

PART B
LAND USE DESIGNATIONS

B1 LAND USES PERMITTED IN ALL LAND USE DESIGNATIONS

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

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

B2 GENERAL POLICIES

B2.1 ADULT ENTERTAINMENT ESTABLISHMENTS

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

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

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

B2.2 COMMERCIAL RESORT ACCOMMODATIONS

It is the intent of 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 m², in order to establish, to the satisfaction of the Town, that the proposed development is justified and viable and that there are no long-term negative impacts to the planned function of the Downtown Areas and other retail locations in the Town. Such study shall provide sufficient detail to identify the characteristics and sizes of facilities that should be specified in the amending By-law.

B2.4 PRIVATE RECREATIONAL USES

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

SHORT-TERM ACCOMMODATION USES

The Plan recognizes that there are a variety of commercial accommodation uses within the Town. These may include bed and breakfast establishments, care homes, farm vacation homes and dwellings rented for short term periods. In some cases, residential dwellings may be rented in conjunction with commercial hotel operations. Such commercial accommodations may be considered appropriate in some residential areas, provided they are adequately regulated to avoid land use conflicts with the surrounding area. Unlike accommodation uses in commercial areas, as described under Section B2.2, residential neighbourhoods require special attention to ensure the quiet and undisturbed enjoyment of residential living which people expect. Therefore, it is a policy of this Plan that:

- a) Accommodation uses shall avoid disruption to adjacent residences through mitigation of potential impacts including noise control, waste management, setbacks, buffering, servicing and adequate on-site parking, amongst other appropriate site performance standards and operational controls. All short term accommodation uses shall be subject to site plan control and shall show sensitivity to surrounding residential uses.
- b) Any building used for short-term accommodation purposes shall be considered a commercial use and shall only be permitted where recognized under the implementing Zoning By-law. It is the foundation of this Plan that such uses should not be considered conventional residential uses and that appropriate regulations shall be established.
- c) Conventional residential rental accommodation in a residential dwelling for periods of thirty (30) days or greater shall not be considered a commercial accommodation use, and shall be considered a principal residential use. The provisions of this Plan for short-term accommodation uses do not apply to such leased conventional residential dwelling units.
- d) The scale and intensity of any short-term accommodation uses may affect the degree of potential disruption in the surrounding neighbourhood. Such accommodation uses should be regulated to ensure that the principal residential character is generally maintained. Such uses shall be directed

toward a commercial or other appropriate designation and shall be prohibited within a single detached residential neighbourhood.

- e) Based on the commercial nature of this use and its potential to negatively affect adjacent residential property, new short term accommodation uses may:
 - (i) be permitted to locate in those residential designations permitting a range of housing types; and,
 - (ii) provide mitigation measures in the form of zoning provisions and site works.
- f) The Implementing Zoning By-law shall establish appropriate provisions related to the scale of short-term accommodation uses, parking requirements, separation distances, setbacks and buffering. The location, size and scale of the short-term accommodation use shall be regulated in a manner, which is considered compatible with surrounding uses. Certain types of commercial accommodation uses identified under the introductory paragraph shall be distinguished from short term accommodation uses, and may only be permitted by site-specific Amendment to the Zoning By-law or in zones where they are specifically listed as a permitted use.
- g) In addition to zoning and site plan control by-laws, and associated agreements, short-term accommodation uses may be subject, but not limited to, other municipal by-laws including on-street parking, noise, property standards and fire and safety regulations.
- h) In accordance with the Municipal Act 2001, Council may pass a by-law to require a business license for the operation of short-term accommodation uses.
- i) All short-term accommodation uses shall be required to connect to municipal water and sewage services in accordance with Section D1 of this Plan.
- j) Notwithstanding the policies of this section, short term accommodation uses may be permitted on those lands identified and referenced by this subsection on Schedule A, subject to the implementing Zoning By-law.

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.

Dwelling Type	Density Range (units / gross hectare)	Maximum Height (storeys)
Single detached	10 – 25	2.5
Semi-detached & duplex	15 – 35	2.5
Townhouse	25 – 40	3
Multiple & apartment	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 m².
 - 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.

	Maximum Density (Units / Gross Hectare)	Minimum Open Space Component
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 m² and the maximum residential units yield shall not exceed 300 units. The retail and service commercial floor space may increase by a maximum of 110 m² provided an additional 110 m² of floor space is provided for civic uses. These areas do not include the uses within Grand Central Lodge.

- g) The Town shall establish zone regulations under the implementing Zoning By-law to address *lock-off units*.

B3.10.7 Blue Mountain Village Resort Area Resort Commercial

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

B3.10.7.1 Permitted Uses

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

B3.10.8 Blue Mountain Village Resort Area Open Space

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

B3.10.8.1 Permitted Uses and Policies

- a) Permitted uses may include public and private parks, recreational and cultural facilities.
- b) Schedules B-1 and B-2 indicates the pedestrian linkage system intended to be established during the *development* period. Additional walkways shall also be encouraged, where practical, to provide access to all *development*. Wherever possible, these walkways shall be dedicated to the 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 m². In addition, one new base lodge may be permitted with a maximum floor area of 600 m² provided its location, mass and height is supported by visual analysis by a qualified landscape architect that will demonstrate to the satisfaction of the Niagara Escarpment Commission and the Town that the proposed development will not adversely impact the environmental and visual character and scenic qualities on the Niagara Escarpment and that it is connected to municipal water and sewer services that are located to cause the least impact on the Escarpment Landscape.

B3.12 CRAIGLEITH VILLAGE COMMUNITY

B3.12.1 Location

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

B3.12.2 Purpose

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

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

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

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

B3.12.3 Land Use Categories

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

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

Other designations that apply in the Craigleith Village Community include:

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

B3.12.3.1 Craigleith Village Commercial

The intent of the Craigleith Village Commercial designation is to provide for an integration of residential, commercial and *institutional uses* in a location that is both within walking distance of the shorefront and other recreational amenities and readily accessible to the travelling public and the surrounding residential population.

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 m².

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

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

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

The following Design Guidelines shall apply:

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

B3.12.3.2 Craigleith Village Residential

The purpose of the Craigleith Village Residential designation is to identify those lands in Craigleith where a compact residential community will be established on the shores of Nottawasaga Bay as part of an overall

village *development* together with associated recreational lands and facilities on full municipal water and sanitary sewage facilities.

B3.12.3.2.1 Permitted Uses and Policies

- a) The Craigleith Village Residential designation is intended to accommodate residential *development* that would be ancillary to the *development* of the Craigleith Commercial Core area as part of an overall sustainable community. Residential *development* may include a range of housing types from single detached, semi-detached, 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 Craigeleith 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 Craigeleith 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 Craigeleith 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 Craigeleith 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 Craigleith Village Commercial and Craigleith Village Residential nodes. The traffic impact study shall be acceptable to the Ministry of Transportation and the Town.
- p) Buildings and structures, along with required facilities including, but not limited to, parking and loading facilities, drive aisles, storm water management facilities, will be required to be located in

compliance with Ministry of Transportation requirements and permits will be required to be obtained in accordance with the *Public Transportation and Highway Improvement Act*.

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

B3.13 FUTURE SECONDARY PLAN AREAS

B3.13.1 Objectives

It is the intent of this Plan to:

- identify lands intended to be developed in the future, when additional lands are required for *development*;
- allow for the continued, interim use of these lands provided any use, buildings or structures are constructed and located in a manner which would not adversely affect the long-term *development* of the lands;

- identify lands for which additional study is required to determine its ultimate land use; and,
- establish the process by which these lands will be designated for *development* in the Official Plan.

B3.13.2 Location

The Future Secondary Plan Area designation as shown on Schedule A to this Plan applies to lands that are subject to further study. The following four areas are identified as requiring more detailed planning prior to future *development* occurring:

- Area in west part of Thornbury
- Area 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 sand functions and maintain the open landscape character.

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

B3.15.6 Site Selection

- a) Site selection for permitted uses shall give special attention to the protection of the natural and visual characteristics of the Escarpment features. Removal of existing vegetation shall be minimized and additional tree planting shall be encouraged.

- b) Permitted uses and site alteration may only be permitted if a suitable site can be identified based on the following:
- An adequate building site is available for any proposed building or structure outside of any identified hazard or other environmentally sensitive area, with particular regard for the Environmental Constraints considerations.
 - Uses shall have access and lot frontage onto a public road that is adequately constructed and maintained on a year round basis.
 - For uses involving private on-site water supply and sewage disposal, approval shall be obtained from the Ministry of Environment or its 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 400m² 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 100m² 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 m²; 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 <i>threatened species</i>	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.