected land use may change to a use, which is in conformity with the goals of the Official Plan and the intent of the implementing Zoning By-law. In some instances, it may be necessary and practical to allow the replacement, extension or enlargement of non-conforming uses through the granting of a minor variance or by placing the use in an appropriate zone in the implementing Zoning By-law. In such instances, *Council* shall have regard for the following principles:

- a) The feasibility of acquiring the property for holding, sale, lease or *development* by the Town for a more appropriate permitted use;

and,

- b) The possibility of relocating the non-conforming use to another site.

E5.2 ~~ROLE OF THE COMMITTEE OF ADJUSTMENT REVIEW~~ CRITERA

If the property cannot be acquired or a building relocated, Council or the Committee of Adjustment may, without an amendment to this Plan, allow extensions to a non-conforming use. Prior to such approval, Council or the Committee shall consider the following:

- a) The size of the extension in relation to the existing operation;
- b) Whether the proposed extension is *compatible* with the *character* of the surrounding area;
- c) The characteristics of the existing use in relation to noise, vibration, fumes, dust, smoke, odours, lighting and traffic generation and the degree to which any of these factors may be increased or decreased by the extension; and,
- d) The possibilities of reducing these nuisances through buffering, building setbacks, landscaping, Site Plan Control and other means to improve the existing situation, as well as minimize the problems from extension.

E5.3 ~~ROLE OF THE IMPLEMENTING ZONING BY-LAW~~

Existing uses which do not conform with the policies of this Official Plan may be zoned in the implementing Zoning By-law in accordance with their present use, provided that:

- a) the zoning will not permit any change of use or performance standard that may negatively impact adjoining uses;
- b) the uses do not constitute a danger to surrounding land uses, humans or animals by virtue of their hazardous nature;
- c) the uses do not interfere with the appropriate *development* of the surrounding lands; and,
- d) when the use is discontinued, re-zoning may only take place in accordance with the policies and intent of this Plan.

E6 NON-COMPLYING BUILDINGS, STRUCTURES OR LOTS

A non-complying building, structure or lot is such that it does not comply with the regulations of the implementing Zoning By-law.

A non-complying building or structure may be enlarged, repaired or renovated provided that the enlargement, repair or renovation:

- a) does not further increase a situation of non-compliance;
- b) complies with all other applicable provisions of this Plan and the implementing Zoning By-law;
- c) does not increase the amount of floor area in a required yard or setback area; and,
- d) will not pose a threat to public health or safety.

A non-complying lot in existence prior to the effective date of the implementing Zoning By-law that does not meet the lot area and/or lot frontage requirements contained within the implementing Zoning By-law, may be used and buildings thereon may be erected, enlarged, repaired or renovated provided the use conforms with the applicable policies of this Plan and the implementing Zoning By-law, and the buildings or structures comply with all of the other provisions of the implementing Zoning By-law.

E7 AMENDMENTS TO THIS PLAN

It is the intent of this Plan to serve as the basis for managing change in the Town. As a result, this Plan identifies enough land for residential, commercial and *industrial uses* to last until the year 2046.

- a) It is the intent of this Plan that this Plan should only be amended when the policies of this Plan have been found not to address issues or alternatively, issues have been raised with *respect to site-specific proposals* that must be addressed in a comprehensive manner. However, where Amendments are contemplated by this Plan, they shall be considered by *Council*.
- b) In addition to the relevant amendment policies of any land use designations, the following shall be considered for any Plan amendment:
 - i) the rationale or the basis for the change;
 - ii) the direction provided by the Provincial Policy Statement;
 - iii) the direction provided by the goals and objectives to this

- Plan;
 - iv) the desirability and appropriateness of changing the plan to accommodate the proposed use or action;
 - v) the impacts the proposed change will have on the character of the area;
 - vi) conformity with the direction provided by the upper tier plan; and,
 - vii) that sufficient documentation has been provided to support the proposed amendment including information related to the physical growth of the Town, impacts on the economy, the environment, agriculture and social well being of the community.
- c) An application to amend this plan shall be supported by the prescribed information required by the Planning Act as well as such other information as *Council* may request in order to address other policy issues within this plan. The information may include:
- i) an Environmental Impact Study;
 - ii) a Natural Hazards Assessment;
 - iii) studies or information dealing with noise, vibration or other impacts that may result from *development*;
 - iv) an agricultural impact statement in areas designated Agricultural and Specialty Agricultural indicating the potential effect any new uses may have upon the continuation of *agricultural uses* in the general area;
 - v) studies or information to determine the potential impacts on the growth or fiscal position of the Town;
 - vi) studies or information to indicate the impact of new or intensified traffic that may impact the existing and proposed road network; and,
 - vii) studies or information to assess the impact on water, sanitary and storm systems
 - viii) a Planning Justification Report.

E8 INTERPRETATION

E8.1 GENERAL

This Plan is a statement of policy. It sets out Council’s land use policy direction, however, some flexibility in interpretation may be permitted provided that the intent is maintained. The Official Plan is more than a set of individual goals, objectives and policies. This Plan is intended to be read in its entirety and the relevant policies are to be applied to each situation. While specific policies sometimes refer to other policies, these cross-references do not take away from the need to read the Official Plan as a whole.

E8.2 INTERPRETATION OF LAND USE DESIGNATION BOUNDARIES

The boundaries between land uses designated on the Schedules to this Plan are approximate except where they meet with roads, railway lines, rivers, pipeline routes, transmission lines, lot lines or other clearly defined physical features and in these cases are not open to flexible interpretation. Where the general intent of the document is maintained, minor adjustments to boundaries will not require an amendment to this Plan.

It is recognized that the boundaries of the Wetland and Hazard designations, and Special Constraint Areas may be imprecise and subject to change. The Town shall determine the extent of the environmental areas on a site-by-site basis when considering *development* proposals, in consultation with the appropriate agencies. Any minor refinement to the Hazard designations, and Special Constraint Areas shall not require an Amendment to this Plan.

Where a lot is within more than one designation on the Schedules to this Plan, each portion of the lot shall be used in accordance with the applicable policies of that designation.

E9 OFFICIAL PLAN REVIEW PROCESS

In accordance with Section 26 of the Planning Act, the assumptions, objectives and policies of this Plan shall be reviewed at least once every five years at a meeting of *Council*, which shall be advertised in accordance with the Planning Act, as amended.

The five-year review shall consist of an assessment of:

- a) the effectiveness of the Plan in protecting water quality, heritage resources, natural resources and habitat and the general environment within the Town;
- b) the continuing relevance of the vision that forms the basis of all policies found in this Plan;
- c) the degree to which the objectives of this Plan have been met;
- d) the amount and location of lands available for urban *development*;
- e) whether the Town has realized a desirable balance of commercial and industrial assessment in relation to residential assessment;
- f) the Town's role within the County and its relationship with other municipalities;

- g) *development* trends in the County and their effect on *development* in the Town; and,
- h) the nature of any Province-wide planning initiatives and their implications on the Town.

E10 COMPLETE APPLICATION REQUIREMENTS

- a) The Town will not accept an application for an Official Plan Amendment, a Zoning Bylaw Amendment, a Plan of Subdivision, a Plan of Condominium, a Consent, Site Plan Control Approval or Community Planning Permit for processing unless the application is considered to be a Complete Application under the *Planning Act*.

- b) Plans of Subdivision/Condominium

Where an application is submitted to the *County*, for approval of a Plan of Subdivision/Condominium in accordance with Section 51 of the *Planning Act*, or Section 9 of the *Condominium Act*, 1998, any number of the reports or studies listed in subsection (d) of this Plan, or as required by the *County* of Grey Official Plan, may be required. Consultation with the *County* of Grey and the Town of The Blue Mountains will determine which studies may be necessary. Where accompanying Official Plan or Zoning By-law Amendments are required, efforts will be made to streamline the study requirements between the *County* and the Town.

- c) The Director and their designate(s) may deem an application incomplete and refuse to accept an application that does not include all of the reasonably required supporting information or material, including, but not limited to:
 - i. all applicable statutory requirements under the Planning Act, related regulations and policies, and Clean Water Act
 - ii. required studies, reports, plans and/or drawings completed by a qualified professional in the respective field with expertise to complete the associated work scoped to specific project requirements, appropriate Terms of Reference and/or sufficient content quality standards as may be further defined through pre-application engagement with the Town;
 - iii. in the case of a large scale Official Plan Amendment application, a Zoning By-law Amendment application, a Draft Plan of Subdivision application and/or a Draft Plan of Condominium application, the consideration of a public consultation strategy in accordance with Town

requirements (including but not limited to summarizing the results of at least one at least one public engagement session and providing a matrix assessing any public comment, a response and any resulting changes to the proposal) in accordance with Town requirements;

- iv. consultation with Indigenous communities where applicable;
 - v. consultation with key regulatory agencies as applicable;
 - vi. owner authorization;
 - vii. fees and any additional costs required for review of the contents to confirm the basis of a complete application
 - viii. a County Official Plan Amendment application is filed and/or approved as required
 - ix. a Block Plan is approved where required
 - x. a Secondary Plan is approved where required;
 - xi. pre-submission engagement to determine scope and detail of required studies, reports and drawings required to evaluate the application
- d) The specific scope of terms of reference for any reasonably required study should be determined in consultation with Town staff and relevant agencies during pre-submission engagement.
- e) Pre-submission Engagement/Additional Information and Material

In order to organize municipal resources efficiently and provide a preliminary response to project proposals, identify issues and opportunities and to assist applicants in confirming application requirements the Town offers meetings to encourage applicants to engage in pre-submission consultation for Official Plan Amendments, Zoning By-law Amendments, Subdivision and Condominiums, Site Plans, Community Planning Permits, Consents and other development proposals.

The scope of pre-consultation engagement is influenced by such factors as:

- the scope and complexity of a given proposal;
- changes to a development proposal;

- applicant readiness to proceed;
- external constraints or dependencies;
- project timelines; and
- other factors.

Information requested in order to help achieve a successful exchange between the Town and applicants includes: Overview of the proposal including a written explanatory submission, sketches, graphics as applicable and additional information as necessary to engage with Town and agency staff including such matters as:

- Key Map/Aerial Photo
- Property Location (including lot lines)
- Proposed/Existing Official Plan designation and Proposed/Existing Zoning (site specific details and commentary)
- Detailed Description of the Proposed Use(s)
- Proposed Lots, Blocks, Street Pattern, if applicable
- Building Outlines (new and existing footprints with dimensions)
- Proposed Building Density (i.e. coverage, units per hectare)
- Parking Area locations and Access Points
- Site Statistics under Zoning including Lot Area, Setbacks, Lot Coverage, Building Height(s), Building Floor area, number of required/provided parking spaces
- Landscape Buffer Requirements
- Park and Open Space
- Relevant project data (lot area, lot size, number of units proposed if applicable)
- Description of proposed land tenure
- Urban design information
- Overview of public agency/government consultation completed
- Basic servicing scheme (if applicable).
- Proposed submission contents
- Project timelines.

The Town's suggested approach is to scope engagement to arrive at a reasonable list of required studies sufficient for evaluating the project and formulating recommendations for Council consideration. This would typically follow a 1 or 2 step process and additional engagement as mutually agreed including:

- Receive submission
- Confirm level of detail relative to staff response
- Complete a site visit

- Circulate pre-consultation application package to commenting Departments and Agencies;
- Convene meeting(s) (formal and informal as may be appropriate) and/or
- Exchange and review materials as necessary;
- Identify required studies, supporting materials, their content and scope and potential peer review requirements; issues, opportunities and constraints, potential limits of development; differentiate between threshold and technical issues; confirm terms of reference for required studies; identify any required follow up engagement to confirm application contents;
- Issue a Phase 1 or Final Pre-consultation Notes Memo.
- Where the first engagement is of a more preliminary nature or the applicant seeks to further refine their proposal and seek an updated response, the Town would offer further engagement as necessary to achieve a reasonable list of complete application requirements.

The studies, drawings, reports and other information required as part of a complete application may include, but are not limited to, any of the following:

1. Active Transportation Report
2. *Affordable/Attainable Housing Report*
3. Aggregate Resource Assessment
4. Rental Housing Conversion Study
5. Air Quality Study
6. Archeological Impact Assessment/Review
7. Arborist Report
8. Building Elevation Drawings
9. Built Heritage & Cultural Heritage Landscape: Heritage Impact Assessments/Heritage Adaptive Re-Use and/or Preservation Plan
10. Commercial Market Study (Commercial Impacts)
11. Community Plan
12. Comprehensive Review
13. Cultural Heritage Impact Statements

14. Construction Management and Communications Plan
15. Contamination Management Plan
16. Cross-section Drawings/Profiles
17. D4 Study (Landfills and Dumps)
18. D-6 Compatibility Study
19. Decommissioning Report
20. Endangered and *Threatened Species* Habitat Studies / Other *Wildlife habitat* Studies
21. Electrical Economic Evaluation Plan
22. Employment Lands Study
23. Environmental Impact/Natural Heritage Study
24. Environmental Implementation Report
25. Environmental Site Assessment and/or Record of Site Condition
26. Erosion And Sediment Control Plan
27. Excess Soils And Materials Management Plan
28. Fiscal Study/Impact Analysis
29. Fish Habitat/Impact Study
30. Floodplain Assessment
31. Functional Servicing Report/Plan
32. Geotechnical /Soil Stability Report
33. Grading, Drainage and Stormwater Management Report
34. Growth Management Report
35. Heritage Impact Assessment/Review
36. Hydrogeological/Hydrology Study/Review
37. Illumination Study Lighting/Photometric Plan
38. Lake Carrying Capacity Study

39. Landscape Analysis
40. Landscape Plans
41. Lighting/Photometrics Plan
42. Marina or Coastal Engineering Study
43. Market Impact Assessment
44. Master Block Plan
45. Master Environmental Servicing Plan
46. Mineral Aggregate Resources Studies (to identify potential reserves, feasibility of resource use or impact assessment re: proposed adjacent potentially incompatible uses)
47. Minimum Distance Separation (MDS) Calculation Report
48. Natural Hazards Studies
49. Neighborhood Plan
50. Noise and/or Vibration Impact Study
51. Odour and Dust Study
52. Parking Report/Analysis
53. Plan and Profile Drawings
54. Planning Needs/Justification Report
55. Prime Agricultural Area Identification Study
56. Property Value Appraisal Report
57. Public Transit Compatibility Assessment
58. Public Consultation Strategy & Public Consultation Strategy Comment/Response Matrix
59. Renderings 2 and 3 dimensional
60. Reference Plan
61. Road Assessment
62. Secondary Plan

63. Sewage System Development Report
64. Settlement Area Capability Study/Settlement Area Comprehensive Review
65. Sun-Shadow Analysis
66. Site Plan / Site Plan Layout
67. Slope Stability Report
68. Snow Storage and/or Salt Reduction Study/Plan
69. Special Study
70. Spray Analysis - Golf Courses
71. Source Water Protection Area - Risk Assessment Report
72. Staging Plan
73. Subdivision Plan
74. Summary Comments/Response Matrix
75. Survey, Topographic, Boundary
76. Sustainability Analysis
77. Traffic Impact Study
78. Traffic Management Plan
79. Tree Inventory and Preservation Plan
80. Community Design Report (including Architecture and Streetscape and Urban Design)
81. Urban Design And Architectural Control Guidelines
82. Urban Design Report
83. Vehicle Turning Movement Plan And Report
84. View and Vista Renderings
85. Visual Impact Assessment
86. Water Resource Management Report
87. Water Supply

88. Well Water Records

89. *Wetland* Evaluation Studies

Additional drawings, studies and reports not listed may be required based upon the specific details of a given project proposal.

Through the course of the review process for planning application(s) which has/have otherwise been deemed a Complete Application, additional reports, studies, maps, plans or other information may be required by the Town if circumstances necessitate the need for such information and material as part of the decision-making process.

The costs associated with all required studies shall be borne by the applicant. Costs incurred by the municipality in engaging peer review consultants in order to evaluate the proposal and supporting submissions shall also be borne by the applicant.

The Town encourages the preparation of terms of reference for any required study in consultation with Town staff and relevant agencies during the pre-submission engagement process. Studies with incomplete terms of reference and/or missing information may not be accepted and prevent an application from being deemed complete or result in a refusal recommendation.

Applications submitted to the Town must be filed as complete applications on the appropriate forms, as provided by the Town, and must be accurate. Payment of applicable fees must be submitted at the time of filing applications

GLOSSARY

The following terms are defined to assist in understanding the intent of this Plan.

Accessory Building or Structure

Means a detached building or structure, the use of which is naturally and normally incidental to, subordinate to, or exclusively devoted to the principal use or building, and located on the same lot. An *accessory building or structure* shall not be used for human habitation except in the case of a permitted *additional residential unit* under Section B2.7.

Accessory Use

Means a use, customarily and normally subordinate to, incidental to and exclusively devoted to the principal use and located on the same lot.

Active transportation

Means human-powered travel, including but not limited to, walking, cycling, inline skating and travel with the use of mobility aids, including motorized wheelchairs and other power-assisted devices moving at a comparable speed.

Additional Residential Unit

Means a self-contained additional unit within a single, semi-detached or townhouse dwelling unit, or within a detached *accessory building* to any of the permitted residential unit types.

Adjacent Lands

Means:

- a) those lands, contiguous to a specific Natural Heritage Feature or area where it is likely that *development* or *site alteration* would have a negative impact on the feature or area; or,
- b) those lands contiguous to a *Protected Heritage Property*.

Adult Entertainment Establishment

Means any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, goods or *services or entertainment* appealing to or designed to appeal to erotic or sexual appetites or inclinations. *Adult Entertainment Establishment* includes an *adult entertainment parlour*, adult video store, *adult specialty store* and

body rub parlour.

For the purposes of the definition of *adult entertainment establishment*, the following definitions also apply:

“goods” includes books, magazines, pictures, slides, film, disks, phonograph records, prerecorded magnetic tape and any other viewing or listening matter, clothing and accessories;

“services or entertainment” includes activities, facilities, performances, exhibitions, viewings and encounters but does not include the exhibition of film approved under the *Theatres Act*,

“*services or entertainment* which are designed to appeal to erotic or sexual appetites or inclinations” and includes,

- i) *services or entertainment* of which a principal feature or characteristic is the nudity or partial nudity of any person, including, but not limited to the nudity or partial nudity of specified body areas; and,
- ii) *services or entertainment* in respect of which the word “nude”, “naked”, “topless”, “bottomless”, “sexy”, or any other word or any other picture, symbol or representation having like meaning or implication, is used in any advertisement.

Adult Entertainment Parlour

Means any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, services appealing to or designed to appeal to erotic or sexual appetites or inclinations.

For the purposes of the definition *adult entertainment parlour*, the following definitions also apply:

“services” includes activities, facilities, performances, exhibitions, viewings and encounters but does not include the exhibition of film approved under the *Theatres Act*,

“services designed to appeal to erotic or sexual appetites or inclinations” includes,

- i) services of which a principal feature or characteristic is the nudity or partial nudity of any person; and
- ii) services in respect of which the word “nude”, “naked”, “topless”, “bottomless”, “sexy” or any other word or picture, symbol or representation having like meaning or implication as used in any advertisement.

Adult Specialty Store

Means a retail establishment specializing in the sale of a variety of goods and materials made or designed to appeal to erotic or sexual appetites, but does not include a retail store or convenience retail store.

Adult Video Store

Means an establishment where pre-recorded video tape, video discs, films and/or slides made or designed to appeal to erotic or sexual appetites or depicting sexual acts are offered for rent or sale where the proportion of adult videotapes to non-adult videotapes offered is equal to or exceeds the ratio of 10:100 (adult videotape to non-adult videotape). An *adult video store* shall not include facilities for the screening or viewing of such products.

Adverse Effects:

Means, pursuant to the *Environmental Protection Act* one or more of:

- a) impairment of the quality of the natural environment for any use that can be made of it;
- b) injury or damage to property or plant or animal life;
- c) harm or material discomfort to any person;
- d) an adverse effect on the health of any person;
- e) impairment of the safety of any person;
- f) rendering any property or plant or animal life unfit for human use;
- g) loss of enjoyment or normal use of property; and,
- h) interference with normal conduct of business.

Affordable Housing

In the case of home ownership, *affordable housing* means the least expensive of the following:

- a) Housing where the purchase price is at least 10 percent below the average purchase price of a resale unit; or
- b) Annual housing expenses do not exceed 30% of gross household income (i.e. before tax income).

In the case of rental housing, affordable means a unit where rent is the

least expensive of the following:

- a) At or below the average market rent in The Blue Mountains; or
- b) Rent prices do not exceed 30% of gross household income.

Agricultural Uses

Means the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; *agro-forestry*; maple syrup production; and associated on-farm buildings and structures, including but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

Agriculture-related Uses

Means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

Agri-miniums

Means a form of collective ownership that can be established under the Condominium Act whereby a farm could be divided into plots where each farmer owns a plot of land with some parts under collective ownership including shared buildings, livestock barns, storage sheds which the group of farmers divides up the costs and maintenance of the shared buildings/areas.

Agri-tourism Uses

Means those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation.

Amenity Area

Means an interior area within a residential building or an outdoor area exterior to the residential building that is designed and intended primarily for the leisure and *recreation* of the occupants of the dwelling.

Ancillary Uses

Means small-scale retail and commercial uses that primarily serve the business functions on employment lands. *Major retail* is not considered an ancillary use.

Animal Kennel

Means a building or structure or part thereof used for the raising or boarding of dogs, cats, or other household pets.

Archaeological Resource

Includes artifacts, archaeological sites, marine archaeological sites as defined under the Ontario Heritage Act. The identification and evaluation of such resources are based upon archaeological fieldwork in accordance with the Ontario Heritage Act.

Areas of Archaeological Potential

Means areas with the likelihood to contain *archaeological resources*. Methods to identify archaeological potential are established by the Province, but municipal approaches which achieve the same objectives may also be used. The Ontario Heritage Act requires archaeological potential to be confirmed through archaeological fieldwork.

Area of Natural and Scientific Interest

Means an area of land and water containing natural landscapes or features that has been identified as having earth or life science values related to protection, scientific study or education.

Assisted Housing

Means housing that is available to low and moderate income households for rent or purchase where part of the housing cost is subsidized through a government program.

Attainable Housing

Means below or near market housing that is offered and maintained to remain within reach of the following for a set time period, regardless of market pressures:

- a) In the case of home ownership, housing for which the purchase price results in annual accommodation costs which do not exceed 30% of the gross annual income for households within the income range of 50 – 130% of medium income for the Town of The Blue Mountains.
- b) In the case of rental housing, housing which is provided at least 20% below area median rent.

Automotive Commercial

Means retail uses involving the sale of automobiles and *service commercial uses* involving the repair and maintenance of automobiles and the sale of gasoline or similar products and includes motor vehicle dealerships, repair garages, car washes and motor vehicle service stations.

Bed and Breakfast Establishments

Means the use of a single detached residential dwelling for the rental of not more than three (3) guest rooms to the traveling public for overnight accommodation on a temporary basis.

Body Rub

Means 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 otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario

Body Rub Parlour

Means and 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 the *body rub* is performed, offered or solicited are for the purpose of

medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario.

Brownfield Sites

Means undeveloped or previously developed properties that may be contaminated. These are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

Built Heritage Resource

Means a building, structure, monument, installation or any manufactured remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Indigenous community. Built heritage resources are generally located on property that has been designated under Parts IV or V of the Ontario Heritage Act, or included on local, provincial and/or federal registers.

Cannabis Production

The use of land, buildings or structures for the licensed cultivation, processing, testing, destruction, packaging and shipping of cannabis used for medical and/or recreational purposes. A Cannabis Production Facility does not include production under personal use permissions.

Character

Means the aggregate of the distinct features that work together to identify a particular area or neighbourhood. The distinct features may include the built and natural elements of an area.

Compatible

Means the *development* or *redevelopment* of uses which may not necessarily be the same as or similar to the existing *development*, but can coexist with the surrounding area without negative impact.

Comprehensive Rehabilitation

Means rehabilitation of land from which *mineral aggregate resources* have been extracted that is coordinated and complementary, to the extent possible, with the rehabilitation of other sites in an area where there is a high concentration of *mineral aggregate operations*.

Comprehensive Review

For the purposes of settlement area boundary expansion or employment area re-designation, means an official plan review which is initiated by the *County* or *Town*, or an official plan amendment which is initiated or adopted by the *County* or *Town*, which:

- a) is based on a review of population and employment projections and which reflect projections and allocations by upper-tier municipalities and provincial plans, where applicable; considers alternative directions for growth or development; and determines how best to accommodate the development while protecting provincial interests;
- b) utilizes opportunities to accommodate projected growth or development through *intensification* and redevelopment and considers physical constraints to accommodating the proposed development within existing settlement area boundaries;
- c) is integrated with planning for *infrastructure* and *public service facilities*, and considers financial viability over the life cycle of these assets, which may be demonstrated through asset management planning;

- d) confirms sufficient water quality, quantity and assimilative capacity of receiving water are available to accommodate the proposed development;
- e) confirms that sewage and water services can be provided; and,
- f) considers cross-jurisdictional issues

Connectivity

Means the degree to which natural heritage features, including Key Natural Heritage Features or Key Hydrologic Features, are connected to one another by links such as plant and animal movement corridors, hydrological and nutrient cycling, genetic transfer, and energy flows through food webs.

Conservation Authority

Means the Grey Sauble Conservation Authority or the Nottawasaga Valley Conservation Authority.

Conservation Use

Means an area of land that is generally left in its natural state and which is used to preserve, protect and/or improve components of the *natural heritage system* of other lands for the benefit of man and the natural environment and which may include, as an *accessory use*, hiking trails and/or cross country ski trails, buildings and structures such as nature interpretation centres and public information centres.

Conserved

Means the identification, protection, management and use of *built heritage resources, cultural heritage landscapes and archaeological resources* in a manner that ensures their cultural heritage value or interest is retained under the *Ontario Heritage Act*. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.

Contaminated Sites

Means property or lands that have not been rehabilitated and for reasons of public safety or environmental quality, are unsafe for use as a result of human activities, particularly those activities that have left a chemical or radioactive residue

Converted Dwelling

Converted dwellings are larger single or semi-detached dwellings that have been internally altered to provide for additional dwelling units beyond those permitted through *additional residential units*.

Council

Means the Municipal Council of the Corporation of the Town of The Blue Mountains.

County

Means the Corporation of the County of Grey unless otherwise specified. The *County* is a municipality for the purposes of provincial legislation.

Cultural Heritage Landscape

Means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Indigenous community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Examples may include, but are not limited to, heritage conservation districts designated under the *Ontario Heritage Act*, villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways, viewsheds, natural areas and industrial complexes of heritage significance; and areas recognized by federal or international designation authorities (e.g. a National Historic Site or District designation, or a UNESCO World Heritage Site).

Cultural Heritage Resources

Means those things left by a people of a given geographic area, and includes:

- a) built heritage, such as buildings, structures, monuments or remains of historical, cultural or architectural value, and including *Protected Heritage Property*;
- b) *cultural heritage landscapes*, such as rural, hamlet or urban uses of historical or scenic interest; and,
- c) *archaeological resources*.

D-4 Study

Means a study required to determine the potential for *negative impacts* in compliance with the Province’s D-4 Guideline including, but not limited to, ground and surface water (hydrogeology and hydrology), noise, odour, and dust, methane gas migration, traffic impact, land use compatibility, and other studies considered appropriate.

Child Care Facilities

Means a building or structure or part thereof consisting of a licensed child care centre, licensed home child care or an unlicensed child care facility as defined under the Child Care and Early Years Act.

Dark Sky Compliant

Dark Sky Compliant means outdoor lighting fixtures that direct sufficient light downward and minimize light pollution and glare.

Department Store

Means a retail store that sells the following general lines of merchandise:

- a) family clothing and apparel – at least six commodity lines in this group, comprising at least 20 percent of the outlet’s total sales;
- b) furniture appliances and home furnishings – at least four commodity lines in this group, comprising at least 10 percent of the outlet’s total sales; and,
- c) all other – at least three commodity lines in this group, comprising at least 10 percent of the outlet’s total sales.

Designated and Available

Means lands designated in this Plan for urban and hamlet residential use.

Development

Means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the Planning Act, but does not include:

- a) activities that create or maintain *infrastructure* authorized under an environmental assessment process; or
- b) works subject to the Drainage Act.

Drive-through Service Facility

Means a building or structure where goods or services are offered to the public within a parked or stationary motor vehicle by way of a service window.

Ecological Features

Means naturally occurring land, water and biotic features that contribute to ecological and hydrological integrity.

Ecological Functions

Means the natural processes, products or services that living and non-living environments provide or perform within or between species, *ecosystems* and landscapes. These may include biological, physical, and socioeconomic interactions.

Ecological Integrity

Means the condition of *ecosystems* in which:

- a) the structure, composition and function of the *ecosystems* are unimpaired by stresses from human activity;
- b) natural ecological processes are intact and self-sustaining; and,
- c) the *ecosystems* evolve naturally.

Ecosystem

Means systems of plants, animals, and micro-organisms, together with the non-living components of their environment and related ecological processes, *essential* for the functioning of the biosphere in all its diversity.

Ecotourism

Means the responsible travel to natural areas that conserves the environment, sustains the well-being of the local people, and creates knowledge and understanding through interpretation and education of all involved.

Emergency Housing

Means emergency shelters or facilities that accommodate not less than three and not more than ten residents, and provide temporary lodging, board, and/or personal support services to homeless individuals in a 24-hour supervised setting, for up to 30 days.

Employee Housing

Employee housing means housing intended for employees that is provided by an employer at a rate affordable and attainable relative to their household size and income.

Employment Lands

Means those areas designated in the *County* or Town official plans for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.

Endangered Species

Means a species that is listed or categorized an *Endangered species* on the Ministry of Natural Resources' official species at risk list, as updated and amended from time to time.

Enhance

Means, as applied to the natural heritage/environmental policies of this Plan, strengthening the components of a natural area through management measures to increase stability, biodiversity and long-term viability.

Means, in other respects, to complement and strengthen the *character* of the Town, community, neighbourhood, site or structure.

Environmentally Sensitive Areas (ESAs)

Means land or water areas or a combination of both containing natural features or ecological functions of such significance as to warrant their protection.

Erosion Hazard

Means the loss of land, due to human or natural processes, that poses a threat to life and property. The *erosion hazard* limit is determined using considerations that include the 100-year erosion rate (the average annual rate of recession extended over a one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance.

Escarpment Brow

Means the uppermost point of the Escarpment slope or face. It may be the top of a rock cliff, or where the bedrock is buried, the most obvious break in the slope associated with the underlying bedrock.

Essential

Means that which is deemed necessary to the public interest after all alternatives have been considered.

Fisheries Management

Means the management of *fish habitat* and fish population for the purpose of sustaining and improving the quality and quantity of fish.

Fish Habitat

Means the spawning grounds and any other areas, including nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly to carry out their life processes.

Flooding Hazard

Means the inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water:

- a) Along the shorelines of Nottawasaga Bay the *flooding hazard* limit is based on the one hundred year flood level plus an allowance for wave uprush and other water-related hazards;
- b) Along river, stream and small inland lake systems, the *flooding hazard* limit is the greater of:
 - i. the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
 - ii. the one hundred year flood; and
 - iii. a flood which is greater than 1. or 2. which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources.

except where the use of the one hundred year flood or the actually experienced event has been approved by the Minister of Natural Resources as the standard for a specific watershed (where the past history of flooding supports the lowering of the standard.

Floodplain

Means the area, usually lowlands, adjoining the channel of a river, stream, or *watercourse*, which has been or may be covered by floodwater during a regional flood or a one-in-one hundred year flood, whichever is greater.

Forest Management or Forestry

Means 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.

Gateway

Means an entrance into the Town, Community or other specifically defined area, such as the downtown areas, that includes special signage, landscaping and banners and is designed to project a positive image for the Town.

Greenfields

Means lands within designated settlement areas, which are designated for growth over the planning horizon, but which have not yet been fully developed.

Gross Hectare

Means the total area of land in a development or plan of subdivision measured in hectares utilized for buildings, lots, public roads and widening, public parks, open space blocks, school sites and other public lands. The measurement of gross density shall not include any land designated Hazard Lands, Wetlands or Escarpment.

Groundwater Discharge

Means water that travels from under the ground to the surface and which forms part of the base flow of rivers and streams.

Groundwater Recharge

Means the replenishment of subsurface water:

- a) resulting from natural processes, such as the infiltration of rainfall and snowmelt and the seepage of surface water from lakes, streams and *wetlands*; and,
- b) resulting from human intervention, such as the use of stormwater management systems.

Groundwater Resources

Means water from underground that is required to sustain *ecological features* and provide drinking water for humans and animals.

Group Home Type 1

Means a single detached dwelling unit occupied by not less than six and not more than ten persons exclusive of staff and/or receiving family, who live under supervision as a single housekeeping unit and require 24-hour residential, sheltered, specialized or group care and which is licensed, approved and/or supervised by the Province of Ontario under any general or special Act.

Group Home Type 2 (Correctional)

Means a single detached dwelling unit occupied by not less than six and not more than ten persons exclusive of staff, who live under supervision as a single housekeeping unit and require 24-hour residential, sheltered, specialized or group care and which is licensed, approved, supervised or contracted by the Province of Ontario or the Federal Government under any general or special Act, and which shall be maintained and operated primarily for:

- a) persons who have been placed on probation under *The Youth Criminal Justice Act*, *The Probation Act*, the *Criminal Code (Canada)* as amended or any Act passed to replace the foregoing Acts;
- b) persons who have been released on parole under *The Ministry of Correctional Services Act* or *The Parole Act (Canada)* as amended or any Act passed to replace the foregoing Acts; and,
- c) persons who have been charged under *The Youth Criminal Justice Act*.

Habitat of Endangered Species and Threatened Species

Means

- b) with respect to a species listed on the Species at Risk in Ontario List as an endangered or threatened species for which a regulation made under clause 55(1)(a) of the *Endangered Species Act, 2007* is in force, the area prescribed by that regulation as the habitat of the species; or
- c) with respect to any other species listed on the Species at Risk in Ontario List as an endangered or threatened species, an area on which the species depends, directly or indirectly, to carry on its life processes, including life processes such as reproduction, rearing, hibernation, migration or feeding, as approved by the Ontario Ministry of Natural Resources; and places in the areas described in clause (a) or (b), whichever is applicable, that are used by members of the species as dens, nests, hibernacula or other residences.

Hazard Lands

Means property or lands that could be unsafe for *development* due to naturally occurring processes. Along the shorelines of the Nottawasaga Bay, this means the land, including that covered by water, where applicable, and the furthest landward limit of the flooding hazard, *erosion hazard* or dynamic beach hazard limits. Along river, stream and small inland lake systems, this means the land, including that covered by water, to the furthest landward limit of the *flooding hazard* or *erosion hazard* limits.

Hazardous Sites

Means property or lands that could be unsafe for *development* and *site alteration* due to naturally occurring hazards. These may include unstable soils, steep slopes, or unstable bedrock (karst topography).

Heritage Attributes

Means the principal features or elements that contribute to a *protected heritage property's* cultural heritage value or interest, and may include the property's built or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (including significant views or vistas to or from a *protected heritage property*).

Heritage Conservation District

Means an area defined by the Town to be of unique *character* to be *conserved* through a designation By-law pursuant to Part V of the *Ontario Heritage Act*.

Home Industry

Means a *small-scale industrial use*, such as a carpentry shop, a metal working shop, a welding shop or an electrical shop that provides services or wares to the rural farming community and which is an *accessory use* to an agricultural use or a single detached dwelling. For the purpose of this Official Plan, the repairing of motor vehicles or paint shop, mobile homes and/or trailers is not a *home industry*.

Home Occupation

Means an occupation that provides a service as an *accessory use* within a dwelling unit performed by one or more of its residents. Such activities may include services performed by an accountant, architect, auditor, dentist, medical practitioner, engineer, insurance agent, land surveyor, lawyer, realtor, planner, hairdresser or a provider of *private home daycare*, but shall not include an Adult Entertainment Use.

Home/Rural Occupations

Means those uses located within part of a residence or within an *accessory building* to a residence, operated by the resident or residents and is secondary to the principal permitted use of the property. The Town's Zoning By-law shall include a more detailed definition for Home/Rural Occupations.

Hydrological Functions

Means the functions of the hydrological cycle that include the occurrence, circulation, distribution, and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment including its relation to living things.

Industrial Use

Means a building or structure or part thereof used primarily for the purpose of manufacturing, processing, fabrication, assembly, treatment, packaging, and incidental storage of goods and materials and may include accessory sales and distribution of such products.

Infrastructure

Means physical structures (facilities and corridors) that form the foundation for development. *Infrastructure* includes: sewage and water systems, septage treatment systems, stormwater management systems, waste management systems, electricity generation facilities, electricity transmission and distribution systems communications/

telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.

Intensification

Means 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.

Institutional Use

Means a use that caters to the social, educational and/or religious needs of humans.

Landfill Site

Means a *waste disposal site* used for the purpose of landfilling.

Lock-off Unit

Means a commercial resort unit which has a private, separate access to a common hallway and an access door in the common, shared wall with an adjacent commercial resort unit.

Long-term Care Facility

Means a building or structure or part thereof used to provide health care under medical supervision for twenty-four or more consecutive hours, to two or more persons.

Major Retail

Means 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.

Medical Office

Means a building or structure or part thereof used for the medical, dental, surgical and/or therapeutic treatment of human beings including clinics

operated by a number and/or variety of medical professionals, but does not include a public or private hospital or office located in the medical professional's residence.

Mineral Aggregate Resources

Means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the *Aggregate Resources Act* suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, granite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the *Mining Act*.

Mineral Aggregate Operation

Means:

- a) Lands under license or permit, other than for a *wayside pit or quarry*, issued in accordance with the *Aggregate Resources Act*, or successors thereto;
- 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 (MDS)

Means the tool to determine a recommended distance between livestock and manure storage facilities and non-*agricultural uses* to prevent land use conflicts and minimize nuisance complaints from odour. MDS I provides *minimum distance separation* for new *development* from existing livestock facilities. MDS II provides *minimum distance separation* for new or expanding livestock facilities from existing or approved *development*.

Motor Vehicle Body Shop

Means a building or structure or part thereof used for the painting and/or repairing of the interior and/or exterior and/or the undercarriage of motor vehicle bodies. Car washes are not an *accessory use*.

Motor Vehicle Repair Establishment

Means a building or structure or part thereof used for the repairing of motor vehicles, but shall not include the sale of motor vehicle fuels. Car washes are not an *accessory use*.

Natural Heritage Features and Areas

Means features and areas, including *significant wetlands, fish habitat, significant woodlands, significant valleylands, significant habitat of endangered and threatened species, significant wildlife habitat, and significant areas of natural and scientific interest* that are important for their environmental and social values as a legacy of the natural landscapes of an area.

Natural Heritage System

Means a system made up of *natural heritage features and areas*, and linkages intended to provide connectivity (at the regional or site level) and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems. These systems can include *natural heritage features and areas*, federal and provincial parks and conservation reserves, other natural heritage features, lands that have been restored or have the potential to be restored to a natural state, areas that support hydrologic functions, and working landscapes that enable ecological functions to continue. The Province has a recommended approach for identifying *natural heritage systems*, but municipal approaches that achieve or exceed the same objective may also be used.

Negative Impacts

Means that it must be demonstrated that there is no loss of a natural feature or ecological function for which an area is identified. The manner in which this will be achieved will be through the undertaking of an Environmental Impact Study. *Negative impacts* are defined to mean:

- a) in regard to water and water resources, means degradation to the quality and quantity of water, sensitive surface water features and sensitive ground water features, and their related hydrologic functions, due to single, multiple or successive *development* or *site alteration* activities; or
- b) in regard to *fish habitat*, the harmful alteration, disruption or destruction of *fish habitat*, except where, in conjunction with the appropriate authorities, it has been authorized under the Fisheries Act, using the guiding principle of no net loss of productive capacity; or
- c) in regard to other *natural heritage features and areas*, degradation that threatens the health and integrity of the natural features or *ecological functions* for which an area is identified due to single, multiple or successive *development* or *site alteration* activities..

Normal Farm Practices

Means 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.

On-farm Diversified Uses

Means uses that are secondary to the principal agricultural use of the property, and are limited in area. *On-farm diversified uses* include, but are not limited to, home occupations, home industries, *agri-tourism uses*, and uses that produce value-added agricultural products.

Outdoor Storage

Means an area of land used in conjunction with a business located within a building or structure on the same lot, for the storage of goods and materials.

Partial Services

Means

- a) municipal sewage services or private communal sewage services and individual on-site water services; or
- b) municipal water services or private communal water services and individual on-site sewage services.

Place of Entertainment

Means a motion picture or live *theatre*, arena, auditorium, planetarium, concert hall and other similar uses, but shall not include an *Adult Entertainment Use*, any use entailing the outdoor operation or racing of animals or motorized vehicles, a casino or any other establishment accommodating or providing gambling or other gaming activities, wagering or betting, video lottery or gaming machines or any other similar type of gambling use.

Place of Worship

Means a building or structure or part thereof used by a charitable religious group(s) for the practice of religious rites.

Portable Asphalt Plant

Means a temporary facility, to be dismantled at the end of a construction project, where,

- a) Equipment is used to heat and dry mineral aggregate and to mix it with bituminous asphalt to produce asphalt paving material; and,
- b) Bulk materials used in the process described in clause (a) are kept.

Portable Concrete Plant

Means a building or structure

- a) with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and
- b) which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

Prime Agricultural Area

Means areas where *prime agricultural lands* predominate. This includes areas of *prime agricultural lands* and associated Canada Land Inventory Class 4 through 7 lands, and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. *Prime agricultural areas* may be identified by the Ontario Ministry of Agriculture and Food using guidelines developed by the Province as amended from time to time. A *prime agricultural area* may also be identified through an alternative agricultural land evaluation system approved by the Province.

Prime Agricultural Land

Means *specialty crop areas* and/or Canada Land Inventory Class 1, 2, and 3 lands, as amended from time to time, in this order of priority for protection.

Private Home Daycare

Means the use of a dwelling unit for the temporary care and custody of not more than five children who do not live in the dwelling unit and who are under ten years of age for reward or compensation for a continuous period not exceeding twenty-four hours.

Protected Heritage Property

Means property designated under Parts IV, V or VI of the Ontario Heritage Act; property subject to a heritage conservation easement under Parts II or IV of the Ontario Heritage Act; property identified by the Province and prescribed public bodies as provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties; property protected under federal legislation, and UNESCO World Heritage Sites.

Provincially Significant Wetland

Means a *wetland* classified as provincially *significant* by the Ministry of Natural Resources based on the Ontario *Wetland* Evaluation System 1994 Southern Manual, as amended from time to time.

Public or Quasi-public uses

Means:

- a) uses carried out by Federal or Provincial ministries or companies subject to Federal and Provincial control;
- b) uses carried out by the *County* and the Town of The Blue Mountains;
- c) public roads and railway lines;
- d) water supply, sewage and storm water management facilities; and,
- e) gas, telephone and cable transmission lines.

Quality and Quantity of Water

Means as measured by indicators such as minimum base flow, oxygen levels, suspended solids, temperature, bacteria, nutrients, hazardous contaminants and hydrologic regimes.

Recreation

Means leisure time activity undertaken in built or natural settings for purposes of physical activity, health benefits, sport participation and skill development, personal enjoyment, positive social interaction and the achievement of human potential.

Redevelopment

Means the creation of new units, uses or lots on previously developed land in existing communities, including *brownfield sites*.

Residential Care Facilities

Residential facilities in which residents who have a range of emotional, psychiatric, physical, developmental, or social disadvantages or problems live in a 24-hour supervised setting, and receive both room and board and support with daily living, including:

- a) *Type 1 Group Homes;*
- b) *Type 2 Group Homes;*
- c) *Second Level Lodging Homes; and,*
- d) *Treatment Centres.*

Residential Farm Cooperative

Means a farm operation on an individual property consisting of active primary agricultural uses and multiple accessory residential units for separate individual households who jointly operate the farm operation and is a corporation under the *Co-operative Corporations Act*.

Resource Based Recreational Uses

Means those recreational uses where the prime reason for location by their very nature, require certain natural attributes for their location including the availability of large lots or land areas. Uses permitted may include passive and active recreational facilities and associated commercial and residential uses. Such uses shall be defined to include golf courses, water-based recreation, campgrounds, lodges/resorts and skiing/snowboarding facilities.

Retail Use

Means a use conducted in a building or structure or part thereof in which goods, wares, merchandise, substances, articles or things are displayed, rented or sold directly to the general public but does not include a *Supermarket*, a *Department store*, a *Specialty Food Store*, an *Automotive Commercial Use*, an *Adult Specialty Store* or an *Adult Video Store*.

Retirement Home

Means a building or structure or part thereof providing accommodation primarily for retired persons or couples where each private bedroom or living unit has a separate private bathroom and separate entrance from a common hall but where common facilities for the preparation and

consumption of food are provided, and common lounges, *recreation* rooms and medical care facilities may also be provided.

Rural Areas

Means a system of lands within municipalities that may include rural *settlement areas*, *rural lands*, *prime agricultural areas*, natural heritage features and areas, and resource areas.

Rural Lands

Means lands which are located outside *settlement areas* and which are outside *prime agricultural areas*.

School, Commercial

Means a building or structure or part thereof used as a school conducted for gain, including a studio of a dancing teacher or a music teacher, an art school, a golf school, school of calisthenics, business or trade school and any other such specialized school.

School, Private

Means a building or structure or part thereof used as an academic school which secures the major part of its funding from sources other than government agencies.

Second Level Lodging Home

Means a single detached dwelling which has been converted as a lodging or rooming house and is occupied by not less than eleven persons and not more than twenty persons exclusive of staff, who live under supervision as a single housekeeping unit and require 24-hour residential, sheltered, specialized or group care.

Selected Bedrock Resource Area

Means an area identified by the Ontario Geological Survey in the Aggregate Resource Inventory Paper, 1996 in which a major bedrock resource is known to exist and is of primary significance for potential extraction.

Selected Sand and Gravel Resource Area

Means an area identified by the Ontario Geological Survey in the Aggregate Resource Inventory Paper, 1996 in which a major sand and gravel resource is known to exist and is of primary or secondary significance for potential extraction.

Seniors Housing

Means housing designed and targeted to seniors, and includes privately owned *developments* marketed to seniors and *assisted housing* for seniors, as well as *special needs housing* such as *retirement homes* and long-term care facilities. See also **Special needs housing**.

Sensitive Land Use

Means buildings or structures or parts thereof, *amenity areas* or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more *adverse effects* from contaminant discharges generated by a major nearby facility. *Sensitive land uses* may be part of the natural or built environment. Examples include residences, child care facilities and educational and health facilities.

Service Use

Means a building or structure or part thereof where clerical, business, professional and administrative services such as banking, accounting, insurance, investment and financial planning, land use planning, engineering or architectural services or the services of other consultants are provided and may include personal service uses such as florists, dry cleaning, tailors, travel agents, hair salons, diet centres, day spas, tanning parlours, shoe repair and video stores, but shall not include any Adult Entertainment Use.

Services or Entertainment

Means activities, facilities, performances, exhibitions, viewings and encounters but does not include the exhibition of film approved under the *Theatres Act*.

Settlement Area

Means those areas, in the Town of The Blue Mountains, designated in the County Official Plan as Primary Settlement Area, Tertiary Settlement Area or Recreational Resort Area.

Shopping Centre

Means a commercial *development*, designed and functioning as a unit with common parking facilities and access points. The predominant use shall be retail, including *department stores*, specialty food stores and *supermarkets* where permitted by the policies of this Plan, and service commercial within one building unit, however, free standing buildings may

also be developed in conjunction with the centre, provided that they are *compatible* with the design and accessibility of the centre itself.

Short Term Accommodation

Means a building or structure or any part thereof that operates or offers a place of temporary residence, lodging or occupancy by way of concession, permit, lease, license, rental agreement or similar commercial arrangement for any period less than thirty (30) consecutive calendar days, throughout all or any part of a calendar year. *Short term accommodation* shall not mean or include a motel, hotel, bed and breakfast establishment, tourist cabin or cottage, hospital, commercial resort unit, village commercial resort unit or similar commercial or *institutional use*.

Significant

Means:

- a) in regard to *wetlands* and 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 other features and areas identified in Section B1.3.2 of this Plan, excluding woodlands, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or *natural heritage system*. Criteria for determining significance may be recommended by the Province, but municipal approaches that achieve the same objective may also be used;
- c) in regard to cultural heritage, resources that are valued for the important contribution they make to our understanding of the history of a place, an event, or a people; and,
- d) in regard to other matters, important in terms of amount, content, representation or effect.

Site Alteration

Means activities, such as the placement of fill, grading and excavation that would change the landform and natural vegetative characteristics of a site.

Small-scale

Means, on parcels 20 hectares or greater in the Agricultural, Special Agricultural or Rural designation small scale when used in the context of

commercial or *industrial uses* means those uses which exceed the provisions of a Home/Rural Occupation, but do not exceed the following:

- occupies combined building(s) not exceeding 750 m²;
- outside storage and display is limited to an area not greater than 500 m²;
- if the building(s) is less than 750 m² the outside storage/display area may be increased to a maximum combined outside storage/display area and building area that does not exceed 1250 m²; and
- the passing of an implementing Zoning By-law Amendment.

On parcels less than 20 hectares in the Special Agricultural or Rural designations, a maximum combined building area of 250 m² and a maximum *outdoor storage/display* area of 750 m² will be permitted.

On parcels less than 20 hectares in the Agricultural designation no *small-scale* commercial or industrial operations will be permitted.

Special Agricultural

Means areas designated using evaluation procedures established by the province, as amended from time to time, where specialty crops such as tender fruits (apples, pears, etc.), 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) 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.

Special Needs Housing

Means any housing, including dedicated facilities, that is designed to accommodate individuals with specific needs beyond economic needs and includes: long term care facilities and retirement homes, where varying degrees of support services are provided including meal preparation, laundry, housekeeping, respite care and attendant services; *emergency housing*; and residential care facilities.

Stacking Lane

Means an area of land that is used exclusively for motor vehicles whose occupants are waiting to be provided with goods, materials or services.

Supermarket

Means a building or structure or part thereof, containing a complete departmentalized food store selling a comprehensive line of groceries, baked goods, fresh fruit and vegetables, canned goods, dairy products, frozen foods, and fresh and frozen meats. Other accessory lines may include confectionary, drugs and cosmetics, household supplies, hardware, commercial service uses such as dry cleaning and financial services, and a seasonal garden centre.

Theatre

Means a building or structure or part thereof that is used for the showing of motion pictures or for dramatic, musical or live performances. For the purposes of this definition, an *adult entertainment parlour* or an *adult video store* are not considered to be a *theatre*.

Threatened Species

Means a species that is listed or categorized as a *Threatened species* on the Ontario Ministry of Natural Resources' official species at risk list, as updated and amended from time to time.

Transport Terminal

Means the use of land for the purpose of storing, servicing, washing, repairing or loading of trucks and/or transport trailers with materials or goods that are not manufactured, assembled, warehoused, or processed on the same lot.

Treatment Centre

Means a single detached dwelling which is occupied by not more than 20 persons exclusive of staff, who live under supervision as a single housekeeping unit, and require 24-hour residential, sheltered, specialized or group care, and treatment and rehabilitation for addiction to drugs or alcohol.

A *treatment centre* shall be limited to not less than three and not more than ten persons in the Urban Area, Hamlet Area, Rural Cluster Area and the Niagara Escarpment Plan Area, and not more than twenty persons in the Agricultural Area and Protected Countryside Area, exclusive of staff.

Waste Disposal Site

Means any land upon, into or through which, a building or structure in which, waste is deposited, disposed of, handled, stored, transferred, treated or processed and includes an operation carried out or machinery or equipment used in connection with the depositing, disposal, handling, storage, transfer, treatment or processing of waste.

Watercourse

Means a natural depression in which is situated a continuous or intermittent flow of water sufficient to form and maintain a defined channel, with bed and banks; but generally not including *wetland* flow or modified/constructed drainage features such as swales, agricultural drains or roadside ditches.

Wayside Pit or Quarry

Means a temporary pit or quarry opened and used by or for a public authority solely for purpose of a particular project or contract of road construction and which is not located within the right-of-way of a public street.

Wetland

Means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of *wetlands* are swamps, marshes, bogs and fens. Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit *wetland* characteristics are not considered to be *wetlands* for the purposes of this definition.

Periodically soaked or *wetlands* being used for agricultural purposes which no longer exhibit *wetland* characteristics are not considered to be *wetlands* for purposes of this definition.

Wildlife Habitat

Means areas where plants, animals and other organisms live and find adequate amounts of food, water, shelter and space to sustain their populations. Specific *wildlife habitats* of concern, may include areas where a species concentrate at a vulnerable point in their annual or life cycle and an area that is important to a migratory or non-migratory species.

Wildlife Management

Means management of *wildlife habitats* for the purposes of sustaining the quantity and quality of wildlife and includes wildlife population management.

Winery

Means a winery, cidery, distillery, Meadery or similar use where more than 2 hectares must be planted and remain in production with vines, apples or other fruit trees.

Woodlands

Means land that is one hectare or more in area with at least:

- a) 1000 trees, of any size, per hectare;
- b) 750 trees, measuring over five (5) centimetres/1.96 inches in Diameter at DBH, per hectare;
- c) 500 trees, measuring over twelve (12) centimetres/4.72 inches, in Diameter at DBH, per hectare; or
- d) 250 trees, measuring over twenty (20) centimetres/7.87 inches in Diameter at DBH, per hectare;

but does not include a cultivated fruit or nut orchard or a plantation established for the purpose of producing Christmas trees.

PART F
SECONDARY PLANS

No changes proposed.
See Castle Glen Secondary Plan for details.



Official Plan Review Contact Information



blueprint@thebluemountains.ca



www.tbmbblueprint.ca



(519) 599-3131 ext. 248



Town Hall, 32 Mill Street
Thornbury ON, N0H 2P0