

*Town of The Blue Mountains*

# OFFICIAL PLAN



JUNE 2016

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## 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 Official 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 Municipality'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, such as 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 Policy 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 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 2026.

In 2008, Grey *County* developed a Growth Management Strategy, in support of the *County's* Official Plan Review, through the preparation of a Growth Management Strategy Report and Growth Allocations and Issues Report. Based on the *County's* growth management work and 2011 Census Canada data, actual and anticipated permanent population growth in the *County* and the Town is summarized in the following chart.

	1996	2006	2011	2026
<b>Grey County</b>	87,600	92,400	92,600	116,900
<b>The Blue Mountains</b>	5,670	6,825	6,450	9,300

Between the years 2011 and 2026, it is anticipated that the permanent population in the Town of The Blue Mountains will increase by approximately 2,850 residents (1,370 units). It is estimated that 80 to 85 percent of these 1,370 units will be provided in urban areas (i.e. the Thornbury/Clarksburg Settlement Area).

The County Official Plan requires an overall average development density of 20 units per net hectare in the Primary Settlement Area of Thornbury-Clarksburg. In order to achieve this target, the Town will monitor and report, on an annual basis, on densities in Thornbury-Clarksburg.

The *County* estimated that, in 2006, there was an approximate population in the Town of The Blue Mountains of 6,400. Based on its growth management analysis, the *County* also estimated that the conversion of seasonal dwellings to permanent dwellings will continue. On this basis, the *County* estimates that there will be a total of 4,740 new

seasonal dwellings units in the Town of The Blue Mountains between 2006 and 2026, and 800 new permanent units will be created during this period due to the conversion of seasonal units to permanent units. Almost all of the new seasonal dwellings will be accommodated outside of Thornbury/Clarksburg.

The Town estimates that the 2012 non-permanent population was approximately 10,062, giving a total permanent and non-permanent population of approximately 16,500.

The *County* Official Plan also establishes a minimum target of 10 percent for *residential intensification* in the Thornbury/Clarksburg settlement area. Assuming 1,100 new permanent dwelling units are to be accommodated in the Town of The Blue Mountains to 2026, 110 new dwelling units must be accommodated as *intensification* in the Thornbury/Clarksburg Settlement Area to 2026. For the Town, this means an average of 6 or 8 units per year should be provided through *intensification*.

In May 2010, the Town held a Public Meeting under Section 26 of the *Planning Act* to elicit comments from the community. The preparation of this Official Plan then began in the spring of 2011 and has involved many dedicated and committed people with an interest in the future of the Town of The Blue Mountains. A Steering Committee was established to provide advice to the project team and *Council*. Also, the project team met with the Planning and Building Committee, *Council*, stakeholders and the community throughout the process to identify important issues. In addition, the Town conducted a series of public workshops in preparing this Official Plan. The public process has resulted in a vision for the future of the Town that is expressed in this Plan.

In addition to considering changes to Provincial and *County* policy as is required by the *Planning Act*, the preparation of this Official Plan provided the Town of The Blue Mountains with an opportunity to:

- re-enforce a number of key policies in the current Official Plan that have worked well and supported desirable *development* in the right places;
- establish a unifying community land use structure and policy framework that recognizes the unique attributes and opportunities in each of the component parts of the Town;
- incorporate new policies on sustainable *development* that strike a balance between competing environmental, social and economic interests in order to ensure a high quality of life for future generations in the Town; and,
- implement many of the recent Town sponsored initiatives on community improvement, economic *development*, community design and housing.

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.

The two primary goals of this Official Plan Review were to provide a community-based and clear:

1. Vision, guiding principles, community structure and land use framework; and,
2. Policy framework that identifies and protects what is important to the Town when making municipal decisions and assessing *development* applications.

The goals, objectives and policies contained in this Plan are intended to guide the decisions of public authorities and private interests to the year 2026. All new public works and the passage of any Zoning By-law must conform to this Official Plan following its approval by the *County* of Grey. In addition, all planning decisions shall conform to the *County* of Grey Official Plan and be consistent with the Provincial Policy Statement.

This Official Plan recognizes and provides policy guidance for the primary settlement area of Thornbury/Clarksburg, an extensive residential/recreational settlement area which extends along the entire Georgian Bay shoreline, the Blue Mountain Village area, an expansive agricultural/rural countryside with a number of hamlets, and a variety of natural features and areas throughout the Town that are primarily focused on the Georgian Bay Shoreline and the Niagara Escarpment.

## A1 THE COMMUNITY VISION AND GUIDING PRINCIPLES

The primary purpose of the Official Plan is to provide the basis for managing growth that will support and emphasize the Town's unique *character*, diversity, civic identity, recreational and tourism resources, rural lifestyle and heritage features and to 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 Sustainable Path was endorsed by *Council* in 2010. The Vision set out for the Town, to the year 2060, in The Sustainable Path states that “*we are a connected and caring Community that blends our heritage with a thriving diverse economy based on the continual preservation and protection of nature. Generations of families live, work and play in our safe, happy and inclusive Town. We are a Community ‘Built to Last’*”. The Blue Mountains is a community that:

- supports the protection of our natural and rural resources;
- supports sustainability principles;
- values it’s 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:

- 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. It is important to note that 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 neighbourhoods with a range of services that includes necessary amenities and transportation options and affords equitable access to the ingredients of what makes for economically and socially viable neighbourhoods.
5. 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 protect *natural heritage features and areas* and their associated *ecological functions* so that they 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 encourage the provision of a wide range of publicly accessible recreational opportunities to meet the needs of present and future residents.
8. To ensure that housing is available to all ages, abilities, incomes, and household sizes and be located near public transportation where possible, jobs, and *essential* goods and services.
9. 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.
10. To encourage the continued revitalization of the Thornbury and Clarksburg Downtowns, which reflects their 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.
11. To establish an integrated transportation system that safely and efficiently accommodates various modes of transportation including walking, cycling, automobiles and trucks.
12. 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.
13. 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.
14. 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.



The Official Plan is based on a 10 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) 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 community is intended to evolve over time in accordance with that structure.

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 and supports the mixing of uses and activities in appropriate locations.

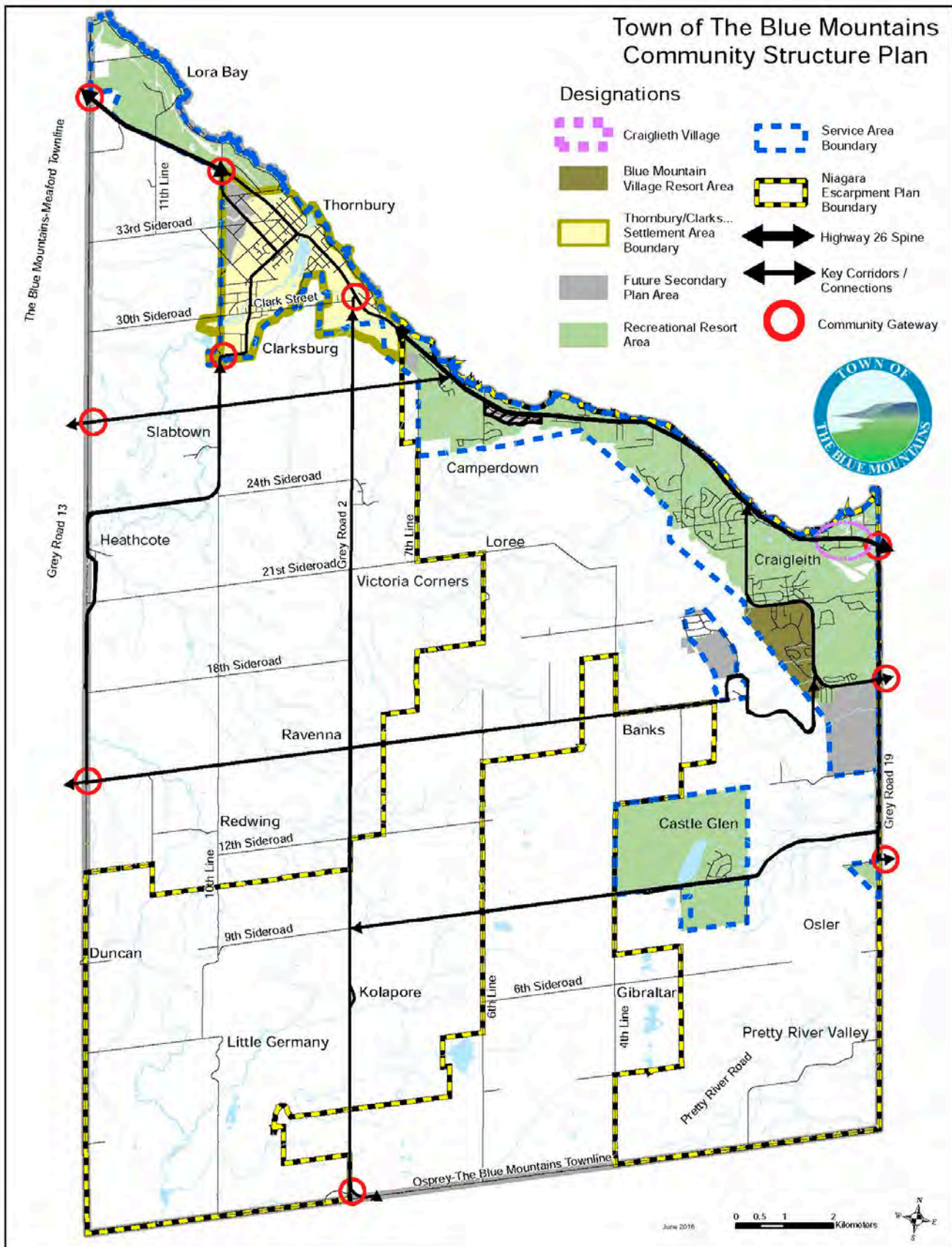


Figure 1 – Community Structure Plan

The Community Structure Plan contains the following main elements:

**Thornbury/Clarksburg 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.

**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.

**Residential/Recreational Area** – the area designated in the *County Official Plan* extending along the Georgian Bay shoreline providing a resort-related residential and recreational function.

**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 east of Thornbury, south of Highway 26
- 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 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 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, hamlets, natural features/areas/systems and waterfront areas 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**
- **Growth and Settlement**
- **Urban Community Character**
- **Rural and Open Space Character**
- **Agriculture**
- **Economic Development**
- **Tourism and Recreation**
- **Infrastructure**
- **Housing**
- **Mineral Aggregate Resources**
- **Cultural Heritage**

#### A3.1

#### SUSTAINABLE DEVELOPMENT

The Blue Mountains Sustainable Path was endorsed by *Council* in 2010 and provides a vision for the Town to 2060 as an international showcase for rural sustainability, and states that the Town is committed to finding a

sustainable balance between the environment, society, culture and the economy. Sustainable *development* is defined in the Blue Mountains Sustainable Path as “*development* that meets the needs of the present without compromising the ability of future generations to meet their own needs” (which is the World Commission on the Environment and Development/Brundtland Commission definition – 1987).

It is intended that this Official Plan will implement, where appropriate, the themes, goals and strategic objectives of the Blue Mountains Sustainable Path. Section D8 of this Plan focuses on policies related to sustainable *development* in the Town. Throughout the remainder of the 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. Minimize the Town’s ecological footprint and the impacts of growth by encouraging new *development* that is based on the principles of sustainable *development*.
2. Promote the use of leading edge sustainable *development* and energy conservation policies designed to reduce greenhouse gas emissions.
3. 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.
4. Reduce the per-capita consumption of energy, water, land and other non-renewable resources.
5. Promote practices, which conserve water, and protect or *enhance* water quality.
6. Promote a compact urban form and develop an energy-efficient mix of land uses, where appropriate, to provide liveable, healthy communities.
7. Encourage reductions in the use of private automobiles by promoting active transportation and the use of Transportation

Demand Management measures, such as public transit, cycling and walking.

8. Encourage efficient site design, and building design and construction techniques that minimize space heating and cooling energy consumption, and encourage the upgrading/retrofitting of existing buildings and facilities.
9. Support land use and *development* patterns that minimize adverse impacts on air quality.
10. Develop design standards that encourage the use of natural and/or naturalized landscapes in new *developments* to improve air quality throughout the community.
11. 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.
12. Reduce the occurrence of excessive light emissions while still ensuring that adequate levels are maintained for public safety.
13. Preserve and promote local agricultural production.

## 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 *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* 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 GROWTH AND SETTLEMENT

#### A3.3.1 Goal

To direct most forms of *development* to areas where full municipal wastewater and water services are available and to support the efficient use of land in these areas.

#### A3.3.2 Strategic Objectives

It is a strategic objective of this Plan to:

1. Direct the majority of new residential and employment growth to areas where full municipal services exist.
2. Reinforce the function of the downtown areas as the primary cultural, business, entertainment and commercial focal points of the community.
3. Encourage infilling, *intensification* and *redevelopment* in appropriate locations and with appropriate built form and design.
4. To permit *development* within the Hamlets that maintains and *enhances* hamlet *character* and scale in accordance with the policies contained within this Plan.
5. Ensure that there is an appropriate balance between residential and non-residential assessment in the Town.

6. Ensure that all *development* is appropriately phased and in conjunction with required *infrastructure* improvements where appropriate.

## A3.4 URBAN COMMUNITY CHARACTER

### A3.4.1 Goal

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

### A3.4.2 Strategic Objectives

It is a strategic objective of this Plan to:

1. Maintain and *enhance* urban areas as diverse, livable, safe, thriving and attractive communities.
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 the broadest mix of *compatible* uses.
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; 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 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 design guidelines outlined in the Blue Mountains Community Design Guidelines documented in By-law 2012-47, or any successor thereto
  - 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 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.

## A3.5 RURAL AND OPEN SPACE CHARACTER

### A3.5.1 Goal

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

### A3.5.2 Strategic Objectives

It is a strategic objective of this Plan to:

1. Protect and *enhance* the natural *character* of the Georgian Bay shoreline.
2. Preserve and *enhance* the Niagara Escarpment as a unique and important feature of the Town.
3. Preserve and improve 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 *character* of surrounding areas.
5. Protect 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.

## A3.6 AGRICULTURE

### A3.6.1 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*.

### A3.6.2 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 resources without sacrificing productivity.

### A3.7 ECONOMIC DEVELOPMENT

#### A3.7.1 Goal

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

### A3.7.2 Strategic Objectives

It is a strategic objective of this Plan to:

1. Foster a competitive and positive business climate in the Town.
2. Provide for the broadest range of employment and commercial uses and flexible development standards, where appropriate.
3. Pre-zone lands for employment and commercial uses wherever possible and appropriate.
4. 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.
5. 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.
6. Ensure that a sufficient supply of *employment lands* are available for *development* at all times and in appropriate locations.
7. Encourage wherever possible through the land use planning process the retention of existing businesses in the Town.
8. 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.
9. Encourage the *development* of home-based businesses and home industries provided the proposed use is *compatible* with adjacent uses.
10. Encourage the protection of the Town's *cultural heritage resources* in order to maintain and *enhance* economic *development* and tourism opportunities.
11. Ensure a balance between the demand for *development* and associated capital facilities and other municipally funded activities.

### A3.8 TOURISM AND RECREATION

#### A3.8.1 Goal

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

### A3.8.2 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 Nottawasaga Bay and to the Niagara Escarpment.
8. To create a high quality, all season trail system, 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.



## A3.9 INFRASTRUCTURE

### A3.9.1 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.

### A3.9.2 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 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 where feasible.
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 *infrastructure* that is energy efficient, promotes water conservation and water efficiencies, and supports improvements to air quality.
6. Consider innovative *infrastructure* financing tools, including public/private partnerships and developer front-end financing to provide community facilities and infrastructure.

## A3.10 HOUSING

### A3.10.1 Goal

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

### A3.10.2 Strategic Objectives

It is a strategic objective of this Plan to:

1. Ensure that there is an appropriate supply of land for residential *development* subject to the availability of water and wastewater capacity.
2. Assist in the achievement of *residential intensification* and *affordable housing* by encouraging opportunities for mixed-use *development* in appropriate locations.
3. Ensure that a full range of housing opportunities is available for residents in the Town.
4. Encourage the *development* of *seniors housing* in the Town.
5. Ensure that a viable amount of rental housing continues to be available.
6. Participate in *County*, Provincial and/or Federal housing programs that support appropriate housing *development* in the Town.
7. Support universal physical access and encourage the building industry to incorporate such features in new residential structures.

#### A3.11 MINERAL AGGREGATE RESOURCES

##### **A3.11.1 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.

##### **A3.11.2 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.

## A3.12 CULTURAL HERITAGE

### A3.12.1 Goal

To identify, conserve and *enhance* the Town's *cultural heritage resources*, whenever practical.

### A3.12.2 Strategic Objectives

It is a strategic objective of this Plan to:

1. *Enhance* the *character* of the Town by protecting and maintaining the Municipality'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 Aboriginal Communities with respect to the identification and protection of *archaeological resources*.

## 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 Craigleith, 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.

#### **A4.1.4 Commercial Corridor**

Lands designated Commercial Corridor are located adjacent to the Downtown Area designation and recognize existing linear commercial *development* that has occurred along Highway 26. This designation also recognizes areas for potential future commercial development.

#### **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 east of Thornbury, south of Highway 26
- 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 analysis 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 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 m<sup>2</sup>, 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 the Plan to provide for a broad selection of commercial resort accommodations, strategically located throughout the Municipality 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 m<sup>2</sup>, 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 m<sup>2</sup>. Commercial facilities designed to serve the larger community shall generally be directed to appropriate locations designated for such use.

B2.5

For the Approved Town of The Blue Mountains  
Short Term Accommodation Policies

See County of Grey Final Decision  
Letter Dated October 22, 2019

For the Approved Town of The Blue Mountains  
Short Term Accommodation Policies

See County of Grey Final Decision  
Letter Dated October 22, 2019



### 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.
- 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; and,
- e) That bed and breakfast uses may be subject to site plan control.

### 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 in 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

One *accessory apartment* may be permitted in any single detached, semi-detached or townhouse dwelling, or within a detached accessory building to any of the preceding residential types where:

- a) the *accessory apartment* 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 for the *accessory apartment*;
- c) the residential nature of the existing residential buildings and structures are maintained;
- d) the floor area of an *accessory apartment* is limited by the Zoning By-law; and,
- e) the *accessory apartment* has no more than two bedrooms.
- f) Adequate water and sewer services are available.
- g) The *accessory apartment* is proposed in a detached building, site plan control shall apply. The structure shall be located within the existing building cluster.
- h) In the Niagara Escarpment Plan Area where such accessory apartments are permitted by the Niagara Escarpment Plan

## 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 GARDEN SUITES

In all land use designations, *garden suites* may be permitted on the same lot as an existing single detached dwelling provided the use can be appropriately serviced. *Garden suites* shall be permitted on a temporary basis not to exceed 20 years through a site-specific Temporary Use By-law and shall be subject to Site Plan approval, where deemed necessary, to ensure adequate buffering and/or appropriate placement of the unit. *Garden suites* must be ancillary to the principle use of a single detached dwelling, not located in the front or exterior side yard of the principle residence, and there shall be demonstrated need for the use to the satisfaction of the Town.

An agreement between the applicant/property owner and the Town shall be required, which addresses issues related to installation, maintenance, removal and occupancy and financial securities among other matters. Performance standards shall be applied under the implementing Zoning By-law and Site Plan Control to ensure the compatibility of the temporary garden suite with the existing *character* of the area, including the

following:

- a) maximum/minimum floor area, setback lot coverage and height requirements;
- b) one additional on-site parking space;
- c) buffering for the purpose of screening the use from neighbours; and,
- d) the location, size and scale of the *garden suite* should be designed in a manner, which is considered *compatible* with surrounding uses.

## 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 MEDICAL MARIHUANA PRODUCTION FACILITIES

A medical marihuana production facility (MMPF) 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 MMPF;
- b) minimum setbacks from sensitive uses such as residential, institutional and open space shall be established in the Zoning By-law;
- c) residential uses are prohibited on the same lot as a MMPF; and,
- d) all activities associate with a MMPF, including loading spaces and storage, must be conducted within a fully enclosed building.

## B2.13 HEIGHT

It is the intent of the Plan that high rise buildings shall not be considered conducive to the general amenity and character of development within the Town. The maximum height of all buildings and structures in the municipality shall generally be eleven (11) metres, except for those structures which by their nature, such as barns, silos, antennae, water towers, wind generators, drive-in theatre screens and bridges, require a greater height.

Residential, commercial and industrial buildings shall generally be restricted to a maximum height of eleven (11) metres and/or three (3) storeys.

It is intended that a variety of building heights be encouraged in order to improve the visual effect, variety and community identity within various parts of the Town. The height limitations specified under the Plan shall be considered maximum provisions, however, the implementing Zoning By-law may provide for a range of lower height restrictions to establish the desired diversity for various zoning categories based on the intended principle of development for neighbourhoods, commercial districts and industrial areas. Development shall not be permitted at the maximum height provided under this Plan unless Council is satisfied that the proposed buildings or structures are compatible with nature and character of the surrounding area.

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.

## B3 URBAN LAND USE DESIGNATIONS

### B3.1 COMMUNITY LIVING AREA

#### B3.1.1 Objectives

It is the intent of this Plan to:

- maintain the unique small town feel and *character* of Thornbury-Clarksburg;
- maintain compatibility and where necessary, *enhance* the *character* and identity of existing residential areas;
- encourage the provision of a full range of housing opportunities to meet the Town's housing needs;
- promote the efficient use of existing and planned *infrastructure* by creating the opportunity for *residential intensification*, where appropriate; and,
- maintain the community's low (height) profile and low density feel.

#### 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 B3.1.5;
- e) *accessory apartments* in single detached, semi-detached and townhouse dwellings subject to Section B2.7;
- f) *home occupations* subject to Section B2.10;
- g) *bed and breakfast establishments* in single detached dwellings, subject to Section B2.5.1;

- h) parkettes and neighbourhood parks;
- i) *day nurseries* and *institutional uses* subject to Section B.3.1.7;
- j) *special needs housing* subject to Section B3.1.6;
- k) *private home daycare*; and,
- l) 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.

#### **B3.1.4 Density and Height**

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

<b>Dwelling Type</b>	<b>Density Range (units / gross hectare)</b>	<b>Maximum Height (storeys)</b>
<b>Single detached</b>	10 – 25	2.5
<b>Semi-detached &amp; duplex</b>	15 – 35	2.5
<b>Townhouse</b>	25 – 40	3
<b>Multiple &amp; apartment</b>	40 – 60	3

Notwithstanding the above, new Greenfield areas should be developed at a minimum density of 20 units per net hectare in accordance with the direction of the County of Grey Official Plan.

It is recognized that in some areas maximum density may not be appropriate. Lower density may be reviewed to meet the provisions of Section B3.1.5.3.

#### **B3.1.5 Infill, Intensification and Greenfield Development**

##### **B3.1.5.1 Existing Residential Neighbourhoods**

Existing residential neighbourhoods are intended to retain their existing character with limited change. 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.

#### **B3.1.5.2 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.

### **B3.1.5.3 Intensification and Greenfield Development**

In considering Planning Act application(s) to permit intensification and Greenfield *development*, *Council* shall be satisfied that the proposal:

- a) where appropriate, considers the role of topography and natural vegetation in minimizing the impacts of taller buildings on adjacent land uses;
- b) has demonstrated that the potential shadow impacts associated with taller buildings will be at an acceptable level on adjacent properties; 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;
- c) respects the *character* of adjacent residential neighbourhoods, in terms of height, bulk and massing;
- d) building height(s) reflect the pattern of heights of adjacent housing;
- e) is designed in consideration of lot coverages of adjacent housing;
- f) considered the predominant or average front yard setback for adjacent housing to preserve the streetscape edge, and character;
- g) provides for similar side yard setbacks to preserve the spaciousness on the street;
- h) 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;
- i) provides a built form that reflects the variety of façade details and materials of adjacent housing, such as porches, windows, cornices and other details;
- j) retains and enhances existing trees and vegetation where possible and additional landscaping will be provided to integrate the proposed *development* with the existing neighbourhood
- k) will not cause or create traffic hazards or an unacceptable level of congestion on surrounding roads;
- l) is located on a site that has adequate land area to incorporate required parking, recreational facilities, landscaping and buffering on-site;

- m) 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;
- n) will have minimal impacts on adjacent properties in relation to grading, drainage, access and circulation, and privacy;
- o) 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,
- p) if large in scale, will not obstruct views of Georgian Bay along streets that terminate at or close to the water's edge.

The Town may consider the pre-zoning of certain lands to permit medium and high density residential uses, as appropriate. 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.

### **B3.1.6 Special Needs Housing**

#### **B3.1.6.1 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.

#### **B3.1.6.2 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.

#### **B3.1.6.3 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.

#### **B3.1.7 Day Nurseries and Institutional Uses**

*Day nurseries* 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.

#### **B3.1.8 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, 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.

#### **B3.1.9 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**

#### **B3.1.10.1 Schedule A-2 – Part Lot 34, Concession 9**

In addition to the policies of the Community Living Area designation, these lands may be used as a commercial resort hotel complex subject to an amendment to the Zoning By-law and execution of a Site Plan Agreement. Prior to rezoning for the permitted use, the developer must submit Comprehensive Development Plans in accordance with Section E3.3 to the Town for approval, including a Commercial Market Study in accordance with Section B2.3(b), a Planning Justification Report and other relevant supporting information in accordance with Section E.10.

### **B3.2 URBAN EMPLOYMENT AREA**

#### **B3.2.1 Objectives**

It is the intent of this Plan to:

- provide lands for the creation of diverse employment opportunities at strategic locations;
- 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) office uses;
- c) storage and/or warehousing uses;
- d) wholesaling establishments; and,
- e) similar uses.

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.

*Adult entertainment establishments* are also permitted subject to Section B2.1 of this Plan.

#### **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, *Council* 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) the proposed buildings or structures on un-vegetated sites incorporate landscaping to *enhance* the site and surrounding area;
- d) *outdoor storage* areas are substantially screened from view from passing traffic;
- e) the proposed use can be serviced with an appropriate water and wastewater services; and,
- f) 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.

#### **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.



## **B3.2.6 Special Site Policies**

### **B3.2.6.1 Schedule A-2 – Part Lot 30, Concession 9 – Cedar Run Horse Park**

In addition to the Policies of the Urban Employment Area designation the following provisions shall apply to these lands:

- a) Permitted Uses
  - i) A Commercial Recreational use consisting of a Horse Park, as well as associated recreational, administrative, parking and maintenance building and uses.
  - ii) A Commercial Resort Unit Complex, ancillary to the Horse Park, including accessory recreational uses.
  - iii) Accessory retail commercial space.
- b) Policies
  - i) The Horse Park use may consist of open air Grand Prix Rings, warm up areas and hunter rings; indoor riding arenas; parking for employees, competitors and spectators; horse riding trails; administrative offices, vendor trade areas and eating facilities accessory to a horse show, and; open space areas.
  - ii) The Commercial Resort Unit Complex shall only be permitted if accessory to the Horse Park. The maximum number of Commercial Resort Units shall be determined based on a Market Analysis in accordance with Section B2.3 of this Plan, but in no case shall it exceed 300 units.
  - iii) The accessory retail commercial space to the horse park shall have a maximum floor area of 1,300 m<sup>2</sup>.
  - iv) *Development* shall be subject to a Master *Development* Agreement that addresses the following:
    - a. Site Plan Control provisions of Section 41 of the Planning Act;
    - b. Phasing including all associated works;
    - c. Implementation of an accepted Traffic Impact Study to the satisfaction of the Town, the *County* of Grey and the Ministry of Transportation;
    - d. Availability of municipal water and sewer servicing allocation and applicable financial contribution

thereto;

- e. Any applicable site plan matters related to the operation of the adjacent agricultural lands deemed appropriate by the Town including but not limited to buffering of adjacent uses, noise and nutrient management requirements; and,
- f. Any other matters deemed appropriate by the Town.
- v) The lands shall be zoned with the Holding –h symbol in accordance with Section 36 of the Planning Act to address matters of phasing and required works.
- vi) The zoning shall implement restrictions to the satisfaction of the Grey Sauble *Conservation Authority* that will ensure protection and enhancement of water courses, stormwater management and protection of steep slopes.

### 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 to *enhance* the *character* of the Downtowns;
- encourage streetscape and façade improvements that revitalize the cultural and historic *character* of the Downtowns;
- improve connections between the two Downtowns and the Harbour area; and, protect the residential *character* of the areas adjacent to the Downtowns.

#### B3.3.2 Location

The Downtown Area designation as shown on Schedule A-2 applies to the traditional and emerging downtown commercial areas of the Thornbury–Clarksburg *settlement area*.

#### 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) *day nurseries*;
- 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 commercial building or multiple unit apartment); and,
- r) funeral homes.
- s) 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, residential and accommodation uses;
- c) encouraging the establishment and maintenance of a streetscape that is geared to the pedestrian;
- d) limiting the height of new buildings to a maximum of three storeys, in order to maintain consistent facades;
- e) the preservation and enhancement of 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) roof top mechanical units are organized and screened with complementary materials, colours and finishes as necessary to provide a skyline with desirable visual attributes;
- k) new buildings on corner lots are located in close proximity to the public road rights-of-way and 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;
- l) 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;
- m) barrier free access for persons using walking or mobility aids are provided in all public and publically accessible buildings and facilities and along major pedestrian routes;
- n) display areas are designed to make a positive contribution to the

streetscape and the overall site development;

- o) all lighting will be internally oriented so as not to cause glare on adjacent properties or public roads;
- p) 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,
- q) 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.

#### **B3.3.5.3 Residential Uses**

The planned function for the Downtowns also includes a residential component. Healthy residential components of a downtown benefits the overall vitality 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.

##### **B3.3.5.3.1 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 in the Downtowns. This Plan will protect this area for street level commercial uses. New residential uses, including apartments are directed to the upper floor of buildings on these streets.

#### **B3.3.5.3.2 Residential Uses on Side Streets**

New street townhouses, free-standing multiple unit buildings, apartments and small scale inns and *bed and breakfast establishments* are permitted at street level on side streets within the Downtown Area designation. Such uses are permitted, subject to a rezoning and site plan approval, provided *Council* is satisfied that:

- 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.

#### **B3.3.5.4 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.

#### **B3.3.7 Special Site Policies**

##### **B3.3.7.1 Schedule A-2 – Part Lot 34, Concession 9**

In addition to the policies of the Downtown Area designation, these lands may be used as a commercial resort hotel complex subject to an amendment to the Zoning By-law and execution of a Site Plan Agreement. Prior to rezoning for the permitted use, the developer must submit Comprehensive Development Plans in accordance with Section E3.3 to the Town for approval, including a Commercial Market Study in accordance with Section B2.3(b), a Planning Justification Report and other relevant supporting information in accordance with Section E.10.

#### **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 commercial lands in appropriate locations in the Town to primarily serve the traveling public and tourists to the area, and which complement the Downtown Areas and uses which by their nature cannot reasonably be located in the Downtown Area designation;
- 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-2 to this Plan generally applies to lands abutting the Highway 26 connecting link through the west end of Thornbury.

#### **B3.4.3 Permitted Uses**

Permitted uses on lands designated Commercial Corridor include:

- automotive commercial*;
- restaurants;
- retail uses;
- department stores*;
- supermarkets*;
- wholesale establishments;
- institutional uses*;
- service uses*;
- 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.

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 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, *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 substantially screened from view from passing traffic;
- d) All options respecting shared access from the road are reviewed and implemented, if feasible;
- e) Parking areas are oriented to the rear or side of the lot so the primary building can be brought closer to the road;
- f) The proposed use is serviced with full municipal water and wastewater services; and,
- g) 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.

### **B3.4.7 Special Site Policies**

#### **B3.4.7.1 Schedule A-2 – Part Lot 34, Concession 9**

In addition to the policies of the Commercial Corridor designation and prior to rezoning for a commercial resort hotel complex, the developer must submit Comprehensive Development Plans in accordance with Section E3.3 to the Town for approval, including a Commercial Market Study in accordance with Section B2.3(b), a Planning Justification Report and other relevant supporting information in accordance with Section E.10.

### **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;
- f) *day nurseries*;
- 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; and,
- recognize areas where some residential uses are located to support and provide access to resort and recreational amenities.

#### **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) townhouse and low-rise multiple units;
- d) *accessory apartments* in single detached, semi-detached and townhouse dwellings subject to Section B2.7;
- e) *bed and breakfast establishments* subject to Sections B2.5.1;
- f) *home occupations* subject to Section B2.10;
- g) *private home daycare*;

- h) 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
- i) golf courses subject to Section B3.7.4.6 and all other policies of this Plan.

## **B3.7.4 Development Policies**

### **B3.7.4.1 Density and Open Space Requirements**

It is the intent of the 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 maximum density and minimum open space requirements for lands designated Residential/Recreational Area.

	<b>Maximum Density (Units / Gross Hectare)</b>	<b>Minimum Open Space Component</b>
Blue Mountain Village Area	15	40%
All other areas	10	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 the Community Living Area designation (Section B3.1.5).

#### **B3.7.4.3 Landscape Analysis**

*Development* proposals for a Plan of Subdivision, Plan of Condominium or other large 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 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.

### **B3.7.6.4      Schedule A-4 – Part Lot 21, Concession 2 - Edgewater**

A maximum of 16 residential dwelling units may be permitted on these lands.

**B3.7.6.5      Schedule A-5 Part Lots 16 and 17, Concession 1 - Windfall**

These lands are currently before the Ontario Municipal Board (as of June 2016), the appropriate development policies will be determined by the Board's decision on the matter

**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 currently before the Ontario Municipal Board as of June 2016. The appropriate development policies will be determined by the Boards 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 - Interwood**

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

**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.

**B3.8              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 municipality.

- 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 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 B3.1.5.2.
- c) 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, horizontally and vertically attached dwellings, townhouse, rowhouse or link dwellings, commercial resort unit uses and recreational facilities. It is recognized that recreational components have been provided to facilitate year-round recreational opportunity.
- b) Bed and breakfast establishments may be permitted subject to Section B2.5.1
- c) Maximum density for any block shall not exceed 35 units per *gross hectare* (15 units / gross acre).
- d) Parking facilities for the Village Core Resort Area may also be permitted, subject to a Zoning By-law Amendment and site plan control.
- e) 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 m<sup>2</sup> 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 m<sup>2</sup> provided an additional 110 m<sup>2</sup> 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 municipality 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, 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 the 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, in particular, 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, in particular, 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 that support recreational resort uses and operations;
- c) parking areas;
- d) recreational and cultural facilities; and,
- e) 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 m<sup>2</sup>. In addition, one new base lodge may be permitted with a maximum floor area of 600 m<sup>2</sup> 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.

Lands within the Craigleith Village Commercial designation shall function as the primary commercial centre for the 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 the 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 m<sup>2</sup>.

Notwithstanding the recommendations of the Commercial Market Study, the total commercial floor space shall not exceed 9,100 m<sup>2</sup> 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 m<sup>2</sup> save and except one non-residential building which may have a maximum floor area of 2,300 m<sup>2</sup>.

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 m<sup>2</sup>.

- 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, link and attached.
- 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 municipality of the shorefront including that land 6.0 metres 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 of the shorefront to the Town. These shorefront lands shall include generally 6.0 metres of land lying southerly of the 15.0 metres wave uprush zone.

- 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 Craighleith Village Commercial and Craighleith 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 east of Thornbury, south of Highway 26
- 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 *accessory apartment* 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 analysis 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, development by Plans of Subdivision or Condominium and site planning approval for individual properties may proceed through the plan process.

## **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 the 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 and 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**

Where permitted, the establishment of one additional dwelling unit or trailer/mobile homes on a farm property for farm help is permitted, provided the lands are appropriately zoned to permit such a second 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 Estate Winery**

Estate wineries (which may also include estate cideries and similar uses) may be permitted in the Agricultural, Special Agricultural and Rural designations subject to the following:

- a) A minimum 8 hectares (20 acres) must be planted with vines, apples trees or pear trees;
- b) The retail sale of wine and wine related products, and a hospitality room where food and wine is prepared and served, will be permitted when such uses are accessory to complement the estate winery;

- c) The maximum total floor area for retail and hospitality uses shall be 400m<sup>2</sup> so as not to detract from the main use of the land and not adversely affect other uses permitted in the area;
- d) Estate wineries shall be required to locate with direct access and frontage onto an improved public roadway maintained year round with sufficient capacity to accommodate the anticipated traffic;
- e) Estate 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 municipality:
  - 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 Farm Winery**

Farm wineries (which may also include farm cideries and other similar uses) are considered to be an *agricultural use* and may be permitted in the Agricultural, Special Agricultural and Rural designations subject to the following:

- a) A minimum of 2 hectares (5 acres) must be planted with vines, apple or other fruit trees;
- b) The fruit used in the annual production of wine at a farm winery shall consist predominately of fruit grown in the *County* of Grey by that farm winery operation. This may be reduced in any one year due to crop failure or damage resulting from causes beyond the control of the winery, such as climate and precipitation abnormalities, with the balance being from Ontario fruit; and,
- c) The retail sale of wine produced on-site shall be permitted, provided that it does not conflict with any minimum floor area requirement for licensing approval, on-site tasting room and retail floor space shall not exceed the lesser of 100m<sup>2</sup> or 25 percent of the total winery floor area (excluding any below ground floor area). The on-site retail floor space for non-agricultural and/or non Grey

County agricultural products, shall not exceed 5 percent of the total retail floor space.

#### **B4.1.5 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.

#### **B4.1.6 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 within 500 metres of the Thornbury-Clarksburg Settlement Area boundary shall not be considered.



#### **B4.1.7 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.

#### **B4.1.8 Small-scale Commercial or Industrial Uses**

*Small-scale* commercial or *industrial* uses must be directly supportive and related to the farm operations in the area.

For accessory retail commercial uses on farm properties:

- a) the use must be clearly associated with and located on a farm property;
- b) the retail component floor area can not exceed 250 m<sup>2</sup>; and,
- c) the majority of the products offered for sale, in terms of monetary value, must be produced or manufactured on the farm property.

The development of a new commercial or *industrial use* on a farm property may be subject to site plan control in accordance with the policies of this Plan.

### **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 to 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;
- b) a farm residence;
- c) accessory residential uses on farm properties subject to Section B4.1.1 or B2.7;
- d) *bed and breakfast establishments* subject to Sections B2.5.1;
- e) market gardening and nurseries;
- f) small scale *on-farm diversified uses*;
- g) *agriculture-related uses*;
- h) *forestry* and reforestation;
- i) passive recreational uses, such as walking trails;
- j) nature interpretation centres on lands owned by a public authority;
- k) an estate or farm winery subject to Sections B4.1.3 and B4.1.4;
- l) *agri-tourism uses* subject to Section B4.1.2;
- m) sand and/or gravel operations on lands identified as aggregate resource areas on Appendix 1;
- n) licensed aggregate operations on lands identified as mineral resource extraction on Appendix 1; and,
- o) wayside pits and quarries and *portable asphalt plants* for road works in the area, but shall not include the stockpiling of sand-salt mixtures.

A limited amount of non-farm land uses may also be permitted within the Agricultural designation if there is a demonstrated need for additional land to be utilized to accommodate the proposed use and there are no reasonable alternative locations, which would avoid agricultural areas. Permitted non-farm uses may include residential uses located on existing lots or lots created in accordance with the consent policies of this Plan.

Airports, utilities, transmission towers, designated historic sites and other *infrastructure* shall be permitted on existing lots of record or new lots in accordance with the consent policies of this Plan.

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.

In order to preserve and support the historic social and cultural needs of a unique segment of the *County's* existing rural community whose primary means of transportation is horse drawn vehicles, *Council* may permit by amendment to the Zoning By-law the establishment of such uses as churches, schools, cemeteries, community halls and other similar *institutional uses* only on existing lots of record. In all cases, the establishment of more than one *institutional use* shall be clustered with a singular *institutional use* for this purpose.

#### **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 dwelling.

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 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 except in the case of a lot created for conservation purposes by a conservation authority or conservation organization. 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.

#### **B4.2.5 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 *agricultural uses* and related buildings and structures;
- b) a farm residence;
- c) accessory residential uses on farm properties subject to Section B4.1.1 or B2.7;
- d) market gardening and nurseries;
- e) farm related uses such as home/rural occupations;
- f) *bed and breakfast establishments* subject to Section B2.5.1;
- g) retail sales of farm produce accessory to an agricultural use;
- h) *forestry* and reforestation;
- i) small scale industrial or commercial uses subject to Section B4.1.8 of this Plan;
- j) passive recreational uses, such as walking trails and nature interpretation centres on lands owned by a public authority;
- k) an estate or farm winery subject to Sections B4.1.3 and B4.1.4;
- l) *agri-tourism uses* subject to Section B4.1.2 of this Plan; and,
- m) sand and/or gravel operations on lands identified as aggregate resource areas on Appendix 1;
- n) licensed aggregate operations on lands identified as mineral resource extraction Appendix 1; and,
- o) wayside pits and quarries and *portable asphalt plants* for road

works in the area, but shall not include the stockpiling of sand-salt mixtures.

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. 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 Specialty 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.

#### **B4.3.6 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.

#### **B4.3.7 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:

- a) all types of *agricultural uses* and related buildings and structures;
- b) a farm residence;
- c) accessory residential uses on farm properties subject to Section B4.1.1 or B2.7;
- d) *bed and breakfast establishments* subject to Section B2.5.1;
- e) market gardening and nurseries;
- f) small scale *on-farm diversified uses*;
- g) *agriculture-related uses*;
- h) *forestry* and reforestation;

- i) passive recreational uses, such as walking trails;
- j) nature interpretation centres on lands owned by a public authority;
- k) an estate or farm winery subject to Sections B4.1.3 and B4.1.4;
- l) *agri-tourism* uses subject to Section B4.1.2;
- m) sand and/or gravel operations on lands identified as aggregate resource areas on Appendix 1;
- n) licensed aggregate operations on lands identified as mineral resource extraction on Appendix 1;
- o) wayside pits and quarries and *portable asphalt plants* for road works in the area, but shall not include the stockpiling of sand-salt mixtures.
- p) farm related uses such as home/rural occupations;
- q) small scale industrial or commercial uses subject to Section B4.1.8 of this Plan;
- r) retail sales of farm produce;
- s) veterinary clinics;
- t) commercial dog kennels subject to Section B4.4.4.4 of this Plan;
- u) 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;
- v) *institutional* uses subject to Section B4.4.4.3; and,

#### **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 shall be discouraged. Where *development* is proposed on improved agricultural land (i.e. land that is currently or has been previously used for farm purposes) 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, on existing lots of record or new lots, evidence of the site's suitability 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 an evaluation conducted in accordance with Ministry of the Environment 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) 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).
- c) 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.
- d) 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.
- e) 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.
- f) Consents may also be granted to correct lot boundaries.
- g) 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.

#### **B4.4.5 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 Tertiary 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 (eg. 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) *home occupations*;
- c) commercial uses that serve the needs of the settlement area and the surrounding rural area;
- d) *service commercial uses* that serve the traveling public;
- e) dry industrial *development* in the form of repair garages, warehouses, workshops or manufacturing and/or fabrication plants;
- f) dry manufacturing operations with a retail component;
- g) *institutional uses* such as schools, places of worship, day care centres, community centres, libraries, cemeteries and similar uses;
- h) accommodation facilities such as hotels, motels, inns and *bed and breakfast establishments* subject to Section B2.5.1; and,
- i) 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;
- e) *forestry* and resource management uses; and,

- g) wayside pits and quarries and *portable asphalt plants* for road works in the area;
- h) 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.
- i) An Official Plan Amendment will be required for asphalt plants and concrete batching plants proposing to 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 Areas of Potential Mineral Aggregate Extraction**

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. Uses permitted by the Plan on lands so designated or on lands within 300 metres of a *Potential Aggregate Resource Area* may be permitted, if it can be shown to the satisfaction of *Council* that:

- a) the land use pattern in the area has reduced the feasibility of extraction; or,
- b) the extraction would have a negative impact on the natural heritage features and functions on the site and in the area; or,
- c) the aggregate is low in quality; or,
- d) there is not enough aggregate in the area to justify its economical extraction.

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

#### **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*.

#### **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, and,*
  - iv) *significant areas of natural and scientific interest*

*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
Significant woodlands	120
Significant wildlife habitat	120
<i>Significant</i> habitat of <i>endangered species</i> and threatened species	120
Provincially <i>Significant</i> Areas of Natural and Scientific Interest – Earth Science	50
Provincially <i>Significant</i> Areas of Natural and Scientific Interest – Life Science	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:

- Forestry* in the form of reforestation and regeneration, and excluding commercial logging and managed woodlots; and,
- 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**

- a) 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.
- b) No buildings or structures are permitted within *Hazard Lands*, except for the following:
  - 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.

- c) 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.
- d) Buildings and structures (excluding docks and boathouses which are portable or floating in nature) will be setback 30 metres from all lakes and watercourses.
- e) 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.
- f) *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.
- g) 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).
- h) 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 Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulations

#### **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**

This area consists of shallow overburden with karst topography. The depth of soil is generally less than one metre over fractured bedrock (karst).

In areas identified as Karst Topography on Appendix 1 of this Plan, it will be necessary for the proponent of any planning application to address the need of providing an Environmental Impact Study. The objective of the Environmental Impact Study shall be to determine if in fact that the shallow overburden with karst topography does exist. This may be accomplished simply by on-site test holes.

The proponent shall dig two test holes in the location of a proposed dwelling or business (e.g. in the northwest and 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 official or qualified third party consultant capable of determining karst topography. A brief report of the findings shall then be prepared and submitted to the *County of Grey* and the Town. If the karst topography does exist, a study by a qualified individual shall be prepared to assess the impacts and mitigation measures on the surface and groundwater supply of the planning application. This study will also address the potential hazard associated with unstable bedrock conditions as a result of karst features. The study shall be to the satisfaction of the *County of Grey*, the Town and applicable Conservation Authority.

Notwithstanding the above, in areas where full municipal water and sewer services are already installed, these requirements shall not apply for new fully serviced *development*.

#### **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**

There is no County-wide mapping of valleylands available and this Plan does not contain criteria to determine what *valleyland* areas in the Town are significant. These features would be considered significant if they are considered to be 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*. Given that a *natural heritage system* has not been established by this Plan, it is a policy of this Plan that the Town will establish the criteria for determining significance at the time a *natural heritage system* is established.

#### **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



## 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. Water use for snow-making associated with a permitted major recreational use is permitted subject to the policies of this Plan 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, pollution or conservation of land;
- 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 an Environmental Impact Study is

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

## 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 and map 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) Support implementation of a protection program as further hydrogeological information is determined and as a Sourcewater Protection Plan is completed;
- f) Encourage voluntary measures to address risk associated with existing land uses;
- g) Avoid any public work, which would impair the quality of the groundwater;
- h) Establish an area wide monitoring program that includes the quality and quantity of surface water and groundwater;
- i) Develop an integrated information management system; and
- j) 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 a Sourcewater Protection Plan as mandated by the Clean Water Act, 2006, or its successor. Council recognizes that the Sourcewater Protection Plan 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. Therefore, Council should consider updating wellhead studies and groundwater modeling every 5 years to refine the groundwater mapping, and the extent of Wellhead Protection Areas for all municipal wells. Changes to mapping or policy as a result of the Sourcewater Protection Plan will require an amendment to this Plan.

All development applications in sensitive areas, including Wellhead Protection Areas and Areas of High Aquifer Vulnerability should be accompanied by an environmental site screening questionnaire to assess the potential risk involved with a new use and to better understand the history of past land uses on the site. The site screening questionnaire 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.

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.

## 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.

## 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 1 in 3. 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*. Preconsultation 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 better and effective management and restoration of a given Watershed and Subwatershed. 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 and constraints to *development*;
- c) an estimate of the *development* capacity of the watershed based on defined water quality 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 improving the Watershed;

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 prevention and remediation of Watershed problems and opportunities.

#### C8.4 CONTENT OF SUBWATERSHED PLANS

All Subwatershed Plans shall contain the following:

- a) a detailed assessment and integrated analysis of the natural heritage features and functions and 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;
- d) preparation and testing of a predictive impact assessment model to assess the potential impacts from stressors within the Subwatershed;
- e) the identification of alternative management solutions for the Subwatershed; and,
- f) detailed management strategies for the implementation of the Subwatershed Plan that incorporate guidelines for *development*, Terms of Reference for the preparation of Environmental Implementation Reports, including storm water management strategies, and ongoing monitoring programs for 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*.

### 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 the 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 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, day care centres, 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 Craigeith 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 municipality.

## 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 151/06 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.

The Town will endeavour 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.

### 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 on the basis of the *development* approval status.

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 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.

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;
- 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;
- 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; and,
- restrict development on private roads.

## D2.2 ROADS IN THE TOWN

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.

<b>Table 1 – Function of Transportation Facilities</b>		
<b>Type of Facility</b>	<b>Function</b>	<b>General Design Guidelines</b>
Highway 26 and connecting links	<ul style="list-style-type: none"> <li>• Serve mainly inter-regional travel demands</li> <li>• Accommodate truck traffic</li> <li>• Accommodate rapid transit services and high occupancy vehicle lanes</li> <li>• Carry high volumes of traffic</li> <li>• Connect urban areas or nodes in different municipalities</li> <li>• Significant scenic corridor</li> </ul>	<ul style="list-style-type: none"> <li>• Right-of-way width up to 50 m</li> <li>• Access is restricted (under the jurisdiction of MTO)</li> <li>• Transit-supportive land uses to be encouraged along right-of-way within urban areas</li> <li>• 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.</li> <li>• Adjacent development subject to minimum visual buffering requirements</li> </ul>

<b>Table 1 – Function of Transportation Facilities</b>		
<b>Type of Facility</b>	<b>Function</b>	<b>General Design Guidelines</b>
County Roads	<ul style="list-style-type: none"> <li>• Serve mainly inter-regional and regional travel demands</li> <li>• Accommodate truck traffic</li> <li>• Carry high volumes of traffic</li> <li>• Connect urban areas or nodes in different municipalities</li> </ul>	<ul style="list-style-type: none"> <li>• Right-of-way width up to 30 m</li> <li>• For County Roads outside of settlement areas (as defined by the County Official Plan), on-street parking is not permitted</li> <li>• For County Roads outside of settlement areas (as defined by the County Official Plan), access is restricted with access points consolidated where possible</li> </ul>
Major Collector Roads	<ul style="list-style-type: none"> <li>• Connect neighbourhoods</li> <li>• Distribute traffic to and from County Roads</li> <li>• Provide access to adjacent land uses</li> </ul>	<ul style="list-style-type: none"> <li>• Right-of-way width up to 26 m and 30 m with on-street parking</li> <li>• On-street parking generally permitted</li> <li>• Access is restricted with access points consolidated where possible</li> </ul>
Minor Collector Roads	<ul style="list-style-type: none"> <li>• Connect neighbourhoods</li> <li>• Distribute traffic to and from County Roads</li> <li>• Provide access to adjacent land uses</li> </ul>	<ul style="list-style-type: none"> <li>• Right-of-way width up to 26 m</li> <li>• 2 travel lanes</li> <li>• On-street parking generally permitted</li> <li>• Access is partially controlled</li> </ul>
Local Roads	<ul style="list-style-type: none"> <li>• Connect individual properties to collectors and arterials</li> <li>• Carry comparatively low volumes of traffic</li> </ul>	<ul style="list-style-type: none"> <li>• Right-of-way width up to 20 m and 23 m for rural cross-sections</li> <li>• 2 travel lanes</li> <li>• Convenient linkages to collector roads</li> <li>• Parking in rural areas is generally restricted</li> <li>• Parking in urban areas may be allowed on both sides depending on pavement widths</li> <li>• Access control not required</li> </ul>

<b>Table 1 – Function of Transportation Facilities</b>		
<b>Type of Facility</b>	<b>Function</b>	<b>General Design Guidelines</b>
Local Heritage Roads	<ul style="list-style-type: none"> <li>Serves mainly low volume local traffic</li> <li>Recognizes those roads where the historic method of construction, terrain and local environment may be considered to be below modern road geometric standards</li> <li>Includes historic routes/roads and cottage roads</li> </ul>	<ul style="list-style-type: none"> <li>Right of way width up to 20 m</li> <li>Up to 2 travel lanes</li> <li>Area specific construction standard to be used</li> <li>Limited opportunity for road improvements</li> </ul>
Seasonal Roads	<ul style="list-style-type: none"> <li>Under the jurisdiction of the Town providing access to adjacent lands</li> <li>These roads will not be maintained during the winter season</li> </ul>	<ul style="list-style-type: none"> <li>Right of way width up to 20 m</li> <li>Up to 2 travel lanes</li> <li>Area specific construction standard to be used</li> <li>Limited opportunity for road improvements</li> </ul>
Private Roads	<ul style="list-style-type: none"> <li>Historic laneways and shared driveways that may or may not be owned or assumed by the Municipality</li> <li>Condominium roads established under the Condominium act</li> </ul>	<ul style="list-style-type: none"> <li>Area specific construction standard to be used</li> <li>All condominium roads shall be designed and built wide enough to accommodate emergency vehicles, and parking of vehicles on one side of the road.</li> </ul>
<ul style="list-style-type: none"> <li>*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.</li> </ul>		

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.

## D2.3 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.

If the Town is to assume any private road, it must be brought up to municipal standards. The cost of bringing such a road up to municipal standards shall not be borne by 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 and reducing dependence on single occupant vehicles. 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) support the provision of safe and convenient cycling and walking routes in the review of all *development* applications;
- c) recognize the Georgian Trail as a major active transportation corridor through the Town, providing a connecting link between Collingwood and Meaford;
- d) prioritize the maintenance and alignment of the Georgian Trail along the former CN rail line;
- e) require the provision of sidewalks in settlement areas and hamlets, where appropriate;
- f) encourage mixed-use and pedestrian-oriented neighbourhood design that supports connections between land use and transportation *infrastructure*;
- g) investigate and provide for bicycle lanes wherever possible in the construction or reconstruction of roads and bridges;
- h) encourage and support measures which will provide for barrier-free design of pedestrian facilities;
- i) 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.;
- j) ensure that lands for bicycle/pedestrian paths are included with the land requirements for roads;
- k) 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;
- l) ensure that the rights and privacy of adjacent property owners are factored into the design process for pedestrian and cycling routes;
- m) ensure that all pedestrian and cycling routes are designed to be safe; and,

- n) 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; and,
- d) include TDM in the secondary plan review and *development* review processes.

## 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.

### 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 Aboriginal Communities shall be provided notification with regard to the identification of burial sites and *significant archaeological resources* relating to the activities of their ancestors.

### **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

### 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.

*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 Aboriginal Communities.

### D3.4.2 Consultation with Aboriginal Communities

The appropriate Aboriginal 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 Aboriginal Communities burials are discovered, consultation will occur with the nearest Aboriginal Community and the Aboriginal Community with the closest cultural affiliation, if that can be determined. It shall be a policy of this Plan that the Town will also endeavour to consult with Aboriginal Communities on Planning Act applications that will have the potential to infringe on aboriginal treaty rights and aboriginal interests.

## 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

##### 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; and,
- 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.

##### 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 Blue Mountains 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 any Council-adopted Community Design Guidelines;
- d) ensuring that the Town's Site Plan Manual 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 approved 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 policies of this Plan and the relevant *Council* adopted 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 municipality 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 the Thornbury connecting link and Craigleith Village Area. Buffers shall generally be 10 metres in width and subject to an approved landscape plan to ensure adequate visual screening. The Town shall also undertake to complete a Highway 26 Corridor Streetscape Study to further refine the development policies 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 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 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 Leisure Activities Plan (LAP) adopted by *Council* in 2006 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

Where a public parkland area 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: an amount not exceeding 5% of the land being developed or 1 hectare per 300 dwelling units, whichever is greater;
- b) For commercial or industrial purposes: an amount not exceeding 2% of the land being developed.

The Town may accept cash in lieu of land as an alternative for any park dedication required by this Plan. Such cash in lieu payments shall be based on the provisions of the Planning Act.

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.

#### **D6.2.6 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*. 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; and/or,
- f) establishing priorities for acquisition through *Council* approval of updated Recreation Master Plans.

#### **D6.2.7 Parkland Dedication By-law**

*Council* shall enact a 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.

#### **D6.2.8 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.

### **D6.3 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 through park block size, visibility, configuration and location of park fixtures and facilities;
- c) have direct and safe pedestrian access from adjacent residential areas or adjacent greenlands where appropriate;
- d) 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;
- e) incorporate natural heritage features wherever possible into the design of the parkland;
- f) be integrated into the fabric of the adjacent neighbourhood by promoting open space or walkway linkages to adjacent facilities, neighbourhoods and natural features;
- g) be connected, wherever possible, to trail systems, cycling routes, walkways, natural heritage corridors, utility corridors and drainage systems; and,
- h) incorporate multi-purpose community/recreational centers using the campus approach that may include schools, public, cultural facilities, libraries, *cultural heritage resources*, day nurseries and recreational facilities.

### **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 designation 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 the Plan that small, local municipal parklands shall not be encouraged 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 co-ordinated *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**

It is intended that the municipality will continue to establish a system of public pathways designed to provide a practical recreational facility for walking, skiing and biking trails, 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 planning area. Particular attention is also to be given to the establishment of an open space walkway corridor along the Nipissing Ridge, with linkages to the Bruce and Georgian Trails. Such linkages shall be encouraged within the required open space component for *development*.

The primary linkages for the overall public walkway system are identified as Trails 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.

As a condition of new *development*, proponents shall provide for the dedication to the Town of new public pathways in accordance with the Town's engineering standards. It is noted that the pathways 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 pathway systems for walking, skiing and biking shall also be encouraged. In some cases, extra wide or dual pathway systems 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 pathways, where appropriate, in addition to sidewalks along roadways. These open space pathways shall be considered part of the required municipal *infrastructure*, and shall not be considered part of any required parkland dedication.

This Plan encourages a co-ordinated 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.

The Town shall undertake the *development* of a Trails Master Plan to identify key trail *development* priorities and policies to effectively guide pedestrian trail network decision-making.

The location and design of pathways shall be guided by the following policies.

- a) The trails system shall be designed to provide a variety of trail types (eg. nature trails, soft surface, hard surface, on-road, boulevard, etc.) throughout the Town providing multiple options for trail users.
- b) 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.
- c) The location should be oriented towards treed areas and areas of frequent change in elevation or contour while avoiding steep, unstable slopes.
- d) Routes should be separated from roadways, where possible, but may substitute for sidewalks where paralleling the road allowance.
- e) A practical route should be provided for walking, skiing and biking, with appropriate separations wherever possible.

- f) Conflicts with adjacent uses should be minimized through appropriate setbacks and vegetative screening.
- g) Public open space walkways should be integrated with subdivision and golf course design, with pedestrian access to all lots or units, where possible.
- h) The trails system shall utilize abandoned railway lines, unopened municipal road allowances, easements and other means to establish a connected trails network.
- i) Bicycle lanes shall be provided in the construction or reconstruction of roads and bridges and links to recreational trails, wherever possible.

Pathways should not limit adjacent land uses including, but not limited to, normal farm practices, land stewardship, sustainable forest management, wildlife management and legal uses.

#### **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; and,
- 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.

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.

### **D6.3.8 Bruce Trail**

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:

- a) the ownership and use of the land upon which the trail traverses;
- b) the mitigation of potential impacts; and
- c) the provisions of adequate parking to meet the needs of trail users.

## **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 *accessory apartments* 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*.

New *development* that assists in achieving this 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.

## D8 SUSTAINABLE DEVELOPMENT

This section is intended to assist the Town in achieving and implementing it's sustainability vision, goals and objectives, as set out in the Blue Mountains Sustainable Path, 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 water conservation in all buildings, and landscaping and maintenance;
  - iii) green building material requirements to promote durability and reduce the heat island effect;
  - iv) requirements for dark sky compliant practices for exterior lighting;
  - v) requirements for waste reduction, reuse and recycling in the construction process;
  - vi) requirements for the application of stormwater management at the site level to maximize infiltration and reduce phosphorus loading; and,
  - vii) 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 the 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 Zoning By-laws shall be undertaken to ensure that it properly implements the policies of this Plan.

### E1.2 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;
- *garden suites*; and,
- 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. A *garden suite* may be permitted on a property for up to 20 years. A subsequent by-law granting an extension of up to three years may be passed. 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.

### E1.3 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.

### E1.4 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.

### E1.5 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.

#### E1.6 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.

*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 the 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 the 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 the 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*.

## E1.7 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;
- i) 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.

### **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) Improve and maintain the transportation network to ensure an adequate traffic flow, pedestrian circulation and parking facilities;
- f) 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;
- g) Improve and maintain the physical and aesthetic amenities of the streetscape, especially in the commercial core areas of Thornbury, Clarksburg and Craighleith;
- h) 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;
- i) 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;
- j) Establish an atmosphere through revitalization and improvements within the commercial core areas of Thornbury, Clarksburg and Craighleith that will encourage existing business and property owners to make improvements to their facilities and new business to locate in these areas;
- k) Encourage improvement activities which contribute to a strong economic base including commercial, industrial, recreational and tourism activity and job creation;
- l) Improve environmental conditions;

- m) Improve social conditions;
- n) Promote cultural and tourism *development*;
- o) Facilitate and promote community economic *development*; and,
- p) 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

If the property cannot be acquired or a building relocated, the Committee of Adjustment may, without an amendment to this Plan, allow extensions to a non-conforming use. Prior to such approval, 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 THE PLAN

- a) 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 2026.
- b) 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*.

- c) 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.
- d) 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) studies or information dealing with noise, vibration or other impacts that may result from *development*;
  - iii) 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;
  - iv) studies or information to determine the potential impacts on the growth or fiscal position of the Town;
  - v) studies or information to indicate the impact of new or intensified traffic that may impact the existing and proposed road network; and,
  - vi) studies or information to assess the impact on water,

sanitary and storm systems

vii) 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. The 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) Official Plan and Zoning By-law Amendments

In order for an application for an Amendment to the Official Plan or Zoning By-law to be considered complete in accordance with the *Planning Act*, *Council* may require the submission of any number of the reports or studies listed in subsection (d). In order to adequately inform the public and to obtain their views prior to consideration of an amendment to either the Official Plan and/or the Zoning By-law, *Council* shall have the option of requiring that an open house be advertised and held. The open house shall be held a minimum of 7 days prior to the public meeting.

### 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) Consents

In order for an application for approval of a consent to be considered complete in accordance with Section 53 of the *Planning Act Council* may require the submission of any number of the reports or studies listed in subsection (d).

d) Pre-submission consultation/Additional Information and Material

Prior to submission of an application for an Official Plan Amendment, a Zoning By-law Amendment, a Site Plan Control application and/or an application for Subdivision/Condominium approval, the person or public body requesting the amendment or approval shall submit a pre-submission consultation package for review by the municipality. Pre-submission consultation may also be required prior to the submission of an application for consent.

Information to be provided or presented as part of the pre-submission consultation package shall include, but is not limited, to the following:

1. Brief overview of the proposal (sketch, drawing, illustration, if applicable).
2. Key Map/Aerial Photo
3. Relevant project data (lot area, lot size, number of units proposed if applicable)
4. General commentary on the nature of relief or action sought.
5. Overview of public agency/government consultation completed to-date.
6. Basic servicing scheme (if applicable).
7. Project timelines.

During the pre-submission consultation process the nature and scope of studies to be prepared in support of the application shall be identified. The studies required may include, but are not limited to, any of the following:

1. Active Transportation Report

2. Affordable/Attainable Housing Report/Rental Housing Conversion Study
3. Air Quality Study
4. Archeological Impact Assessment/Review
5. Built Heritage & Cultural Heritage Landscape: Heritage Impact Assessments
6. Commercial Market Study (Commercial Impacts)
7. Comprehensive Review
8. Cultural Heritage Impact Statements
9. Contamination Management Plan
10. Cross-section Drawings/Profiles
11. D4 Study (Landfills and Dumps)
12. Decommissioning Report
13. Endangered and *Threatened Species* Habitat Studies / Other *Wildlife habitat* Studies
14. Electrical Economic Evaluation Plan
15. Employment Lands Study
16. Environmental Impact/Natural Heritage Study
17. Environmental Implementation Report
18. Environmental Site Assessment
19. Financial Impact Study/Analysis
20. Fish Habitat/Impact Study
21. Floodplain Assessment
22. Functional Servicing Report/Plan
23. Geotechnical /Soil Stability Report
24. Grading, Drainage and Stormwater Management Report
25. Growth Management Report

26. Health Impact Assessment
27. Heritage Impact Assessment/Review
28. Hydrogeological/Hydrology Study/Review
29. Illumination Study Lighting/Photometric Plan
30. Lake Carrying Capacity Study
31. Marina or Coastal Engineering Study
32. Market Impact Assessment
33. Master Block Plan
34. Master Environmental Servicing Plan
35. Mineral Aggregate Resources Studies (to identify potential reserves, feasibility of resource use or impact assessment re: proposed adjacent potentially incompatible uses)
36. Minimum Distance Separation (MDS) Calculation Report
37. Natural Hazards Studies
38. Noise and/or Vibration Impact Study
39. Odour and Dust Study
40. Parking Report/Analysis
41. Planning Needs/Justification Report
42. Prime Agricultural Area Identification Study
43. Public Transit Compatibility Assessment
44. Road Assessment
45. Sewage System Development Report
46. Settlement Area Capability Study/Settlement Area Comprehensive Review
47. Shadow Analysis
48. Site Plan Layout
49. Slope Stability Report

50. Spray Analysis - Golf Courses
51. Source Water Protection Area - Risk Assessment Report
52. Sustainability Analysis
53. Traffic Impact Study
54. Traffic Management Plan
55. Tree Inventory and Preservation Plan
56. Community Design Report including Architecture and Streetscape Design
57. View and Vista Renderings
58. Visual Impact Assessment
59. Water Resource Management Report
60. Water Supply
61. Well Water Records
62. *Wetland* Evaluation Studies

In addition the Town may require further or other reports, which it determines, are necessary to address such circumstances. 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.

Applications submitted to the Town after pre-submission consultation must be done so as a complete application 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.

## E11 GLOSSARY

The following terms are defined to assist in understanding the intent of this Plan.

### **Accessory Apartment**



Means a self-contained apartment within a single, semi-detached or townhouse dwelling unit, or within a detached accessory building to any of the permitted residential unit types.

### **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 accessory apartment 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.

### **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.

### **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-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.

### **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 Aboriginal 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.

### **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

### **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 Aboriginal 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.

## **Day Nursery**

Means a building or structure or part thereof where more than 5 children are provided with temporary care and/or guidance for a continuous



period, not exceeding twenty-four hours and are licensed in accordance with the *Day Nurseries 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.

## **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.

## **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.

**Garden Suite**

Means a self-contained detached residential structure that is accessory to a single detached dwelling unit and that is designed to be portable.

**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

- a) 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
- b) 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 *floodings 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.*

## **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, day nurseries 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 m<sup>2</sup>;
- outside storage and display is limited to an area not greater than 500 m<sup>2</sup>;
- if the building(s) is less than 750 m<sup>2</sup> the outside storage/display area may be increased to a maximum combined outside storage/display area and building area that does not exceed 1250 m<sup>2</sup>; 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 m<sup>2</sup> and a maximum *outdoor storage*/display area of 750 m<sup>2</sup> 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.

## **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

## F1 INTRODUCTION

In accordance with the provisions of Section E3 of this Plan, Secondary Plans may be prepared to allow for more detailed area or issue-based planning in newly developing areas or other areas where specific issues and concerns are identified.

Part F1 of the Official Plan includes Secondary Plans prepared for specific areas of the Town. These Secondary Plans are:

- The Castle Glen Resort Community

### CASTLE GLEN RESORT COMMUNITY OFFICIAL PLAN

Notwithstanding the policies of the Castle Glen Resort Community Plan, Sections B2.1, B2.4, B2.5, B2.6, B2.7, B2.8, B2.9, B2.10, B2.12, C12 and E5 of the Parent Official Plan shall also apply.

#### 1.0 Concept for Development

- 1.1 The Castle Glen Resort Community is intended to be developed as a pedestrian friendly resort area linking residential, commercial and recreational areas with a large open space component while protecting the unique natural, visual and cultural heritage character of the Niagara Escarpment environment. It is intended to accommodate a range of recreational, uses, facilities and activities complimentary and compatible with the Niagara Escarpment, including golf course holes, including tees, greens and fairways and other recreational uses.

Development of the Castle Glen Resort Community shall proceed such that recreational uses, facilities and activities, including at least one golf course in the first phase of development, are made available prior to or in conjunction with residential and commercial development. Further, a high quality of recreational uses, facilities and activities shall be continuously maintained.

- 1.2 Residential uses may include single detached and a variety of multiple residential forms. Commercial uses may include resort related facilities, including hotels and other forms of commercial accommodation units, golf course holes, including tees, greens and fairways and recreation facilities, as well as a range of retail, entertainment and service uses catering to the needs of the resort recreational community that are developed in conjunction with the recreational uses within the property. Civic and institutional uses are also permitted within the Castle Glen Resort Community.
- 1.3 The maximum number of residential dwelling units in the Castle Glen Resort Community shall not exceed 1,600. The maximum number of hotel or commercial accommodation units, shall be 300. In addition, the existing 87 lots in the "Thunderhill Subdivision" (Registered Plans 910 and 921) are permitted and recognized. Single detached residential dwellings and multiple residential

dwellings shall be developed primarily in cluster form with a large open space component. In addition, a maximum of 300 hotel or commercial accommodation units, a maximum of 5,000 m<sup>2</sup> of commercial uses, a beach club, as well as golf course holes, including tees, greens and fairways and clubhouse facilities, and other associated uses may be established. Flexibility shall be permitted to distribute commercial accommodation units and commercial uses within the applicable designations. The majority of the commercial activities shall be concentrated within the Castle Glen Village Core and Resort Commercial designations.

- 1.4 The maximum density and unit yields for each of the residential pods is identified in Schedule B and outlined within the policies of each specific Residential designation. Although the maximum density of development and unit yields may be reduced in some residential pods, based on special policies within the land use designation, and the application of Section 5, the transfer of density or unit yields from one residential pod to another shall not be permitted.
- 1.5 The relatively low density of development shall be designed with the provision of generous open space to contribute to a recreational resort image, facilitate passive outdoor recreational opportunity, stimulate visual identification of development components and provide separation of land uses, maintain the open landscape character, and protect the natural, visual and cultural characteristics of the Niagara Escarpment environment. Development shall generally be designed in a cluster manner so that a minimum of 70% of the total lands subject to this Official Plan, excluding the Rst R(T) designation are included in open areas. The required minimum 70% open area component will include lands within any of the land use categories, including lands used for open space or golf within the Development designations, Hazard Lands, Escarpment, Wetlands, Lake of the Clouds, Escarpment Golf, but does not include any lots or blocks for development nor any lands for public roads.
- 1.6 The location and number of golf course holes, including tees, greens and fairways within the applicable designations will only be determined following completion of the studies required of Section 5.
- 1.7 It is intended that the land use designations and policies for the Castle Glen Resort Community will provide general direction for development in an environmentally sustainable manner, as further provided under Section 2. All development shall be subject to the approval of two (2) overall Concept Plans, overall Plans of Subdivision, Plans of Subdivision and/or Condominium Plans, Site Plan approval and Zoning By-law and a Master Development Agreement. The Concept Plans will illustrate in a general way the recreational uses and facilities, and the distribution of land uses and facilities, including road patterns, walkways, the proposed golf course routing plan, and the general locations for residential and non-residential buildings within the overall resort community. The location and intensity of development identified in the Concept Plans are subject to the studies required under Section 8. The development will be refined and may be further constrained through the application and implementation of Section 5 at



the Plan of Subdivision/Condominium, Site Plan approval and Zoning By-law stage. The Master Development Agreement shall include appropriate provisions for subsequent agreements, required studies, servicing, roads, parking areas, stormwater management, financing and securities, walkways, density distribution, phasing, remedial measures, monitoring, land dedications and other relevant matters, to the satisfaction of the Town. Detailed development approvals and agreements, including subdivision, condominium and site plan approvals, shall be in compliance with the requirements of this Plan and be guided by the overall Concept Plans and Master Development Agreement.

- 1.8 Given the unique characteristics of the Castle Glen Resort Community, and the golf course holes, including tees, greens and fairways, recreation facilities, proposed parks, walkways, trails, land dedications for public uses, and other dedications to be established in accordance with the policies and provisions of this Official Plan, bonus density provisions will not be applied. These facilities and dedications shall be identified under the Master Development Agreement and provided in a phased manner.
- 1.9 The developer shall dedicate land for public parkland in accordance with the requirements of the Planning Act. The developer shall dedicate 8 hectares of land for public parkland purposes in the vicinity of the Castle Glen Village Core and within a small area of the western portion of the Resort Recreation designation adjacent to the Lake of the Clouds. These lands constitute the requirements of the Planning Act in regards to parkland dedications for the complete Official Plan lands. Parkland will be generally identified in appropriate locations in the Concept Plans and specifically identified on the Plan of Subdivision/Condominium and appropriately zoned in the Zoning By-law. Provisions for dedication and phasing shall be included in the Master Development Agreement. Further lands will be provided within the Escarpment designation for passive parkland use. The passive parkland will have access to parking areas and the Active Parkland by way of trail linkages to the Village Core as well as other lands above the Escarpment Brow.
- 1.10 This Official Plan permits civic and institutional uses within appropriate designations in the Castle Glen Resort Community. In the event that the Town or other public authorities receive lands for such uses, these lands shall be identified on the Concept Plans and on the Plans of subdivision/condominium and in the Zoning By-law.

## **2.0 Sustainable Development**

- 2.1 Development of the Castle Glen Resort Community shall be subject to the concept of sustainable development. Priority shall be given to the protection of the natural and cultural heritage features, and the visual attractiveness of the Escarpment environment. Development may be permitted only if it is environmentally sustainable. It must be demonstrated through the required studies set out under Section 8 that the location and scale of development meet the requirements of this Plan, the County of Grey Official Plan, is not in conflict

- with the Niagara Escarpment Plan, and shall have regard to the Provincial Policy Statement to the satisfaction of the Town, the Niagara Escarpment Commission, the County of Grey, the Conservation Authority and any other applicable agencies.
- 2.2 The protection of the natural and scenic resources of the Niagara Escarpment is recognized as a primary objective of this Plan. The designations, general development policies and special studies required for each phase of development are intended to promote the protection and where possible enhance the natural and visual Escarpment landscape character in an environmentally sustainable manner for future generations. The designations, policies, required studies along with the mitigation measures, to be identified through the development approval process, are intended to implement these objectives.
- 2.3 This Official Plan recognizes that further detailed assessments and monitoring are needed in order to ensure sustainable development. The land use planning and servicing policies provide direction for the protection and where possible enhance the natural heritage and visual characteristics of the unique Escarpment environment. The Castle Glen Resort Community is to be developed in phases over time. Each phase of development shall be subject to appropriate conditions and limitations which address the detailed assessments and monitoring to the satisfaction of the Town in consultation with the Niagara Escarpment Commission, the County of Grey, the Conservation Authority, and any other applicable agencies.
- 2.4 Development including the Concept Plans and Master Development Agreement shall be prepared based on the principle of sustainable development.

### **3.0 General Development Policies**

- 3.1 All development, within the Castle Glen Resort Community shall be based on approved plans of subdivision and/or plans of condominium or site plans to be developed in accordance with the phasing policies outlined under Section 5.2 and the provisions of this Plan.
- 3.2 The subdivision/condominium design shall ensure that the required open space component, walkway linkages and golf course development shall be dispersed throughout the Castle Glen Resort Community, where permitted. Design priority shall also be given to the retention of existing vegetation, and the protection of the natural and cultural heritage features and visual characteristics of the Niagara Escarpment landscape. Other design considerations including roads, density, lot layout, building height, mass and location, and golf course layouts should be based on these priorities. Lighting should be designed to minimize impacts on the night sky, including the ability to view the stars by minimizing sky glow and glare.
- 3.3 All development shall be subject to site plan control, as further provided under Sections 4.19.8 and 6.9. Disturbance of treed areas should be minimized, and the provision of additional tree plantings and adequate buffering and screening,

as well as other appropriate arrangements to complement the general amenity of the area and protect the open landscape character and natural features of the Niagara Escarpment through an approved Landscape Plan. The approved site plans and Landscape Plan shall be required by the Master Development Agreement between the developer and the Town. Single detached residential uses located on a lot in a plan of subdivision may only be exempt from site plan control where adequate provisions are contained within the applicable subdivision agreement, to address Section 5, to the satisfaction of the Town. It is the intent of this Official Plan that the visual character of the Niagara Escarpment will be protected. The location of buildings and structures shall be located to minimize any negative impact on the scenic landscape of the Niagara Escarpment environment. The land use designations within the Castle Glen Resort Community must reflect a viewshed analysis approach to protect the scenic character of the unique Escarpment landscape.

- 3.4 Single detached residential dwellings shall be a maximum of two and a half (2.5) storeys, whereas all other buildings and structures shall not exceed three (3) storeys above ground, except that the hotel uses may be permitted up to a maximum of four (4) storeys, subject to Section 5.1.4. This Official Plan recognizes that development of some parts of the Castle Glen Resort Community has the potential to negatively impact the visual character of the Escarpment landscape unless appropriate locational and mitigation measures are applied. These areas are identified on Schedule C - Visual Impact Assessment Areas. Development in these areas shall be subject to a Visual Impact Assessment in accordance with Section 5.1.4. It is the intent of this Official Plan that the location, design and density of development in these areas shall protect the visual character of the Escarpment landscape. The location, mass and height of buildings and structures in these areas shall reflect the environmental constraints identified in this Official Plan, as well as, the results of the Visual Impact Assessment required under Section 5.1.4. Lower height restrictions and other appropriate mitigation measures may be imposed for any development within areas where significant adverse visual impacts on the character of the Escarpment landscape are identified. Development shall be relocated where such impacts cannot be adequately mitigated to the satisfaction of the Town and the Niagara Escarpment Commission.
- 3.5 In addition to other site plan and landscaping design requirements, the developer is encouraged to incorporate architectural controls. The architectural design of buildings should blend in with the natural and cultural heritage features in form, colour and texture. The developer is also encouraged to implement an architectural theme or themes, including colour, texture and types of materials and other architectural features.
- 3.6 Appropriate buffers shall be maintained from natural heritage features, including steep slopes, ravines, streams and wetlands.
- 3.7 An Environmental Constraints and Impact Assessment shall be required prior to the preparation of the Concept Plans and Master Development Agreement.

Development shall be further subject to Environmental Impact Studies as identified in Section 5 of this Official Plan.

- 3.8 Lands designated Escarpment, Hazard and Wetlands shall normally be included within separate open space blocks. These open space blocks shall normally be dedicated to the Town at the time of registration of the subdivision plan, condominium plan or site plan agreement applicable to the open space block. Limited exceptions may be made where the open space blocks are more appropriately retained and maintained with an adjacent condominium block or golf course. Pedestrian, cycling and golf course cart paths may also be established within these open space blocks.
- 3.9 No residential lots/units or condominium blocks/units shall be permitted within the Escarpment, Hazard or Wetland designations or within the buffer areas adjacent to Wetlands. In the Escarpment and Hazard designations no structural development shall be permitted within the established buffers as determined through the EIS. Where a Hazard designation is defined by the top of bank and abuts a residential lot or condominium block, lot lines shall be a minimum of 5 metres from the top of bank.
- 3.10 Building and structures shall generally be set back a minimum of 30 metres from the centre line of all external road allowances. A buffer strip adjacent to these road allowances shall consist of natural vegetation supplemented by additional plantings. Golf course holes, including tees, greens and fairways development along County Road 19 and existing external Town roads shall generally be set back 30 metres from the centre line of external road allowances. The setbacks for golf fairways, greens, tees and cart paths from these roads may be greater or less than 30 metres based upon a safety assessment provided by a qualified golf course architect, at the time of site plan approval. For all other roads, setbacks for golf fairways, greens, tees and cart paths shall be established by the safety assessment.
- 3.11 The applicable development agreement shall make provision, where necessary, for vegetative screening, berming and/or fencing or other measures designed to reduce the visual, noise or other impacts associated with development. Adequate buffering shall also be provided, where necessary, between different land uses throughout the resort community to provide for privacy and a smooth transition between uses, with particular regard for suitable screening adjacent to the existing Thunderhill subdivision.
- 3.12 Stormwater management shall be considered in a comprehensive manner, considering both impacts within the Castle Glen Resort Community designation and downstream. A preliminary stormwater management plan for each Concept Plan shall be included under the Master Development Agreement as a guide for development phasing. In addition, detailed stormwater management plans for each phase of development shall be required for approval by the Town in consultation with the Conservation Authority, the Niagara Escarpment Commission, and/or any other applicable agencies, and shall be implemented in

the applicable development agreement between the developer and the Town. In order to minimize water taking and duplication of facilities, stormwater management facilities are encouraged to be designed to serve both community stormwater management functions and golf course irrigation functions. Stormwater facilities shall ensure that the quality and quantity of groundwater and surface water and the function of the groundwater recharge/discharge areas, aquifers and headwaters will be protected or enhanced.

- 3.13 All new municipal roads shall be constructed in accordance with Town engineering standards, for urban roads, including pavement and underground water, sanitary sewer, hydro and other services, and in accordance with the requirements of Section 5. Provision shall be made for efficient vehicular circulation minimizing through traffic and inconvenience in residential areas, ensuring separation of pedestrian trails and golf cart paths to minimize road crossings, and providing direct ingress and egress to major parking facilities. Special streetscape design provisions for street lighting, sidewalks, golf cart crossings, signage, landscaping and other similar matters may be required in some locations. The developer shall prepare streetscape design guidelines for approval by the Town in consultation with the Niagara Escarpment Commission to ensure the foregoing, is achieved in a manner which is appropriate for the unique Escarpment landscape character. These guidelines should be prepared by a qualified professional retained by the developer. The recommendations of the guidelines should be implemented under subdivision, condominium and site plan approvals, with appropriate provisions under the applicable development agreements.
- 3.14 Parking areas shall be provided in such a manner as to balance the location and quantity of parking with the needs of the commercial and resort facilities. Parking facilities shall be located within centralized areas which are designated to accommodate them and generally shall be located within the Village Core and Resort Commercial designations. Parking areas shall be directed away from areas where significant adverse visual impacts may result or where they may be incompatible with other adjacent uses.

#### **4.0 Land Use Categories**

- 4.1 The Castle Glen Resort Community is separated into twenty- two (22) specific land use designations as follows:
- a) Resort Residential Rst R1
  - b) Resort Residential Rst R2
  - c) Resort Residential Rst R3
  - d) Resort Residential Rst R4
  - e) Resort Residential Rst R5

- f) Resort Residential Rst R6
- g) Resort Residential Rst R7
- h) Resort Residential Rst R8
- i) Resort Residential Rst R9
- j) Resort Residential Rst R10
- k) Resort Residential Rst R11
- l) Resort Residential Rst R12
- m) Village Core VC
- n) Resort Commercial RC
- o) Resort Recreational Rst Rec
- p) Convenience Commercial CC
- q) Escarpment Golf EG
- r) Hazard Lands H, H1, H2, H3 and H4
- s) Lake of the Clouds L
- t) Wetlands W
- u) Escarpment E
- v) Resort Residential Thunderhill Rst R(T)

4.2 The land use categories within the Castle Glen Resort Community are depicted on Schedule A-6 - Land Use Plan. Detailed development policies relating to these land use categories are as follows:

#### 4.3 **Resort Residential Rst R1**

4.3.1 The use of lands designated Resort Residential Rst R1 may be for low and medium density cluster residential development, and golf course holes, including tees, greens and fairways with large open space components.

4.3.2 Permitted uses within the Resort Residential Rst R1 designation are single detached and multiple residential dwellings and accessory uses, recreational facilities, golf course holes, including tees, greens and fairways, conservation, limited forest management, wildlife management and hiking, cross-country ski trails stormwater management facilities, transportation and utility facilities.

4.3.3 The overall maximum density of residential development shall not exceed 5 units per hectare of lands designated Rst R1 as outlined on Schedule B - Density Plan.

4.3.4 Golf Course development within this designation shall also be subject to the policies of Section 4.19.

4.3.5 All development shall be in accordance with Detailed Development Policies outlined in Section 5.

4.3.6 Special Policies:

a) Setback from the Escarpment Brow

Golf course holes, including tees, greens and fairways, public and private parks and single detached or multiple dwelling units may only be permitted within 30 metres of the brow of the Escarpment as defined on Schedule A-6, if the visual and natural heritage studies of Section 5.1.2 and 5.1.4 demonstrate that the provisions of the Provincial Policy Statement, Niagara Escarpment Plan and this Plan are met.

b) The flood hazard associated with the Kolapore wetland located south of the Hazard H2 designations shall be assessed to the satisfaction of the Nottawasaga Valley Conservation Authority and the Town of The Blue Mountains.

The boundaries of the potential flood hazard (but not including the potential spill) shall be precisely defined at the concept plan and subdivision stages in the planning process as outlined in Section 5. Within the defined flood hazard only uses as permitted in the Escarpment Golf designation under Section 4.19 shall be permitted.

#### **4.4 Resort Residential Rst R2**

4.4.1 The use of lands designated Resort Residential Rst R2 may be for low and medium density cluster residential development and golf course holes, including tees, greens and fairways.

4.4.2 Permitted uses within the Resort Residential Rst R2 designation are single detached and multiple residential dwellings and accessory uses, recreational facilities, including a golf clubhouse, golf course holes, including tees, greens and fairways and active and passive public park facilities, conservation, limited forest management, wildlife management and hiking, cross-country ski trails, stormwater management facilities, transportation and utility facilities.

4.4.3 The overall maximum density of residential development shall not exceed 10 units per hectare of lands designated Rst R2 as outlined on Schedule B - Density Plan,



4.4.4 Golf Course development within this designation shall be subject to the policies of Section 4.19.

4.4.5 All development shall be in accordance with Detailed Development Policies outlined in Section 5.

4.4.6 Special Policies:

a) Setback from the Escarpment Brow

Golf course holes, including tees, greens and fairways and related buildings, public and private parks, recreational uses, single detached and multiple residential dwellings may only be permitted within 30 metres of the brow of the Escarpment as defined on Schedule A-6, if the visual and natural heritage studies of Section 5.1.2 and 5.1.4 demonstrate that the provisions of the Provincial Policy Statement, Niagara Escarpment Plan and this Plan are met.

b) Active Park

The development of active public park facilities shall be in accordance with Section 5.3.3.

c) Wildlife Corridor

A 200 metre wildlife corridor shall generally be required within the main Escarpment designation, however the corridor may be reduced to a minimum of 190 metres between all buildings and structures in the Rst R2 and Village Core designation and all buildings and structures in the Rst R3 and Resort Recreation Rst Rec designations, including any brow setback for development in the Rst R2 designation. The wildlife corridor must be maintained in a natural state.

#### 4.5 **Resort Residential Rst R3**

4.5.1 The use of lands designated Resort Residential Rst R3 shall be for medium density cluster residential development.

4.5.2 Permitted uses within the Resort Residential Rst R3 designation are multiple residential dwellings only, stormwater management facilities, transportation and utility facilities.

4.5.3 The overall maximum density of development shall not exceed 15 units per hectare of lands designated Rst R3 as outlined on Schedule B - Density Plan and shall be subject to Section 4.5.5(c).



4.5.4 All development shall be in accordance with Detailed Development Policies outlined in Section 5.

4.5.5 Special Policies:

- a) All roads must be regulated by a condominium corporation.
- b) A 200 metre wildlife corridor shall generally be required within the main Escarpment Designation, however, the corridor may be reduced to a minimum 190 metres between all buildings in the Rst R3 designation and all buildings in the Rst R2 and Village Core designations, including any brow setback for development in the Rst R2 designation. The wildlife corridor must be maintained in a natural state.
- c) If the site specific development applications determine that part of the lands designated Rst R3 are not developable for the reasons set out in this section, the maximum number of units permitted by 4.5.3 and Schedule B Density Plan, being a total of 28 units, will be reduced. Except as provided in this section, this maximum number of units will be reduced to a density of 15 units per net hectare of lands designated Rst R3. Net hectareage/area of land shall be the total hectareage/area of the Rst R3 designation less lands that cannot be developed due to the following factors:
  - Wetlands
  - Natural Hazards prohibited from development under the Provincial Policy Statement
  - Slopes of 25% or greater
  - Habitat of endangered plant or animal species and significant portions of the habitat of Threatened Species
  - Lands 30 metres from a cold water stream
  - Lands 15 metres from a warm water stream

Notwithstanding the foregoing, a minimum of 14 units shall be permitted within the Rst R3 designation.

#### 4.6 **Resort Residential Rst R4**

4.6.1 The use of lands designated Resort Residential Rst R4 may be for low density cluster residential development and golf course development.

4.6.2 Permitted uses within the Resort Residential Rst R4 designation are single detached residential dwellings, golf course holes, including tees, greens and fairways, stormwater management facilities, transportation and utility facilities.

- 4.6.3 The overall maximum density of development shall not exceed 5 units per hectare of lands designated Rst R4 as outlined on Schedule B - Density Plan, but in any event no less than seventeen (17) units shall be permitted. The policies of Section 4.6.6(c) shall also apply.
- 4.6.4 Golf Course development within this designation shall be subject to the policies of Section 4.19.
- 4.6.5 All development shall be in accordance with Detailed Development Policies outlined in Section 8 and the provisions of Section 4.19.6.
- 4.6.6 Special Policies:
- a) All roads must be regulated by a condominium corporation.
  - b) The maximum size of any single family detached dwelling shall be 575 sq. metres which includes all floors located above 50% of the average grade.
  - c) Development shall be prohibited in the following areas:
    - Wetlands
    - Natural Hazards prohibited from development under the Provincial Policy Statement
    - Slopes of 25% or greater
    - Habitat of endangered plant or animal species and significant portions of the habitat of Threatened Species
    - Lands 30 metres from a cold water stream
    - Lands 15 metres from a warm water stream

#### **4.7 Resort Residential Rst R5**

- 4.7.1 The use of lands designated Resort Residential Rst R5 shall be for medium density cluster residential development and golf course development.
- 4.7.2 Permitted uses within the Resort Residential Rst R5 designation are multiple residential dwellings and golf course holes, including tees, greens and fairways, stormwater management facilities, transportation and utility facilities.
- 4.7.3 The overall maximum density of development shall not exceed 15 units per hectare of lands designated Rst R5 as outlined on Schedule B - Density Plan and shall be subject to Section 4.7.6(c).
- 4.7.4 Golf Course development within this designation shall be subject to the policies of Section 4.19.

4.7.5 All development shall be in accordance with Detailed Development Policies outlined in Section 5.

4.7.6 Special Policies:

- a) All roads must be regulated by a condominium corporation.
- b) All buildings and structures within the Rst R5 designation shall be set back a minimum of 15 metres from the adjacent lands designated Hazard.
- c) If the site specific development applications determines that part of the lands designated Rst R5 are not developable for the reasons set out in this section, the maximum number of units permitted by Section 4.7.3 and Schedule B Density Plan, being a total of 48 units, will be reduced. Except as provided in this section, this maximum number of units will be reduced to a density of 15 units per net hectare of lands designated Rst R5. Net hectarage/area of land shall be the total hectarage/area of the Rst R5 designation less lands that cannot be developed due to the following factors:
  - Wetlands
  - Natural Hazards prohibited from development under the Provincial Policy Statement
  - Slopes of 25% or greater
  - Habitat of endangered plant or animal species and significant portions of the habitat of Threatened Species
  - Lands 30 metres from a cold water stream
  - Lands 15 metres from a warm water stream

Notwithstanding the foregoing, a minimum of 24 units shall be permitted within the Rst R5 designation.

#### 4.8 **Resort Residential Rst R6**

4.8.1 The use of lands designated Resort Residential Rst R6 shall be for low density cluster residential development.

4.8.2 Permitted uses within the Resort Residential Rst R6 designation are single detached dwellings only, stormwater management facilities, transportation and utility facilities.

4.8.3 The maximum number of residential units permitted shall be eight (8) as outlined on Schedule B - Density Plan.

4.8.4 All development shall be in accordance with Detailed Development Policies outlined in Section 5.

4.8.5 Special Policies:

- a) All roads must be regulated by a condominium corporation.

**4.9 Resort Residential Rst R7**

4.9.1 The use of lands designated Resort Residential Rst R7 shall be for low density cluster residential development.

4.9.2 Permitted uses within the Resort Residential Rst R7 designation are single detached dwellings only, stormwater management facilities, transportation and utility facilities.

4.9.3 The overall maximum density of development shall not exceed 5 units per hectare, as outlined on Schedule B - Density Plan.

4.9.4 All development shall be in accordance with Detailed Development Policies outlined in Section 5.

4.9.5 Special Policies:

- a) All roads must be regulated by a condominium corporation.

**4.10 Resort Residential Rst R8**

4.10.1 The use of lands designated Resort Residential Rst R8 may be for low density cluster residential development and golf course development.

4.10.2 Permitted uses within the Resort Residential Rst R8 designation are single detached dwellings and golf course holes, including tees, greens and fairways, stormwater management facilities, transportation and utility facilities.

4.10.3 The overall maximum density of development shall not exceed 5 units per hectare as outlined on Schedule B - Density Plan.

4.10.4 Golf Course development within this designation shall be subject to the policies of Section 4.19.

4.10.5 All development shall be in accordance with Detailed Development Policies outlined in Section 5.

4.10.6 Special Policies:

- a) All roads must be regulated by a condominium corporation.
- b) Buffering shall be required along County Road 19 to insure screening will occur between the Rst R8 designation and the Rst R(T) designation.

**4.11 Resort Residential Rst R9**

- 4.11.1 The use of lands designated Resort Residential Rst R9 may be for low density cluster residential development and golf course development.
- 4.11.2 Permitted uses within the Resort Residential Rst R9 designation are single detached dwellings, golf course holes, including tees, greens and fairways, stormwater management facilities, transportation and utility facilities.
- 4.11.3 The overall maximum density of development shall not exceed 5 units per hectare of lands designated Rst R9 as outlined on Schedule B - units Density Plan.
- 4.11.4 Golf Course development within this designation shall be subject to the policies of Section 4.19.
- 4.11.5 All development shall be in accordance with Detailed Development Policies outlined in Section 5.
- 4.11.6 Special Policies:
- a) All roads must be regulated by a condominium corporation.

#### **4.12 Resort Residential Rst R10**

- 4.12.1 The use of lands designated Resort Residential Rst R10 may be for low density and medium density cluster residential development and golf course development.
- 4.12.2 Permitted uses within the Resort Residential Rst R10 designation are single detached and multiple residential dwellings, recreational facilities, golf course holes, including tees, greens and fairways, stormwater management facilities, and transportation and utility facilities.
- 4.12.3 The overall maximum density of development shall not exceed 10 units per hectare of lands designated Rst R10 as outlined on Schedule B - Density Plan.
- 4.12.4 Golf Course development within this designation shall be subject to the policies of Section 4.19.
- 4.12.5 All development shall be in accordance with Detailed Development Policies outlined in Section 5.
- 4.12.6 Special Policies:
- a) All roads must be regulated by a condominium corporation.

#### **4.13 Resort Residential Rst R11**

- 4.13.1 The use of lands designated Resort Residential Rst R11 may be for low density cluster residential development and golf course development.
- 4.13.2 Permitted uses within the Resort Residential Rst R11 designation are single detached dwellings, recreational facilities, golf course holes, including tees, greens and fairways, stormwater management facilities, and transportation and utility facilities.
- 4.13.3 The overall maximum density of development shall not exceed 5 units per hectare of lands designated Rst R11 as outlined on Schedule B - Density Plan.
- 4.13.4 Golf Course development within this designation shall be subject to the policies of Section 4.19.
- 4.13.5 All development shall be in accordance with Detailed Development Policies outlined in Section 5.

#### **4.14 Resort Residential Rst R12**

- 4.14.1 The use of lands designated Resort Residential Rst R12 may be for low density and medium density cluster residential development and golf course development.
- 4.14.2 Permitted uses within the Resort Residential Rst R12 designation are single detached and multiple residential dwellings, recreational facilities and golf course holes, including tees, greens and fairways, stormwater management facilities, and transportation and utility facilities.
- 4.14.3 The overall maximum density of development shall be 10 units per hectare of lands designated Rst R12 as outlined on Schedule B - Density Plan.
- 4.14.4 Golf Course development within this designation shall be subject to the policies of Section 4.19.
- 4.14.5 All development shall be in accordance with Detailed Development Policies outlined in Section 5.

#### **4.15 Village Core VC**

- 4.15.1 The use of lands designated Village Core may be for commercial, recreational and public uses in support of the resort community. The intent of the Village Core designation is to provide for an integration of residential, recreational, resort and commercial uses in a location that will function as the primary commercial public and institutional centre and is readily accessible to the surrounding residential population.

- 4.15.2 Permitted uses within the Village Core designation are hotels, lodges and other forms of commercial accommodation, restaurants, lounges, conference and convention facilities, seasonal/occasional specialty events, retail stores, business and professional offices, civic and institutional uses, an active public park, health clinics, schools and studios, centralized parking lots, residential uses, and recreational uses, a recreation centre, golf course holes, including tees, greens and fairways and golf course club house.
- 4.15.3 It is intended that the Village Core designation will include 150 commercial accommodation units and 3,500 m<sup>2</sup> of commercial space. Additional commercial accommodation units and commercial space may be transferred from any unused portion of the maximum limits within the Resort Commercial designation up to a maximum of 200 commercial accommodation units and 4,000 m<sup>2</sup> of commercial space within the Village Core.
- 4.15.4 Residential uses may be permitted in free-standing multiple residential complexes and above the first storey of any commercial building, subject to locational restrictions related to land use compatibility. A maximum of 200 residential units may be permitted within the Village Core designation.
- 4.15.5 Parking and access shall be provided within centralized commercial parking lots, and shall be the primary parking and access for the Village Core, public parkland and the uses in the Resort Recreational designation.
- 4.15.6 All development shall be in accordance with Detailed Development Policies outlined in Section 5.
- 4.15.7 Special Policies:
- a) Wildlife Corridor

A 200 metre wildlife corridor shall generally be required within the main Escarpment designation, however the corridor may be reduced to a minimum of 190 metres between all buildings and structures in the Village Core designation and all buildings and structures in the Rst R3 and Resort Recreation designations, including any brow setback for development in the Village Core designation. The wildlife corridor must be maintained in a natural state.
  - b) Setback from the Escarpment Brow

All buildings and structures, golf course holes, including tees, greens and fairways and related buildings, public and private parks, recreational uses, single detached and multiple residential dwellings may only be permitted within 30 metres of the brow of the Escarpment as defined on Schedule A-6, if the visual studies of Section 5.1.4 demonstrate that the provisions of the Niagara Escarpment Plan and this Plan are met.

#### **4.16 Resort Commercial RC**

4.16.1 The use of lands designated Resort Commercial shall be a secondary commercial and recreational centre.

##### **4.16.2 Permitted Uses and Policies:**

Permitted uses within the Resort Commercial designation are hotels, lodges and other forms of commercial accommodation units, as well as accessory restaurants, lounges, conference and convention facilities, residential, seasonal/occasional specialty events, retail stores, recreational uses, including a golf course clubhouse, centralized parking lot and transportation and utility facilities.

4.16.3 It is intended that the Resort Commercial designation will include a maximum of 150 commercial accommodation units and a maximum of 1,500 m<sup>2</sup> of commercial space of which a maximum of 500 m<sup>2</sup> may be used for retail commercial.

4.16.4 Residential uses may be permitted in free standing multiple residential complexes and above the first storey of any commercial building. A maximum of 150 residential units shall be permitted with the Resort Commercial designation.

4.16.5 Parking and access shall be provided within a centralized parking lot.

4.16.6 All development shall be in accordance with Detailed Development Policies outlined in Section 5.

#### **4.17 Resort Recreational Rst Rec**

4.17.1 The use of lands designated Resort Recreational may be for a range of resort recreational uses and related facilities.

4.17.2 Permitted uses within the Resort Recreational designation are a recreation centre, including a sports facility, spa, swimming pools and clubhouse, a restaurant, small scale ancillary commercial facilities, similar recreational oriented uses to a maximum size of 1,000 m<sup>2</sup> and transportation and utility facilities.

4.17.3 Primary parking and access shall be provided within the Village Core designation. Limited parking will be provided within the Resort Recreational designation. In order to minimize impacts on the natural and scenic attributes of this area and in keeping with the pedestrian orientation of the community, parking shall be limited to a maximum of 30 parking spaces for the recreation centre.



4.17.4 The detailed Site Plan for the Recreation Centre shall require the following:

- a) no grading and clearing shall be done within 30 metres of the Lake of the Clouds. Docks may be permitted within this buffer provided they are authorized under the Fisheries Act, and meet the requirements of the Niagara Escarpment Plan and the Provincial Policy Statement.
- b) limited private access may be permitted on the Lake of the Clouds for such activities as canoeing and other non-motorized boating and fishing and subject to any necessary measures to protect the long term water quality and significant wildlife and fisheries habitat of the Lake. No motorized boats will be permitted on the Lake of the Clouds and access will be designed to discourage swimming.

4.17.5 In addition to the recreation centre, the restoration of the Castle Glen castle ruins shall occur based on the following criteria:

- a) the former architecture will be reflected and integrated into the new development;
- b) the restored building shall be used to display the former features of the building as well as a graphic history of the castle;
- c) the addition of accessory buildings may be permitted in association with the castle which will compliment the restored castle use such as a chapel, souvenir/gift shop.
- d) A 200 metre wildlife corridor shall generally be required within the main Escarpment designation, however, the corridor may be reduced to a minimum 190 metres between all buildings and structures in the Resort Recreation Rst Rec designation and buildings and structures in the Rst R2 designation including any brow setback for development in the Rst R2 designation. The wildlife corridor must be maintained in a natural state.

4.17.6 A small passive public park shall be established within the western portion of the Rst Rec designation along the Lake of the Clouds. The public park shall be strictly regulated to insure that there is no active use of the Lake of the Clouds by the public and may include a lookout and/ or boardwalk.

4.17.7 All development shall be in accordance with Detailed Development Policies outlined in Section 5.

#### **4.18 Convenience Commercial CC**

4.18.1 Permitted uses within the Convenience Commercial CC designation shall be restricted to gas station/convenience store uses. The convenience store use shall have a maximum gross floor area of 125 m<sup>2</sup>. The study required by Section 8.1.3.2. shall specifically address the feasibility of fuel storage facilities.

- 4.18.2 Parking associated with the use of the Bruce Trail may also be permitted.
- 4.18.3 All access to the above permitted uses shall be from an internal road.
- 4.18.4 Buffering shall occur between any permitted use and County Road 19.
- 4.18.5 Architectural and urban design controls shall be implemented to insure that the commercial uses permitted will be in character with the Resort Community.
- 4.18.6 All development shall be in accordance with Detailed Development Policies outlined in Section 5.

4.18.7 Special Policies

a) Setback from the Escarpment Brow

All buildings and structures, public and private parks, parking areas and recreational uses, may only be permitted within 30 metres of the brow of the Escarpment as defined on Schedule A-6, if the visual and natural heritage studies of Section 5.1.2 and 5.1.4 demonstrate that the provisions of the Provincial Policy Statement, Niagara Escarpment Plan and this Plan are met.

4.19 **Escarpment Golf**

- 4.19.1 The use of lands designated Escarpment Golf may be conservation, passive outdoor recreation and golf course development.
- 4.19.2 Permitted uses within Escarpment Golf are golf course holes, including tees, greens and fairways, stormwater management facilities, and transportation and utility facilities but shall not include any buildings or structures associated with the golf course except essential shelters. In addition, the permitted uses within the Escarpment designation under Section 4.23.2 may also be permitted in the Escarpment Golf designation.
- 4.19.3 Any placement or removal of fill and site grading shall be minimized, as shall impacts on existing woodlots and wildlife habitat areas. Golf course holes, including tees, greens and fairways shall be designed to protect the natural heritage features of the Escarpment environment and the scenic open landscape character of the site in accordance with the provisions of Section 5.
- 4.19.4 In the Escarpment Golf designation, golf course holes, including tees, greens and fairways, may only be permitted within areas depicted on Schedule E - Karst Assessment Areas if it is demonstrated that the karst feature and the quality and quantity of ground and surface water and the function of the groundwater recharge/discharge areas, aquifers and headwaters will be protected or enhanced to the satisfaction of all approval agencies and the provisions of this Plan.

- 4.19.5 No golf course holes, including tees, greens and fairways shall be permitted within 30 metres of the brow of the Escarpment as defined on Schedule A-6, unless the visual and natural heritage studies of Section 5.1.2 and 5.1.4 demonstrate that the Provincial Policy Statement and Niagara Escarpment Plan requirements are met.
- 4.19.6 A provincially significant earth science ANSI is located in the area identified by Schedule D - ANSI Assessment Area. Because this area is also visually prominent, development shall be strictly controlled and limited. Golf course development and other permitted uses may be allowed in this area provided that:
- a) it does not significantly alter the natural topography or geological features of the ANSI;
  - b) methods are employed to minimize the impact of the development on the values for which the ANSI has been identified; and
  - c) there will be no negative impact on the natural features for which the ANSI was identified.
- 4.19.7 Golf course holes, including tees, greens and fairways shall be setback 30 metres from the centre line of County Road 19, Sideroad 12, 4th Line and the 2nd Line unless it can be demonstrated through an appropriate study by a qualified golf course architect at the Site Plan approval stage that golf course holes, including tees, greens and fairways can be designed safely within the 30 metres setback, in which case the setback shall be reduced.
- 4.19.8 Proposed development which is permitted in accordance with the provisions of the Escarpment Golf designation, including golf course holes, including tees, greens and fairways, golf cart paths, trails, and limited outdoor recreational uses, shall be identified on the Concept Plans, shall be subject to Site Plan Control and shall address the requirements of Section 5.1.
- 4.19.9 A turf management plan for golf course development must be provided as part of the Site Plan Control submission.
- 4.19.10 Special Policies:
- a) The existing heritage farmhouse located in the northerly portion of the lands within the Escarpment Golf designation along the 12th Sideroad shall be conserved and integrated into the golf course development. Permitted uses shall be carried on within the existing document 28 buildings and may include maintenance, administration and small scale snack bar uses associated with the golf course operations.
  - b) Civic uses such as a police station and firehall may be permitted on the lands directly west of the Convenience Commercial designation.

- c) Two gatehouse dwellings may be permitted on the south side of County Road 19 at the main entrance.

#### **4.20 Hazard Lands H, H1, H2, H3 and H4**

- 4.20.1 The use of lands designated Hazard Lands may be for conservation and passive outdoor recreation.
- 4.20.2 Permitted uses within the Hazard Lands designation, shall be restricted to those which do not require the construction of buildings or structures for their operation and provided no adverse environmental impacts result. Within Hazard Lands the permitted uses may be conservation activities, wildlife management, fisheries management, public and private parks provided the uses are restricted to passive uses such as nature viewing, limited biking, walking and cross country ski trails, transportation and utility facilities, and limited golf cart paths, but shall not include golf course holes, including tees, greens and fairways or other active recreational uses.
- 4.20.3 Hazard Lands shall generally be included within a separate block of land as part of the open space component and may be publicly or privately owned as outlined by Section 5.3.6.
- 4.20.4 Permitted uses within the Hazard Lands designations, including golf cart paths, and trails shall be identified on the Concept Plans required by Section 6.3, which shall conform to the provisions of Section 5.1.
- 4.20.5 Notwithstanding Section 4.20.2, transportation and utility facilities may be permitted in Hazard Lands H designation, but not within Hazard Lands H1 designation, subject to Subsection 5.1, including completion of the studies required therein to the satisfaction of the Town in consultation with the Niagara Escarpment Commission, County of Grey, the applicable Conservation Authority and any other applicable approval authority.
- 4.20.6 The lands identified within the Hazard 2 (H2) designation have been identified as the location of both seasonal flooding and sinkhole depression areas.

Notwithstanding Section 4.20.2 and 4.20.5, these lands shall remain in a naturally vegetated state with the exception of the following uses:

- Golf course rough;
- Golf course paths;
- Pedestrian walkways; and
- Existing roadways

Within the Hazard 2 (H2) designation:

- A 30 metre setback from the centroid or central axis of each active sinkhole shall be established and maintained in a naturally vegetated state, however this setback may be reduced to 20 metres for the above uses within this subsection.
- The storage of pesticides, herbicides, fertilizers or other contaminants shall not be permitted; and
- The use or storage of pesticides, herbicides, fertilizers or other contaminants shall not be permitted within the designation or within 30 metres of any sinkhole rim;
- 4.20.7 The lands identified within the Hazard 3 (H3) designation have been identified as the location of sinkhole depression areas. Within the H3 designation:
  - The storage of pesticides, herbicides, fertilizers or other contaminants shall not be permitted;
  - The use of pesticides, herbicides, fertilizers or other contaminants shall not be permitted within 30 metres of any sinkhole rim; and
  - A 30 metre setback from the centroid or central axis of each active sinkhole shall be established and maintained in a naturally vegetated state. However, this setback may be reduced to 20 metres for the following uses only:
    - Golf course rough;
    - Golf course paths;
    - Pedestrian walkways; and
    - Existing roadways

4.20.8 The lands identified with the Hazard 4 (H4) designation have been identified as the location of an off-line and stable sinkhole depression. The uses permitted in this designation shall be those permitted in the Escarpment Golf (EG) designation. All development in and adjacent to the H4 designation shall ensure that surface drainage is not directed into or toward the sinkhole.

#### **4.21 Lake of the Clouds – L**

4.21.1 It is recognized that the Lake of the Clouds is a privately owned lake and therefore uses may be regulated on the lake.

4.21.2 Access to the Lake of the Clouds shall only be through those lands designated Resort Recreational Rst Rec and subject the provisions of Section 4.17 and Section 5.

4.21.3 No motorized boats or motorized recreational equipment will be permitted on the Lake of the Clouds.

4.21.4 No public access or swimming will be permitted on the Lake of the Clouds.

4.21.5 The Lake of the Clouds may be utilized for irrigation and stormwater retention subject to demonstration that the policies of Section 5 have been addressed.

#### **4.22 Wetlands**

4.22.1 The use of lands designated Wetlands shall be for conservation and protection of the wetland features and functions.

4.22.2 No development or site alteration is permitted within the Wetlands designation, except where such activity is associated with forestry, conservation of water, soil, wildlife, and other natural resources that will not negatively impact on the features and functions of the Wetland.

4.22.3 Development including golf course holes, including tees, greens and fairways and site alteration may not occur within 120 metres of the Wetlands designation unless it has been demonstrated through the Environmental Impact Study required by Section 8 that there will be no negative impacts on the natural features or ecological functions for which the wetlands were identified. Under all circumstances, a minimum 15 metre setback will be maintained.

4.22.4 Within the Wetland designation adjacent to the Lake of the Clouds and directly north of County Road 19 in Lot 10, Concession 4, and subject to the provisions of Section 5.1.2.3, an elevated boardwalk for the optimum route of the Bruce Trail and golf course access may be permitted, provided CASTLE GLEN OFFICIAL PLAN – O.M.B. document 31 that the construction of the boardwalk shall not require site alteration of the wetland.

4.22.5 Notwithstanding Section 4.22.1 and 4.22.2, within the Wetland designations south of County Road 19 and subject to Section 5.1.2.3, limited pruning may be permitted to provide sight lines for golf course holes, including tees, greens and fairways.

#### **4.23 Escarpment E**

4.23.1 The use of lands designated Escarpment shall be for conservation and limited passive outdoor recreation uses that foster the preservation and appreciation of the natural heritage features and functions of the Escarpment environment.

4.23.2 Permitted uses within the Escarpment designation shall be restricted to passive uses of land which do not require the construction of buildings or structures and which do not negatively impact the natural and visual character of the Escarpment environment. Permitted uses are conservation activities, limited forest management, wildlife management, fisheries management, essential transportation and utility facilities, including a condominium road to provide

access to Rst.R4, passive parks, biking, walking, and cross country ski trails, essential golf cart paths and other similar passive outdoor recreational uses subject to Section 5.

4.23.3 It is the intent of this Official Plan that development shall be prohibited within the Escarpment designation except as provided in Section 4.23.2.

4.23.4 Escarpment lands shall generally be included within a separate block of land as part of the required open space component and generally will be publicly owned in accordance with the requirements of Section 5.3.5.

4.23.5 A 200 metre wildlife corridor shall generally be required within the Escarpment Designation, the corridor may be reduced to a minimum 190 metres between all buildings and structures in the Resort Recreation designation, Rst R5, Rst R3 and the Escarpment Brow including any brow setback for development above the brow. The wildlife corridor must be maintained in a natural state.

4.23.6 Special Policies:

One golf course hole is permitted on the lands designated Escarpment between the lands designated Escarpment Golf EG and Rst R4 parallel to the 12th Line provided the hole is designed to not place a fairway, tee or greens within the Escarpment designation and the natural contours and vegetation are maintained within the Escarpment designation with the exception of that required for the construction of a golf cart path and limited tree pruning/removal to provide sight lines for the golf course hole.

#### 4.24 Rural

4.24.1 The Rural lands are isolated from the Castle Glen Resort Community and should be limited in use.

4.24.2 Permitted uses within the Rural designation are one single family dwelling, accessory uses, public and private outdoor recreational uses, and civic uses such as a public works depot and emergency services.

4.24.3 Permitted uses may be developed on private sewer and water facilities if it can be demonstrated that the site is suitable for the use proposed, a suitable potable water supply can be obtained and the soils are suitable for private on site sewage disposal.

4.24.4 Only one (1) lot may be created or used for residential purposes. The minimum residential lot size shall be 0.8 hectares with a minimum frontage on a public road of 100 metres.



#### **4.25 Resort Residential (Thunderhill) Rst R(T)**

- 4.25.1 The use of lands designated Resort Residential (Thunderhill) shall recognize the existing low density residential uses and residential development on existing vacant lots.
- 4.25.2 Permitted uses within the Resort Residential (Thunderhill) designation shall be limited to single detached residential dwellings on existing lots and transportation and utility facilities only. Services will be provided to the perimeter of the lands within this designation as part of the first phase of development of the Castle Glen resort community. Road improvements and water and sewage services shall be in accordance with Town standards and shall be provided for in accordance with the policies of Sections 5.5 and 5.6.
- 4.25.3 All access to the Rst R6 and Rst R7 designations shall be by way of condominium roads from the internal roads within the existing Thunderhill Subdivision.
- 4.25.4 The existing sewage lagoons shall be decommissioned in conjunction with the development of Phase I of the Castle Glen Resort Community.
- 4.25.5 A minimum 15 metre wide buffer shall be provided between any new development including golf course holes, including tees, greens and fairways and roads which are adjacent to the western lot line of the Resort Residential (Thunderhill) designation. A public walkway may be included within this buffer.

#### **5.0 Detailed Development Policies**

##### **5.1 Required Studies**

###### **5.1.1 General**

- 5.1.1.1 In addition to any other studies which are normally required as part of the development process, including traffic impact, stormwater management, servicing and other technical studies, special studies shall be required to address phasing and development requirements, with particular regard for the unique quality of the Escarpment environment of the Castle Glen Resort Community. All required studies shall be prepared by qualified professionals to the satisfaction of the Town, in consultation with the County of Grey, the Niagara Escarpment Commission and the applicable agencies. The Town may also obtain independent peer reviews as part of the approval process, where necessary. Detailed studies are required for all phases of development, in conjunction with the development process set out in Section 6. The reasonable costs for the preparation of peer review studies shall be at the sole expense of the developer. The selection of independent peer reviewers and terms of reference for peer reviews shall be at the sole discretion of the Town.



### 5.1.2 Natural and Cultural Heritage

5.1.2.1 All development shall be required to demonstrate that the following natural and cultural heritage objectives are met:

- a) To maintain the Escarpment designation as a continuous natural environment,
- b) To protect the natural heritage features and functions of significant valleylands,
- c) To protect significant wildlife habitat in accordance with the provisions of the Provincial Policy Statement and the Niagara Escarpment Plan,
- d) To maintain, and improve where possible, the diversity of natural features and the natural connections between them,
- e) To prohibit development within the habitat of endangered plant or animal species,
- f) To maintain wildlife corridors and linkages, and enhance wildlife habitat, wherever possible,
- g) To protect or enhance the quality and quantity of streams and water supplies, and to protect or enhance the function of sensitive groundwater recharge aquifers, headwaters and discharge areas,
- h) To protect wetland features and functions,
- i) To protect or enhance the natural features and functions of fish habitat and ensure that there is no net loss of fish habitat,
- j) To protect the significant ecological features and functions of woodlands,
- k) To protect steep slopes, karst features and valley systems from development that would have negative impacts on their ecological or hydrogeological functions, or result in unsafe conditions,
- l) To design development, including golf course development, to be compatible with the ecological and physical features and functions of the site,
- m) To retain existing vegetation as visual screening, supplemented by additional plantings, where appropriate,
- n) To ensure that the existing cultural heritage features are conserved,
- o) To ensure that all development shall be designed to protect the interpretive value of the provincially significant earth science ANSI shown on Schedule D,
- p) To ensure the protection, and enhancement, where possible, of the natural features of the Escarpment in an environmentally sustainable manner,
- q) To ensure that future development is designed and located in such a manner to maintain and/or enhance the open landscape character of the

Niagara Escarpment in so far as possible, maintain the visual continuity of the natural environment of the Niagara Escarpment, and preserve the natural visual and cultural heritage characteristics of the subject property and surrounding area,

- r) To ensure that all development shall be designed to conserve the cultural heritage and archaeological resources of the site.

#### 5.1.2.2 Environmental Constraint Impact Assessment (ECIA)

5.1.2.2.1 Prior to the preparation of each Concept Plan and/or Master Development Agreement, an Environmental Constraint Impact Assessment (ECIA) shall be prepared by the applicant and approved by the Town in consultation with the applicable agencies.

The Environmental Constraint Impact Assessment is intended to identify the features and areas that will not be available for development.

The location and intensity of development identified in the Concept Plans will be further refined through the implementation of Section 5.1.2.3. at the overall Plan of Subdivision, Plan of subdivision/condominium, site plan approval, and zoning bylaw stage.

The ECIA shall:

1. Identify the type and extent but not the staked boundary of the following features and areas which will be protected from incompatible development:
  - Natural heritage features and areas under the Provincial Policy Statement and the Niagara Escarpment Plan;
  - Groundwater and surface water resources, groundwater recharge/discharge areas, aquifers and headwaters;
  - Karst features;
  - Wetlands;
  - Natural Hazards under the Provincial Policy Statement and Niagara Escarpment Plan;
  - Cultural heritage and archaeological resources under the Provincial Policy Statement and Niagara Escarpment Plan;
  - The provincially significant Earth Science ANSI as outlined within Section 5.1.2.1(o)
2. For each of these features and areas, identify the functions for which they perform and for which they were identified, and identify which features and functions will be protected from incompatible development.

3. For each of the features and areas identified in 2 above, specify the requirements for further study at the overall plan of subdivision, plan of subdivision/condominium, site plan and zoning by-law stages.
4. Identify and map, to the level of detail appropriate to the Concept Plan stage, the features and areas which are prohibited from development under the Provincial Policy Statement and Niagara Escarpment Plan.
5. Include a preliminary water budget to assess the long term sustainable water taking for golf course irrigation that may be permitted, in order ensure that the quality and quantity of surface and ground water resources are protected or enhanced. The water budget shall consider the cumulative impact of existing, and approved water taking, and shall analyze a full range of viable alternatives, including but not limited to the use of stormwater management facilities. The water budget will address methods of reducing reliance on ground water for irrigation.
6. Identify, to the greatest extent possible, and only for the purpose of information for public authorities, species of management concern as identified by the applicable authority.

5.1.2.2.2 The ECIA shall, at a minimum, require:

- a. a review of existing data, studies, information, literature and reports;
- b. interpretation of topographical mapping and air photography;
- c. multi-season field work, to the level of detail appropriate to the Concept Plan stage; and
- d. consultation, as appropriate, with the Department of Fisheries, NEC, County of Grey, NVCA and Town of The Blue Mountains and any applicable approval authorities.

5.1.2.2.3 In connection with the preparation of the ECIA, where applicable, and the EIS and prior to approval of all phases of development, the significant habitat of the hart's-tongue fern, that may be negatively impacted directly or indirectly by proposed development, will be mapped and identified for protection.

The steps to determine the significant habitat of the hart's-tongue fern shall include:

1. Literature review to determine the most current scientific knowledge of the species and its management;
2. Identification of the location and extent of the hart's-tongue fern plants;
3. Field research assessment including, but not limited to, depth of snow cover, tree canopy closure, wind exposure, soil type and depth, presence of boulders or rock outcrops, moisture regime, presence of rock fissures and crevices, presence of indicator

species or bryophytes, aspect and orientation and topography/slopes thereby characterizing the Ecological Land Classification vegetation type, supporting the species.

The identification of the habitat is critical to ensuring the survival of self sustaining populations at all stages of the hart's-tongue fern life cycle. In defining habitat, the last sentence in the second paragraph of Section 5.1.2.3 e) shall be applied.

The above provision shall be addressed in a report prepared by a qualified professional that will include an assessment of the potential impacts of proposed development on the habitat and identifies areas for protection and/or future management, and monitoring.

This report shall be approved by the Town in consultation with the applicable agencies.

- 5.1.2.2.4 In connection with the preparation of the ECIA, where applicable, and the EIS, and prior to approval of all phases of development, the significant habitat of the butternut, that may be negatively impacted directly or indirectly by proposed development will be mapped and identified for protection.

The steps to determine the significant habitat of the butternut shall include:

1. Literature review to determine the most current scientific knowledge of the species and its management.
2. Field identification of the location and extent of all butternut trees including location, height, and habitat setting;
3. All specimens found shall be rated for signs of infection using approved methods as stipulated by the Federal and/or Provincial Governments as applicable at the time of the preparation of the study. Each healthy specimen or specimens that are required to be retained using the Federal and/or Provincial guidelines in place at the time of the ECIA and EIS studies shall be identified.

The identification of the habitat is critical to ensuring the survival of self sustaining populations of all age classes of butternut.

In defining habitat, the last sentence in the second paragraph of Section 5.1.2.3 e) shall be applied.

In connection with the preparation of the ECIA where applicable, and the EIS, habitat for butternut shall be determined and mapped as a potential constraint to development. Federal and/or Provincial guidelines for determining the habitat of butternut will be applied.

In the absence of any Federal and/or Provincial guidelines for determining the habitat of butternut, habitat mapping will be completed in connection with the preparation of the ECIA and EIS.

In cases where a single tree is to be preserved, an area sufficient to ensure the vitality of the tree will be maintained, considering other environmental conditions (e.g., soil types and depth, slope conditions, local drainage characteristics).

Healthy saplings and seedlings may be moved provided that a certified arborist approves the relocation and that suitable habitat is available close by. If saplings or seedlings are going to be moved, a certified arborist should prepare a plan detailing the proper procedures to be followed.

In the event a tree has to be sacrificed that would be normally retained using Federal and/or Provincial guidelines at the time of the preparation of the ECIA and EIS, compensation, mitigation and archiving procedures identified by the Federal and/or Provincial governments at that time will be followed.

The above provisions shall be addressed in a report prepared by a qualified professional that will include an assessment of the potential impacts of proposed development on the habitat and identifies areas for protection and/or future management, and monitoring. This report shall be approved by the Town in consultation with the applicable agencies.

#### 5.1.2.3 Environmental Impact Study (EIS)

At the time of the development of an overall plan of subdivision, plan of subdivision/condominium, site plan or zoning, in accordance with Section 6.3, the following criteria shall be addressed through an Environmental Impact Study:

##### a) Surface and Ground Water Resources:

Development shall be designed and located to ensure that the quality and quantity of ground water and surface water and the function of source areas, sensitive ground water recharge/discharge areas and aquifers and headwaters will be protected or enhanced. Stormwater management ponds shall be designed to the satisfaction of the appropriate approval authority and located to avoid streams, wetlands, source areas and the Escarpment and Hazard Lands designations. The design and construction of ponds and any water taking proposed in association with the golf course use shall be supported by the preparation of a detailed water budget and water quantity analysis that:

- maximizes collection of surface stormwater drainage internal to the site, incorporates measures within the overall design of the pond/drainage system and golf course design,
- minimizes the demand for and reliance upon supplementary water resources from well/ground water and surface water sources and
- evaluates golf course design principles such as drought resistant grass, un-manicured roughs and on un-manicured portions of fairways, e.g., links style course and other measures that reduce the demand for water.

In addition, prior to zoning or site plan approval, proposed golf course development must be supported by a water quality analysis in conjunction with the requirements of Section 5.1.3 that assesses cumulative impacts and demonstrates that the application of fertilizers, pesticides, fungicides and other chemical applications to the golf course will ensure that the quality of surface and ground water will be protected or enhanced.

- b) Wetlands: Development within 120 metres of wetlands, but outside their minimum buffers, shall not be permitted unless it can be demonstrated that there will be no negative impacts on the natural features and ecological functions for which the wetlands were identified.
- c) Fisheries: New development or redevelopment that may have negative impacts on a fisheries resource, and all development adjacent to fish habitat, shall demonstrate to the NVCA or the applicable approval authority the following:
  - no net loss of productive capacity of fish habitat;
  - maintenance of sufficient minimum base flow of watercourses
  - maintenance of existing watercourses in a healthy, natural state;
  - maintenance of vegetative buffers in accordance with the sensitivity of the fishery resource; and
  - best available construction and management practices shall be used to protect water quality and quantity, both during and after construction.

Treatment of surface run-off to maintain water quality and hydrological characteristics in receiving watercourses shall meet the standards established by the Ministry of the Environment.

In addition, it must be demonstrated that there will be no harmful alteration, disruption or destruction of fish habitat, except where it has been authorized under the Federal Fisheries Act using the guiding principle of no net loss of productive capacity.

d) Woodlands Assessment

Development may be permitted within the woodlands, provided that:

- It has been demonstrated that there will be no negative impacts to the significant natural features and areas, and ecological functions referred to in the Provincial Policy Statement.
- The disturbance of treed areas is minimized and proposed development in heavily treed areas shall require a site plan agreement containing specific management details regarding the protection of existing trees in accordance with a Tree Preservation Plan,
- Existing tree cover or other stabilizing vegetation will be maintained on slopes in excess of 25 percent (4 in 1 slope), and
- It has been demonstrated that impacts on rare plant or animal species as defined in the Niagara Escarpment Plan shall be minimized.

e) Wildlife Habitat

Development shall not be permitted in identified habitat of endangered plant or animal species, or in significant portions of the habitat of threatened species.

Development shall not be permitted within significant wildlife habitat, unless it can be demonstrated that there will be no negative impacts on the natural features or ecological functions for which the area is identified. In defining significant wildlife habitat for species, including but not limited to butternut and hart's-tongue fern, significant habitat shall be defined as those areas essential to completion of their life cycle as self-sustaining populations.

Development shall be designed so as to:

- minimize impacts upon wildlife habitat, in particular rare or vulnerable, plant and animal species;

- maintain and improve where possible linkages with adjacent areas; and
- enhance wildlife habitat wherever possible.

f) Watertaking

All required water taking associated with the proposed development, including any water taking for proposed golf course holes, including tees, greens and fairways use shall be of a scale and intensity that will not have an adverse effect on water quality, quantity and the Escarpment environment. In addition to the requirements of 5.1.2.3. a), b, and c) and Section 5.1.3 studies are required to demonstrate that the proposed water taking is an essential part of the proposed development and that the need and amount of water required is justified. The studies will be required to identify the measures that are proposed to reduce and mitigate the specific and cumulative impacts of water taking on the natural environment and surface and groundwater quality and quantity. It must be demonstrated that the quality and quantity of ground and surface water and the function of sensitive groundwater recharge and discharge areas, aquifers and headwaters will be protected or enhanced to the satisfaction of the Town, the County of Grey, the Nottawasaga Valley Conservation Authority, Ministry of Environment and the Niagara Escarpment Commission and applicable approval authority.

5.1.3 Karst Systems and Landforms

5.1.3.1 Development may be permitted within the Karst Assessment Area identified on Schedule E, provided it has been demonstrated that such development can protect or enhance the quality and quantity of groundwater and surface water and the function of sensitive groundwater recharge/discharge areas, aquifers and headwaters.

5.1.3.2 Areas within the Karst Assessment Areas shall be the subject of karst studies undertaken by qualified karst specialists and such studies must further identify and map karst features and systems, and must include detailed surface water budgets and appropriate karst aquifer studies including, but not limited to groundwater tracing and appropriate geotechnical studies such as Ground Penetrating Radar. The primary goal of these studies is to ensure that the type, density, location, and massing of the proposed development will not result in enhanced surface flooding (seasonally and 25 year storm events) within or adjacent to the developable areas (except for flooding on golf course holes, including tees, greens and fairways and in approved stormwater management facilities), will protect or enhance water quality and quantity within the



karst aquifer including at the springs and seeps, and will maintain current flows at the springs and seeps within +/- 10 % of current flows.

5.1.3.3 A detailed stormwater management plan, incorporating the results of the detailed karst studies will be developed.

5.1.3.4 The results of the karst and stormwater management studies will demonstrate that the final development incorporates the following principles:

- Current infiltration and karstic drainage conditions should be mimicked to the maximum extent possible (including the use of filtering swales and soakways);
- Surface grading will be minimized and under no circumstances should sinkholes be filled-in or plugged unless it can be demonstrated that the quality and quantity of ground water and surface and the function of sensitive recharge/discharge areas, aquifers and headwaters will be protected or enhanced.
- Naturally vegetated setbacks consisting of a minimum of 30 m (subject to Sections 4.20.6 and 4.20.7) appropriate to protect water quality and quantity, and public safety, shall be maintained around all sinkholes in lands designated H2 and H3;
- Additional studies by qualified karst experts to evaluate the need for additional setbacks, such as along recharge drainageways draining into sinkholes will be undertaken in lands designated H2 and H3; and
- All retention and irrigation ponds will be sealed to prevent leakage into the karst.

5.1.3.5 An acceptable environmental management plan will be developed and, at a minimum, incorporate the following elements:

- The use of chemical (organo-chlorine or organo-phosphate based) pesticides and herbicides will be minimized;
- Sound environmental principles directing golf course maintenance including, but not limited to, the use of the most appropriate types of pesticides and fertilizers (e.g., slow release) and the development of application protocols to prevent entry of these substances into the karst aquifer;
- Swimming pools will generally be restricted and will not be permitted unless sufficient overburden exists and only if supported by appropriate study;
- Residents will not be permitted to regrade or fill-in depressions on their property;

- No underground storage tanks will be permitted within the Karst Assessment Area unless sufficient overburden exist and only if supported by appropriate study. All tanks will be designed with spill/leakage containment impoundments; and
- An educational pamphlet will be prepared for distribution to residents and day-use visitors regarding the nature of the karst with specific information relating to the high potential for flooding and contamination.
- In order to maintain water quality, consideration shall be given in the design and management of golf course areas to the following, along with all other relevant matters:
  - The optimization of phosphorous application rates;
  - The implementation of ongoing monitoring to ensure minimal phosphorous losses from managed golf course areas;
  - The judicious application of fungicides, well within recommended application rates;
  - The preparation of a Pesticide Management Plan to ensure the optimization of pesticide use;
  - If possible, the use of alternative fungicides;
  - The preparation at the detailed design stage of an Environmental Management and Maintenance Plan with input from a qualified environmental consultant;
  - The implementation, following site construction and initial operations, of a surface water quality monitoring program to ensure that golf course operations do not have a negative impact on the headwaters of Black Ash Creek or Silver Creek;
  - A minimum depth of overburden of 2 metres;
  - The collection and direction of runoff (surface and sub-surface) to storage ponds for re-use;
  - The implementation of exfiltration features at the outlets of stormwater management ponds; and
- Audubon certification.

5.1.3.6 Construction phase contingency plans will be prepared to address unplanned events such as flooding during heavy rain storms and potential soil collapse.

5.1.3.7 An acceptable environmental monitoring plan will be developed to include periodic water sampling at the springs, with collections being timed to catch the high, intermediate and low flow stages. Parameters monitored

will include faecal coliforms, major nutrients, selected metals, and organic pesticides. The monitoring plan will also include periodic spring flow measurements (quantity).

#### 5.1.4 Visual Impact Assessment

5.1.4.1 The requirement for a Visual Impact Assessment is to ensure that future development is designed and located in such a manner to maintain and/or enhance the open space character, maintain the visual continuity of the natural environment of the Niagara Escarpment, preserve the natural, visual, and cultural heritage characteristics of the area and protect the natural and cultural heritage features of the area. In order to achieve this, a Visual Impact Assessment shall be required for the Castle Glen Resort Community. The location and design of development proposed shall be required to meet the following policies, in addition to other applicable provisions of this Plan.

5.1.4.2 The components of the Visual Impact Assessment shall be required as set out in Section 5.1.4. 12 to 15 within the area identified on Schedule C. Generally, development shall be located in cluster groupings with large open space blocks. Particular attention shall be given to location, density, mass, height restrictions, architectural design, tree and landform preservation and other locational criteria designed to avoid negative visual impacts to the natural and cultural landscape.

5.1.4.3 Buildings and structures shall not exceed the skyline associated with the Escarpment except if it can be demonstrated through the detail Visual Impact Assessment such impact will be negated within 4 years as a result of detailed landscape plan, and/or natural tree growth and retention. Maximum height limitations identified under each designation may need to be reduced in order to satisfy the provisions of this section.

5.1.4.4 The Visual Impact Assessment includes the following studies, which are to be completed to the satisfaction of the Town and the Niagara Escarpment Commission. Within the Viewshed Assessment Areas identified on Schedule C the following studies shall be required:

- a) Visual Landscape Analysis
- b) Viewshed Analysis
- c) Tree Preservation Plan
- d) Computer Simulation Model
- e) Lighting Plan
- f) Landscape Plan.

Outside the Viewshed Assessment Areas identified on Schedule C, the following studies shall be required:

- a) Visual Landscape Analysis
- b) Tree Preservation Plan
- c) Lighting Plan
- d) Landscape Plan.

5.1.4.5 A Visual Landscape Analysis, shall be required to include an analysis of the scenic quality of the natural and cultural heritage landscape including, landform (topography), vegetation, any special natural or cultural heritage features and land uses of the area. The Visual Landscape Analysis is an integral part of the Visual Impact Assessment and is required in order to evaluate the potential visual impact of the proposed development on the natural and cultural heritage landscape character. The analysis must demonstrate to the satisfaction of the Town and the Niagara Escarpment Commission that the proposed development is compatible with the natural and cultural heritage landscape.

5.1.4.6 A Viewshed Analysis shall be required for all areas identified on Schedule C. The Viewshed Analysis is required to identify the visibility of the proposed development on the landscape, e.g., whether proposed buildings, structures, roads, etc. would be visible from the short, medium and long range views from public visual access points, e.g., surrounding roads and views from the Bruce Trail. The Viewshed Analysis in conjunction with the Simulation Model will identify locations where development would be visible.

Relocation or specific design criteria and/or detailed landscaping may be required in order to meet the provision of this Plan.

5.1.4.7 A Tree Preservation Plan shall be required to identify the existing trees, woodlands and other vegetation, including hedgerows, and identify those which are to be protected, relocated or planted in order to protect the natural environment and the visual and cultural heritage landscape character.

- a) The Tree Preservation Plan shall identify:
  - the species, height and age of existing woodlots, identified through the Environmental Constraints Impact Assessment and Environmental Impact Study,
  - specifications for the protection of existing vegetation (including but not limited to protective fencing beyond the dripline for individual trees or masses of vegetation),

- a detailed assessment of the vegetation to be retained, removed or relocated including the rationale.
- b) Protective fencing shall be erected outside the dripline of any vegetation to be protected. There shall be no alteration of grades or disturbance (including storage of construction materials, equipment or fuel, or refueling of equipment) within the fenced area.
- c) Existing surface and groundwater availability are important to the viability of vegetation to be protected. As such, alterations to existing grades and drainage patterns outside of the protected areas will be minimized in order to maintain existing drainage, surface and groundwater availability.
- d) The Tree Preservation Plan shall incorporate results of the identified Environmental Constraints and Impact Assessment all of which shall be reflected on the Landscape Plan.

5.1.4.8 A Lighting Plan shall be required to identify proposed exterior/ outdoor lighting and to demonstrate how the provisions of Section 6.2 have been met. The Lighting Plan shall include an analysis of the impact of proposed lighting and mitigation measures in order to ensure that the impact of lighting on the night skies and the Escarpment landscape are minimized, through locational and design criteria for buildings, structures and lighting.

5.1.4.9 The impacts of lighting will be minimized through such measures as indirect lighting, height and location of fixtures, low voltage lighting, or through shielded or hooded fixtures. The subdivision, condominium and/or site plan agreement will address the lighting details necessary to implement the Lighting Plan.

5.1.4.10 A Computer Simulation Model shall be required within the Viewshed Assessment Areas identified on Schedule C. The Computer Simulation Model is required to assesses the impact of the proposed development on the natural, visual and cultural landscape character from short, medium and long range views from public access points, (e.g., surrounding roads, Bruce Trail) in accordance with the provisions of this Plan, and in particular Sections 3.2, 3.3 and 3.4. The Computer Simulation Model shall incorporate the results of the above studies and have the capability to simulate the visual impact of the proposed development on the basis of a detailed analysis of the location, siting, vegetation, grading, height, mass, form and colour of the proposed development. The Computer Simulation Model will be an important tool for ensuring that development is located and designed in accordance with the provisions of this Plan.

5.1.4.11 All Landscape Plans shall be required to incorporate the findings of the Environmental Impact Study, the Visual Landscape Analysis, the Tree Preservation Plan, Lighting Plans and, within the area identified on

Schedule C, the Viewshed Analysis and the Computer Simulation Model. Landscape Plans shall identify final proposed grading, the specific location of all buildings and structures associated with proposed residential, commercial and recreational development, including, golf holes, paths, trails, roads and parks. They shall identify all trees to be preserved in accordance with the Tree Preservation Plan, trees to be planted, proposed landscaping including design features, such as, lighting, walls, parking, etc. Landscape Plans and Lighting Plans shall require approval by the Town and the Niagara Escarpment Commission. The provision of buffer strips, retention of existing vegetation, additional plantings, location setbacks, height limitations, and other appropriate measures may be required based on the detailed studies as part of the decision on the Plan of subdivision/condominium and/or Site Plan Control.

5.1.4.12 The Visual Impact Assessment shall be completed in phases to ensure that the visual policies will be applied thoroughly at all stages of development.

5.1.4.13 The Visual Landscape Analysis as a minimum shall be required and prepared as part of the submission and approval of the Concept Plans. The final locations of all development will be determined following the completion all components of the Visual Impact Assessment.

5.1.4.14 Overall Plans of Subdivision per phase for the purposes of establishing roads and future development blocks may only proceed after the completion and approval of the applicable Concept Plan.

In connection with the Overall Plan of Subdivision, the following Visual Impact Assessment studies are required for the assessment of roads only:

- a) Viewshed Analysis (only on lands identified on Schedule C)
- b) Tree Preservation Plan
- c) Computer Simulation Model (only on lands identified on Schedule C)
- d) Lighting Plan
- e) Landscape Plan

While the above studies are not required for the initial creation of the development blocks, the zoning of development blocks shall include the limitation of a Holding prefix which requires completion of further Visual Impact Assessment studies prior to the removal of the Holding “h” symbol.

5.1.4.15 At the time of detailed Plan of Subdivision, Plan of Condominium and/or Site Plan submission stage, the following Visual Impact Assessment studies are required:

- a) Viewshed Analysis (only on lands identified on Schedule C)
- b) Tree Preservation Plan
- c) Computer Simulation Model (only on lands identified on Schedule
- d) Lighting Plan
- e) Landscape Plan

#### 5.1.5 Cultural Heritage and Archaeological Resources

5.1.5.1 The appropriate studies will be complete to ensure that the cultural heritage and archaeological policies of the Provincial Policy Statement and Niagara Escarpment Plan and the Grey County Official Plan are met.

5.1.5.2 A phase one (1) assessment of cultural heritage and archeological resources will be completed prior to the approval of a Concept Plan.

5.1.5.3 The appropriate detailed assessment shall be completed, if required, for roads only as part of the overall plan of subdivision to the satisfaction of the applicable authority.

5.1.5.4 The appropriate detailed assessments will be completed, if required, prior to plan of subdivision/condominium or site plan approval or zoning to the satisfaction of the applicable authority.

#### 5.1.6 Phasing Report

5.1.6.1 A Development Impact and Monitoring Study of the impact of each phase of development shall be undertaken by the developer to assess:

- a) the adequacy of roads and other services, including fire and emergency services, walkways, water supply, sewage disposal and solid waste management;
- b) the adequacy of recreational, cultural and commercial facilities.
- c) any negative impacts upon the quality and quantity of surface and ground water resource including the impacts of water taking, Karst systems and stormwater management;
- d) any negative impacts on the natural heritage features and functions;
- e) any negative impacts upon the quality of the visual environment;

- f) impacts related to the municipality's administration and financial capabilities, the impact on municipal, county and provincial road systems, solid waste management, and other municipal services such as recreation , school facilities, police and fire protection, medical and other social services;
- g) any potential cumulative impacts of existing and future phases of development;
- h) any other relevant development phasing impacts;
- i) the performance of the developer to-date in meeting all obligations under the development agreements; and
- j) any negative onsite or offsite impacts upon the quality of the natural environment, including impact caused by water taking and stormwater management.

5.1.6.2 This Development Impact and Monitoring Study shall be completed to the satisfaction of the Town in consultation with the public and any affected agencies, including the County of Grey, school boards, and the Niagara Escarpment Commission, as applicable. The developer shall be required to address any significant impacts to the satisfaction of the Town prior to proceeding to the next phase of development, including any appropriate changes to the Concept Plans and Master Development Agreement or any other relevant approvals.

## 5.2 **Development Phasing**

5.2.1 Development shall be carried out in a phased sequential manner, with a minimum of five phases to be identified under the required Concept Plans and/or Master Development Agreement. Prior to commencement of each phase of development, the following policies shall apply:

- a) Application for approval of Overall Plan of Subdivision showing roads and development blocks for each phase of development shall be supported by the required studies to address the policies this Plan, the Master Development Agreement, and all other relevant matters.
- b) Applications for approval of detailed plans of subdivision or condominiums and/or site plan for each phase of development shall be supported by the required studies to address the policies and provisions of the Plan, the Master Development Agreement and all other relevant matters.



- c) All applicable studies shall be completed to the satisfaction of the Town, including appropriate provisions for any required facilities, mitigation measures, or other relevant matters, as further provided under Section 5.
- d) Road improvements and access may be phased in accordance with the provisions of Section 5.5.
- e) Phasing of development and the provisions of water and sewage services shall be subject to the provisions of Section 5.6.
- f) Walkway linkages, roads, road improvements, service connections, stormwater management facilities, land conveyances and other relevant matters may be required for lands that extend beyond the boundaries of the current phase(s) of development.
- g) All matters related to the phasing, servicing and regulation of development shall include applicable approvals from applicable agencies.
- h) Before the developer may proceed with the next phase of development, the current phase shall have been substantially completed such that all required roads, services and walkways have been constructed, seventy five percent (75%) of the residential units in the previous phase must be in registered plans and building permits must have been obtained for at least fifty percent (50%) of the residential units. Nothing in this sub-section shall prevent the developer from proceeding with golf course development outside the current phase and in advance of the subsequent residential phase of development.
- i) Council shall be satisfied that the developer has met all obligations, that appropriate mitigation measures are provided to ensure that further development will not have negative impacts upon the natural and visual character of the Escarpment environment, and that all necessary provisions are in place, including appropriate services and securities, to permit development to proceed.
- j) Additional phasing requirements may be established under the Master Development Agreement and any other applicable agreements.

5.2.2. Notwithstanding any prior approvals, for each phase of development, Council must be satisfied that the results of Development Impact and Monitoring Study justifies consideration of the next phase.

5.2.3 Within the lands south of County Road 19, the existing Thunderhill Subdivision and the lands directly east of the subdivision (Rst R6and Rst R7), a maximum of 520 residential units may be permitted. In addition, 150 commercial accommodation units, related commercial and golf

course development may be permitted. No more than 400 new residential units may be located south of County Road 19.

5.2.4 The first phase of development shall include the existing Thunderhill subdivision, and services shall be provided to the perimeter of the Rst R(T) Thunderhill designation as part of the first phase of development.

5.2.5 An amendment to the Town's zoning by-law shall be required prior to the development of each phase. The zoning by-law may also establish the holding "h" zone to regulate the phasing of development.

### 5.3 **Parkland and Open Space Dedications**

5.3.1 **Park Management Plan** It is intended that public parkland for the Castle Glen Resort Community include both active and passive park facilities to be regulated by a Parks Management Plan prepared by the Municipality. The Parks Management Plan shall be in conformity with Part 3 of the Niagara Escarpment Plan.

5.3.2 **Required Parkland** The developer shall dedicate land for public parkland in accordance with the requirements of the Planning Act. A minimum of 8 hectares of land shall be dedicated to the municipality as outlined within Section 5.3.3 and 5.3.4 as Public Parkland. An 8 hectare dedication meets the requirements of the Planning Act, for all the lands within the Official Plan area and shall be dedicated at the time of registration of the Plan of Subdivision/Condominium in which the parkland is located. Details such as the timing of dedication, shall be established by the Master Development Agreement as outlined in Section 6.3.

#### 5.3.3 **Active Parks**

Active Parkland shall be dedicated in accordance with the provisions of the Planning Act and this Plan. The Concept Plans as required by Section 6.3 will establish the general location of Active Parks. Active Parkland shall be dedicated to the municipality within the Village Core and/or within the vicinity of the Village Core within the Rst R2 designation. The Active Parkland dedication shall be approximately eight (8) hectares of land, however this dedication may be in more than one parcel. Active Parks shall be subject to the Visual Impact Assessment policies of Section 5.1.4.

5.3.4 **Passive Parks** Except as provided in this policy, Passive Parkland will not be included within the Planning Act dedication. Passive Parkland shall be dedicated to the municipality west of the Lake of the Clouds in the Escarpment designation. The size and location will be determined within the Concept Plans required by Section 6.3. The uses within Passive Park will be regulated by the Parks Management Plan in conformity with Part 3

of the Niagara Escarpment Plan. However, the only permitted structure within the Passive Park will be a viewing platform subject to Section 5.1.2.3. Direct access to the Lake will not be permitted.

#### 5.3.5 Dedication of Escarpment Land

Generally all lands designated Escarpment are to be dedicated to the municipality and are subject to the Niagara Escarpment Parks and Open Space System policy of the Niagara Escarpment Plan and the development of a Parks Management Plan. The Escarpment lands other than the passive park outlined in Section 5.3.4 shall be restricted to public trail uses as well as other specific uses permitted by Section 4.23.2 and 4.23.5. In order to facilitate the specific private uses of Section 4.23.2 and 4.23.5, the municipality will grant appropriate easements and right-of-ways over Escarpment lands. A restrictive covenant shall be registered in perpetuity against the dedicated Escarpment lands to ensure the public uses are limited to conservation activities, limited forest management, wildlife management, fisheries management, essential transportation including a private condominium road to provide access to Rst R4, essential utility facilities, passive parks, biking and walking trails, cross country trails, essential golf cart paths and passive outdoor recreation uses. Further details, such as the timing of dedication shall be established by the Master Development Agreement outlined in Section 6.3.

#### 5.3.6 Dedication of Hazard Lands and Wetlands

Generally lands designated Hazard and Wetlands will be dedicated to the municipality. Limited exceptions may occur where the Hazard lands and/or Wetlands are integrated within the design of a private recreation feature such as golf course development or where lands have no access from a public road. Dedication of Hazard lands and Wetlands will occur at the Plan of Subdivision/Condominium or Site Plan approval stage within which the Hazard Lands or Wetland is located.

Where dedicated, the municipality will grant easements, right-of-ways, etc. that will permit servicing connections and golf course cart path connections.

### 5.4 Pedestrian Access

- 5.4.1 It is intended that the required open space component will include open space pedestrian links which will connect the Castle Glen Village Core and other resort facilities to the residential areas throughout the Castle Glen Resort Community and will provide convenient non-vehicular circulation between activity nodes and various land uses. The Pedestrian Access routes depicted on Schedule B, including the Bruce Trail shall be supplemented by secondary linkages where possible.

- 5.4.2 Although the orientation of these trails should generally follow the identified conceptual routes, variations will be necessary based on detailed design, including any considerations identified under the Environmental Constraints and Impact Study. More detailed walkway linkages shall be identified under the Concept Plans. Additional linkages within subdivision or condominium design approvals shall also be required to provide an extensive open space walkway trails network to as many parts of the community as possible.
- 5.4.3 The subdivision/condominium and/or site plan agreement shall provide for the dedication to the municipality of primary pedestrian pathways which are essential to the pedestrian movement within the Castle Glen Resort Community. Other pathways may be owned privately. It is noted that the pathways may vary from a simple footpath 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 pathway systems for walking, skiing and biking shall also be encouraged. In some cases, extra wide or dual pathway systems 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 pathways. These open space pathways shall be considered part of the required municipal infrastructure, and shall not be considered part of any required parkland dedication.
- 5.4.4 The location and design of pathways shall be guided by the following policies and the provisions of Section 5.1:
- a) 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;
  - b) the location should generally be oriented towards treed areas and areas of frequent change in elevation or contour while avoiding steep or, unstable slopes;
  - c) pathways should be separated from roadways, where possible, but may substitute for sidewalks where paralleling the road allowance;
  - d) a practical route should be provided for walking, skiing and biking, with appropriate separations wherever possible;
  - e) conflicts with adjacent uses should be minimized through appropriate setbacks and vegetative screening; and.
  - f) public open space walkways should be integrated with subdivision and golf course design, with pedestrian access to all lots or units, where possible.

## 5.5 **Transportation**

- 5.5.1 The general alignment of proposed local and collector municipal roads are identified under Schedule B. New road access from existing municipal roads or County Road 19 shall be generally restricted to those locations identified on Schedule B and shall be restricted to a maximum of two (2) public road accesses onto County Road 19 and one on Sideroad 12 and one on the 2nd and one on the 4th Line. Emergency road access however will be permitted where appropriate. Access onto the 12th Sideroad is intended for emergency service purposes only for the foreseeable future, but full use is not precluded. Access to individual lots or blocks of land from any existing municipal road or County Road 19 shall be prohibited, except for access to the Rural designation.
- 5.5.2 All road access shall be subject to the approval of the applicable road authority. Adequate provisions shall be made to ensure safe and efficient traffic movement, including road improvements, road widenings, traffic signals, turning lanes, and sight lines. The developer shall be required to submit an overall traffic impact study to assess road impacts and needs, to be monitored and updated for each phase of development.
- 5.5.3 Existing external municipal roads shall be upgraded by the developer where required as a result of proposed development. Particular regard shall be given to the need for road improvements along County Road 19 to ensure proper sight lines with road intersections as well as the upgrading on the 2nd Line. All municipal road upgrading and services shall be established in accordance with Town or County standards, as applicable.
- 5.5.4 Private Condominium access to Rst R6 and Rst R7, shall be extended from the existing internal roads within the Thunderhill Subdivision.
- 5.5.5 All future roads shall be constructed to the standards of the applicable road authority at the developer's expense. Urban standards are required for new public roads unless the required studies under Section 5.1 demonstrate that urban standards cannot meet the requirements of Section 5.1. Condominium roads may be constructed in accordance with rural standards at a minimum.
- Road construction requiring blasting into the bedrock shall not be permitted within the Karst Assessment Area unless supported by appropriate study to the satisfaction of the Town in consultation with the Niagara Escarpment Commission and the County of Grey
- 5.5.6 The standard for public roads within the Thunderhill subdivision (Rst R(T)) may be rural, and particular regard must be had to ensure proper sight lines.

- 5.5.7 Collector roads identified on Schedule B shall have a minimum right-of-way of 20 metres, however a wider right-of-way width to a maximum 26 metres maybe required based on engineering standards that incorporate required design features.
- 5.5.8 Existing unopened road allowances may also be used for municipal or emergency vehicle and pedestrian walkway access. All emergency access points will be planned and constructed prior to occupancy of any dwellings.
- 5.5.9 Golf cart path crossings shall not be permitted at County Roads and arterial roads at grade and shall be discouraged on collector and local roads, but such crossings on collector and local roads may be permitted where supported by a traffic safety study to the satisfaction of the Town.
- 5.5.10 All Roads including condominium roads, should be located and designed to minimize use of, and impacts on, slopes in excess of 25 percent.

## 5.6 **Servicing Requirements**

- 5.6.1 There are many competing demands and pressures for development with limited servicing capacity. The Town shall encourage a comprehensive approach for municipal servicing projects in cooperation with participating developers in order to ensure development and the extension of services are logical and fiscally responsible. In this regard, front-end financing and phasing of required works shall be encouraged as part of municipal servicing projects. Capital contributions shall also be required from benefiting properties as services are extended to existing and future development lands.
- 5.6.2 The Town's Master Servicing Plan is to implement the municipal servicing component of the municipal growth management strategy. Particular regard shall be given to the identification of service infrastructure requirements, monitoring of servicing capacity, and the phasing and financing of municipal servicing projects in relation to development needs, trends and servicing staging priorities.
- 5.6.3 Potable water supply and sanitary sewage treatment service solutions for all of the development within the Castle Glen Resort Community must be planned in accordance with the Environmental Assessment Act and the five step planning process as set out in the approved Municipal Class Environmental Assessment. This five step process will determine the servicing strategies not only for Castle Glen, but also the Osler Bluff and Craigleith service areas. While looking at the long term potable water and sanitary sewage servicing solutions for these service areas, the Class EA process shall also consider the servicing solution for potable water supply and municipal sanitary sewage treatment for the first phase of the Castle Glen Resort Community, as outlined by Section 5.2.3.

- 5.6.4 Staging priority shall be given to existing development areas (Thunderhill) and lands designated in Phase I of Castle Glen. Available municipal sewage design capacity shall be reserved for Phase I, to a maximum of 500 servicing units.
- 5.6.5 No development approvals of plans of subdivision or condominium for Phase I shall be given until the completion of Phase 2 of the Class Environmental Assessment. Development approvals shall be subject to the preferred servicing solutions identified under Phase 2 of the Class Environmental Assessment.
- 5.6.6 The Class Environmental Assessment shall determine the preferred solution for upgrading the existing water and sewer servicing systems within the Thunderhill Subdivision. The preferred solution shall ensure that the servicing solution is available to the boundary of the Thunderhill Subdivision.
- 5.6.7 All required service line extensions shall be constructed in accordance with preferred servicing solutions including, appropriate design, sizing and location to facilitate existing and other anticipated development potential along the route (as determined by Phase 2 of the Environmental Assessment) where appropriate.
- Servicing costs may be included in a front ending agreement in accordance with the provisions of the Development Charges Act, a development charge credit agreement, or a cost sharing agreement and any such agreement may require contributions from other benefiting properties.
- 5.6.8 Municipal service lines shall be located within road allowances in accordance with Town standards with appropriate design, sizing and location. Land dedications or municipal easements may also be required within open space blocks, golf course lands or other lands if needed to provide connections to adjacent development designations.
- Underground servicing such as sewers, utilities and water lines, including irrigation lines for the golf course holes, including tees, greens and fairways, that require blasting into the bedrock shall not be permitted within the Karst Assessment Area unless supported by appropriate study to the satisfaction of the Town in consultation with the Niagara Escarpment Commission, the County of Grey and applicable approval authorities.
- 5.6.9 Water supply for golf course irrigation purposes may not be permitted from any treated municipal water system. The developer shall be required to obtain the necessary approvals for an appropriate irrigations system subject to compliance with environmental policies and Section 5.1.



- 5.6.10 There shall be an overall approach to stormwater management for the Castle Glen Resort Community. It is intended that drainage and stormwater management works to serve the Castle Glen development area will be integrated.
- 5.6.11 The following works, facilities and other phasing requirements shall be addressed as conditions of draft plan of subdivision, condominium or site plan approval:
- a) Stormwater management facilities, including and associated land dedications, conveyances, easements and maintenance agreements.
  - b) Road improvements in accordance with the requirements of the applicable road authority, including road widening, turning lanes, traffic signals and external roads improvements.
  - c) Any other required external works, including service line extensions, water storage facilities, treatment facilities, and facilities on the golf course.
  - d) Any other required works and matters which are normally addressed under the development agreement, including internal water and sanitary sewer services, roads, walkways, securities, easements, dedications, conveyances, maintenance and default provisions.
  - e) Relevant Official Plan and zoning provisions, including holding provisions.
  - f) Suitable financing provisions, including any applicable agreements.
- 5.6.12 Draft plan of subdivision or condominium approvals shall normally lapse after 3 years, unless front end financing for service infrastructure for benefiting land owners is required, in which case, draft approval may be granted for up to 8 years. An extension may be considered where the Town is satisfied that the extension is necessary and appropriate in relation to other staging priorities. Any extensions shall be granted in increments of not more than 1 additional year, and shall be subject to any revisions which are considered appropriate.
- 5.7 **Minimum Setbacks**
- 5.7.1 Buffers for environmentally sensitive areas shall generally be established in accordance with the provisions of Section 5.1. Except as otherwise permitted by this Official Plan, no disturbance of vegetation or grades shall occur within required buffers.



- 5.7.2 Notwithstanding Section 5.7.1, the following shall be the minimum setbacks from environmental constraint features for all uses, buildings, and structures located within any land use designation, unless otherwise specifically provided under this Official Plan:
- a) 15 metres from any steep slope greater than 25%
  - b) 30 metres from the shoreline of Lake of the Clouds
  - c) 30 metres from any identified coldwater stream or 15 metres from the top of the bank of the stream, whichever is the greater
  - d) 15 metres from any identified warmwater stream.
- 5.7.3 The minimum setbacks identified under Sections 5.7.1 and 5.7.2 shall not apply to uses which are permitted within the Hazard Lands designations as identified under Section 4.20.2, subject to an Environmental Impact Study pursuant to Section 5.1.2.3.

## **6.0 Implementation**

### **6.1 Purpose**

This plan shall be implemented by the Council of the Town of The Blue Mountains through the powers conferred upon them by the Planning Act, the Municipal Act, and such other statutes as may be applicable. In particular, this Plan shall be implemented by means of the general measures and procedures contained in this Section of the Plan. Additional specific implementation provisions are also described in other Sections of this Plan.

### **6.2 Principle of Development**

The plan permits a range of uses within the various land use designations, subject to numerous objectives, policies and provisions. This policy framework can be referred to as the "principle of development" which reflects the general intent and purpose of this Plan.

### **6.3 Concept Plan**

This plan shall require the preparation of two (2) Concept Plans. The Concept Plans shall be prepared prior to the consideration of any development approvals within the lands subject to the specific Concept Plan. The first Concept Plan at the minimum shall cover the area south of County Road 19, and the Rst.R(T) (Thunderhill), Rst.R6 and Rst.R7 designations north of County Road 19. The second Concept Plan shall cover the remainder of the Castle Glen area. The Concept Plans shall demonstrate how the development will meet the policies and provisions of this Plan and in particular the provisions of Section 5.1. The approval of the Concept Plans shall include public consultation by the Town.

The location and intensity of development identified in the Concept Plans is meant to be general only and is subject to the detailed study requirements of Section 5.1.2.3. which will result in refinements and may result in further constraints which shall be implemented at the Plan of subdivision/condominium, site plan approval and zoning bylaw stage. The Concept Plans must be approved to the satisfaction of Council in consultation with the Niagara Escarpment Commission, the County of Grey and all applicable agencies. The Concept Plans shall be incorporated under the Master Development Agreement.

The Concept Plans will address the following matters: areas proposed for development, including recreational uses and facilities, conceptual stormwater management, infrastructure routing, arterial road patterns and connectivity to development designations and public road ways, walkways/trails linkages, and golf course routing.

#### **6.4 Master Development Agreement**

Development of the Castle Glen Resort Community will proceed in phases for various reasons, such as financing, availability of services and marketing. It is a policy of this Plan however that all lands shall be included within a Master Development Agreement after approval of the first Concept Plan. The Master Development Agreement will address all phases of development, and may be amended after approval of the second Concept Plan. The Master Development Agreement may include provisions related to the timing and sequence of development, including:

- temporary turning circles and emergency access
- 3 metre reserve blocks to restrict access
- parkland dedication
- ownership and management of open spaces
- payment of development charges
- the provision, maintenance and operation of water supply, sewage disposal, stormwater management, and other service facilities
- the use of holding 'h' provisions under the implementing Zoning By-law
- and any other matters deemed appropriate by Council related to the orderly development by plan of subdivision/condominium and/or site plan approval.

#### **6.5 Overall Plan of Subdivision**

The overall plan of subdivision for each particular phase of development will establish all public roads and access points to them, as well as the lots and blocks for future development.

## **6.6 Zoning**

- 6.6.1 The Zoning By-law is the primary means of implementation of this plan. A zoning bylaw amendment shall be required for each phase of development of the Castle Glen Resort Community.
- 6.6.2 Although all lands will be zoned per development phase, certain blocks will be subject to the holding "h" provision and the requirements of Section 6.7 and other applicable policies of this plan.
- 6.6.3 The zoning by-law shall include, among other relevant matters, appropriate provisions to regulate building locations, floor area, outside storage, open space, setbacks, the height, bulk, and character and use of buildings and structures, and to protect natural features and areas, groundwater recharge and headwater areas, steep slopes, karst features and systems.

## **6.7 Subdivision Control**

- 6.7.1 All lands within the Town are subject to the subdivision control provisions of the Planning Act. A consent or plan of subdivision is generally required to permit the subdivision of land for conveyance of individual lots or blocks, long-term mortgage and lease purposes. The provisions of the Condominium Act also apply to the subdivision of land and buildings. The subdivision of land shall be consistent with all applicable federal, provincial, county and municipal policies and requirements.
- 6.7.2 No consent, overall plan of subdivision or plan of subdivision/condominium shall be approved unless it complies with the provisions of this Plan. Every such application shall demonstrate the provisions of Section 5 have been met to the satisfaction of the Town in consultation with the applicable agencies.
- 6.7.3 Freehold development of single detached and multiple units may be developed in connection with common elements condominiums, which allows the individual ownership of each unit and limited adjoining exclusive use or lot area, as applicable, with common ownership of any shared lands, buildings, services and facilities under the Common Elements Condominium, as well as the following standards:
  - a) common access to open space, walkways, and recreational amenities;
  - b) freehold lots should not provide direct access onto a public road. All access should be from an internal lane or roadway which will be part of the common elements condominium;
  - c) site specific performance standards may be applied under the subdivision/condominium agreement, as though they were a standard or phased freehold condominium;

- d) The creation of pieces of tied land to a common elements condominium shall be subject to Section 51 of the Planning Act with regard to the division of land.

## **6.8 Holding Zones**

- 6.8.1 The holding symbol "h" may be applied to lands under an overall plan of subdivision, where required, or where site plan control is to be applied, and the lands are to be developed in future phases. The holding symbol "h" may also be used where certain requirements for development must be met as a condition of the removal of the holding symbol.
- 6.8.2 The holding symbol "h" may be applied to lands under an overall plan of subdivision where the principle of development has been established, but subsequent draft plan submissions are still required for the details of development within such blocks. The overall plan of subdivision shall include provisions to be met as a condition of the removal of the holding symbol, such as the extension of municipal services, the provision of stormwater management facilities or relevant studies to be conducted in accordance with Section 5.
- 6.8.3 The objectives for the use of the holding zone are:
  - a) to establish the permitted uses under the Zoning By-law, subject to conditions;
  - b) to provide an interim zoning status which serves to minimize the level of uncertainty regarding development potential under the zoning process, pending the finalization of any required additional approvals and the application of conventional, permanent zoning once the holding symbol is removed;
  - c) to facilitate development, including a base level of assurance for development, planning and financing arrangements, subject to any potential limitation factors resulting from conditions imposed;
  - d) to ensure that appropriate servicing and design criteria as required by this Plan have been applied to the satisfaction of Council;
  - e) to ensure that any and all agreements, financial or otherwise, or other matters required for development are legally in place;
  - f) to enable coordination of the approvals process;
  - g) to ensure that all appropriate approvals are in place prior to permitting development; and
  - h) to prevent or limit the use of the land in the interim to achieve orderly well planned development.

- 6.8.4 Council may consider the removal of the holding symbol once the provisions of this Plan, all conditions regarding approvals, design, servicing, agreements and other applicable matters have been met to their satisfaction.
- 6.8.5 Since a primary purpose of the holding symbol is to provide some degree of confidence that the uses established under the associated zoning category may be permitted, refusal to remove the holding symbol should only be considered where the provisions of this Plan and the conditions imposed have not been met to the satisfaction of Council.
- 6.8.6 The holding symbol shall be removed by Amendment to the Zoning By-law in accordance with Section 36 of the Planning Act. Council shall give notice of their intention to pass a Zoning By-law Amendment to remove the holding symbol to persons and agencies prescribed by regulation made under the Planning Act.
- 6.8.7 An Amendment pursuant to Section 36 of the Planning Act removing the holding symbol shall require public consultation by the Town. The applicant, however, may appeal the decision to the Ontario Municipal Board in the normal manner.
- 6.8.8 In exceptional circumstances, where an application to remove the holding symbol is made, Council may determine that the conditions cannot be adequately met and that the removal of the holding symbol is not appropriate.

## **6.9 Site Plan Control Area**

- 6.9.1 With the exception of development outlined in Section 6.3 and in the Rst.R(T) designation (Thunderhill) all lands within Castle Glen Resort Community shall be considered for inclusion in the Site Plan Control Area. All development within the Site Plan Control Area with the exception of those outlined in Section 6.3 shall be regulated in accordance with the provisions of this Plan, pursuant to Section 41 of the Planning Act.
- 6.9.2 These lands are included in the Site Plan Control Area based on the following principles:
- a) the need to ensure a high standard of site planning and servicing in a manner which promotes proper and orderly development in accordance with the provisions of this Plan and in particular, Section 5;
  - b) the need to minimize inconsistency and incompatibility between new and existing development;
  - c) the need to establish on-site provisions for grading, drainage and flood proofing measures, and for the protection of natural features, and amenities of the site, including the regulation of development in accordance with the policies of Sections 6 and 5 of this Plan;
  - d) the need to ensure safety and efficiency of vehicular and pedestrian access;

- e) the need to address potential visual impacts in accordance with Section 5.1;
- f) the need to ensure the provisions and maintenance of functional and attractive on-site facilities and amenities, including landscaping, buffering, parking and loading areas, walkways, lighting and garbage storage.

6.9.3 In order to ensure that:

- the massing and design of all structures and associated facilities are compatible with the natural, visual and cultural heritage features of the area and adjacent buildings;
- an appropriate streetscape is maintained; and
- appropriate public access areas are provided ;
- drawings showing plan, elevation and cross-section views for development will be required.

6.9.4 Council may hold a public meeting(s) prior to approval of any Site Plan for the purpose of informing, and obtaining the views of, the public. In the case of a proposed re-zoning, such public meeting, where required by Council, should be held concurrently with the public meeting required for re-zoning under the provisions of the Planning Act. In all other cases, such public meeting shall be held in accordance with the notice requirements prescribed under the Site Plan Control By-law.

## 7.0 Interpretation

### 7.1 Land Use Boundaries

7.1.1 The boundaries between land use areas designated on Schedule A-6 - Land Use Plan, should be considered general only and are not intended to define exact limits except in the case of lot lines, existing roads, right-of-ways, or other physical features. It is intended that more precise boundaries for land use designations may be identified on a site-by-site basis, where necessary, and appropriately defined in the implementing Zoning By-law.

7.1.2 In no case shall any boundary adjustment under Section 7.1.1 be interpreted to permit the calculation of additional development density under this Plan.

### 7.2 Proposed Roads and Pedestrian Routes

The location of proposed roads and pedestrian routes indicated on Schedule B shall be considered approximate only. Amendments to this Plan are not required in order to make adjustments or deviations from the alignments shown, provided that the general intent of this Plan is maintained.

### **7.3 Schedule B - Unit Yields**

- 7.3.1 The maximum number of units which may be permitted for specific designation are identified within the Unit Yield Charts under Schedule B. These Unit Yields are based on the permitted density of development within the applicable land use designations under Schedule A-6.
- 7.3.2 The maximum Unit Yields shown under Schedule B shall not be increased as a result of more detailed site-specific information, including any more accurate survey of a property. The actual maximum number of units permitted will be determined following the application of the Required Studies under Section 5 and the other applicable provisions of this Plan.
- 7.3.3 Although the Unit Yields outlined on Schedule B total 1,940 units, a maximum of 1,600 residential units will be permitted within the Castle Glen Resort Community. In addition, the Unit Yields for those lands south of County Road 19 are restricted to 400 residential units.

### **7.4 Niagara Escarpment Plan**

All development must be in conformity with the provisions of the Niagara Escarpment Plan and in particular, the Escarpment Recreation Area designation and the development criteria of that Plan. Where there is a conflict between this Plan and the Niagara Escarpment Plan, the provisions of the Niagara Escarpment Plan shall prevail.

### **7.5 Grey County Official Plan**

All development must be in conformity with the provisions of the County of Grey Official Plan.



# CASTLE GLEN

## SCHEDULE "B" Density, Roads and Pedestrian Access Plan

### Legend

North Area	Area (ha)	Max. Density per ha	Maximum Units
RST.R1	86.1	5	432
RST.R2	63.4	10	634
RST.R3	1.9	15	28
RST.R4	6.8	5	34
RST.R5	3.2	15	48
RST.R6	2.3	—	8
RST.R7	6.1	5	25
VC	16.1	—	200

South Area	Area (ha)	Max. Density per ha	Maximum Units
RST.R8	7.5	5	38
RST.R9	2.6	5	13
RST.R10	8.7	10	97
RST.R11	27.4	5	137
RST.R12	19.6	10	196
RC	6.0	—	159

### Legend

- Pedestrian Access Linkage
- Local Roads
- Escarpment Brow
- Bruce Trail - Optimum Route

SCALE = 1:6000

DWG: 007-92-Schedule B

D.C. Sims Consultants Inc.

DCS





# SCHEDULE 'C'

## Viewshed Assessment Area

**Legend**

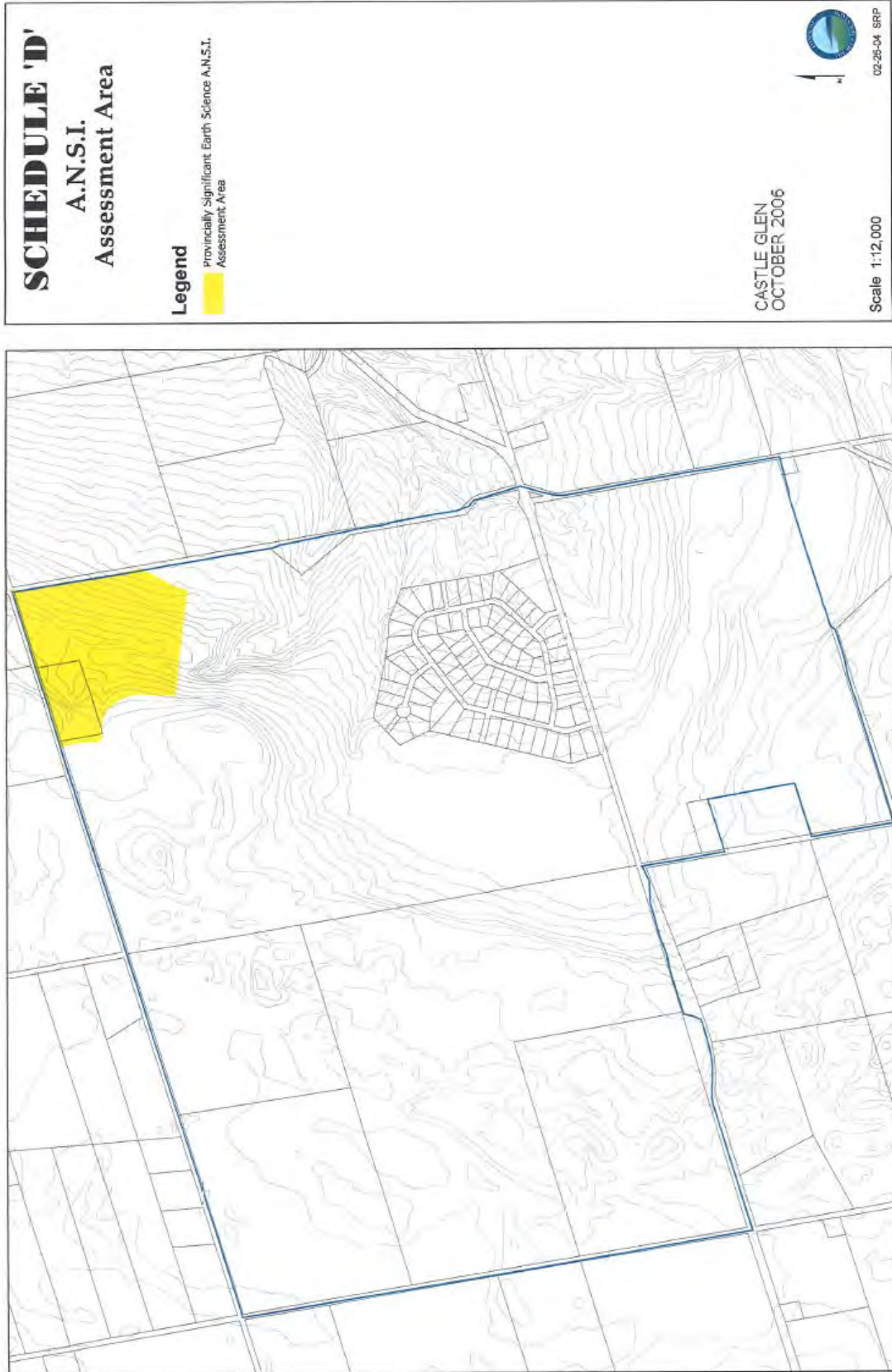
Viewshed Area

CASTLE GLEN  
OCTOBER 2006

Scale 1:12,000

02-25-04 SRP





# SCHEDULE 'E'

## KARST

### Assessment Areas

**Legend**

Areas for Further Assessment

CASTLE GLEN  
OCTOBER 2006

Scale 1:12,000

02.25.04 SRP

