



TOWNSHIP OF/CANTON DE
Tiny



OFFICIAL PLAN

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A INTRODUCTION

A.1 INTRODUCTION AND STRUCTURE

A.1.1 Purpose of the Official Plan

A.1.1.1 The Official Plan for the Township of Tiny is prepared under the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, of the Province of Ontario. The Official Plan provides a policy context for land use planning. The Official Plan sets out the goals objectives and land use policies, which will guide economic, natural heritage, and community-building decisions affecting the physical use of land within the *Township*.

A.1.1.2 Upon review of the 2001 Official Plan, Council determined that the Vision and many of the policies articulated in that document still upheld the approach that the Township of Tiny wanted to maintain.

A.1.1.3 The preparation of this Plan is primarily as a result of several *Provincial Plan* policy and legislative changes, and the updating of the County of Simcoe Official Plan.

A.1.2 Scope and Duration

A.1.2.1 The policy within the Official Plan applies to all the land within the corporate limits of the Township of Tiny.

A.1.2.2 As provided for in the *Planning Act*, where an Official Plan is in effect, no public work shall be undertaken and no by-law shall be passed for any purpose that does not conform to the Official Plan. Prior to the *Province* or County of Simcoe carrying out or authorizing any undertaking that will directly affect the *Township*, the *Province* shall consult with, and have regard to, the policies of this Official Plan.

A.1.2.3 *Provincial Plans* are the senior documents in planning in Ontario and their policies prevail where there is a conflict between this Official Plan and the *Provincial Plans*. The Township of Tiny is within the area covered by the Growth Plan for the Greater Golden Horseshoe.

A.1.2.4 Notwithstanding the policies of this Official Plan, any land use decision is to be consistent with the *Provincial Policy Statement* (PPS). The PPS establishes minimum standards and permits municipalities to go beyond the minimum requirements of the PPS.

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A.1.2.5 The *County* of Simcoe Official Plan is the upper-tier Official Plan. The *Township* Official Plan is required to conform to the *County* of Simcoe Official Plan.

A.1.2.6 The planning policy horizon for this Official Plan is to the year 2031.

A.1.2.7 The Official Plan is considered to be a “living” document that will be monitored and updated to ensure that the intent of the *Township* goals and objectives are being addressed, community needs are being met, and the policies can be properly implemented.

A.1.2.8 Official Plan policy is implemented on a property specific basis through the implementing Zoning By-law and other applicable municipal by-laws, as is detailed in Section E (Plan Implementation & Administration) of this Official Plan. Any implementing Zoning By-law and other applicable municipal by-laws must conform to this Official Plan. Therefore, this Official Plan is the basis on which any new implementing Zoning By-law will be prepared.

A.1.3 **Vision**

A.1.3.1 This Official Plan recognizes that growth and change will occur in the Township over the planning policy horizon. The challenge in the future planning of the community is to ensure that the change that does occur enhances or maintains the quality of life now enjoyed by the Township's residents. This will be accomplished by promoting the stewardship of the Township's resources in a way that has the greatest positive impact on the quality of life for present and future generations.

A.1.3.2 According to Township residents, permanent and seasonal, it is the excellent quality of life that makes the Township a desirable place to live. This quality of life is created, in large part, by the character of the community, the open countryside, farmland, extensive wooded areas, wetlands, Georgian Bay, Farlain Lake, the Nipissing Ridge, the shoreline communities and the five *Settlement Areas*. These are the features that, taken together, contribute to the identity of the community that is of the greatest importance to the residents. It is the intent of the Official Plan to ensure that new development maintain, contribute and/or enhance this community identity.

A.1.3.3 The protection of the natural heritage features of the Township is a key component of the strategy to enhance the quality of life. On this basis, all of the policies in this Plan are based on an 'environment focused' philosophy.

A.1.3.4 The existing character of the community also contributes to the 'sense of place' felt by many residents. In order to maintain this character, this Plan sets out the long-term role and function of the rural area by establishing a

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permanent countryside that will permit the continued functioning of natural heritage systems, maintain the rural pattern of large land holdings and a landscape dominated by open fields and wooded areas. The agricultural areas of the Township are also considered to be integral to the character of the community. It is a policy of this Plan that these areas be preserved for future agricultural use so that they can continue to serve an important role in the local economy.

A.1.3.5 Much of the character of the developed areas is based on the form and structure of its neighbourhoods. As a result, it is the intent of the Official Plan to protect and improve each neighbourhood as a diverse, safe and attractive living environment for existing and future residents.

A.1.4 **Goals**

A.1.4.1 The goals of this Official Plan are as follows:

- a) Protect the natural environment with an 'Environment Focused' objective;
- b) Conserve the *Township's* natural resources;
- c) Protect the character of development and undeveloped areas;
- d) Direct growth and settlement to appropriate locations;
- e) Encourage appropriate economic development; and,
- f) Protect the *prime agricultural area* for long-term agricultural use and to support the agricultural sector.

A.1.5 **Structure of the Plan**

A.1.5.1 This Official Plan is divided into five parts, each of which is described below.

A.1.5.2 PART A (Introduction, Structure and Growth Management) contains the purpose of the Official Plan, its scope and its life span as well as the general Goals and Growth Management policies. The general approach to the Official Plan flows from this Section.

A.1.5.3 PART B (Land Use Designations) contains the land use policies that apply to lands throughout the *Township*.

A.1.5.4 PART C (Environmental Management and Groundwater Management Policies) contains the policies dealing with watercourses, floodplains, flood

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hazards, natural corridors, hazardous slopes and source water protection throughout the *Township*.

A.1.5.5 PART D (General Development Policies) contains policies that deal with land use planning matters, such as water and sewage servicing, transportation, *cultural heritage resources* and the subdivision of land that apply throughout the *Township*.

A.1.5.6 PART E (Plan Implementation and Administration) describes how the policies of the Official Plan will be implemented

A.1.5.7 PART F (Glossary) provides definitions for terms contained within the Official Plan.

A.1.5.8 PART G & H (Schedules & Appendices) are how the Plan is implemented and are organized as follows:

- a) Schedule A – Land Use;
- b) Schedule B – Natural Heritage Features;
- c) Schedule C – Transportation;
- d) Schedule D – Waste Disposal Sites;
- e) Schedule E – Source Water Protection;
- f) Appendix 1 – Settlement Area Perkinsfield;
- g) Appendix 2 – Settlement Area Wyevale;
- h) Appendix 3 – Settlement Area Lafontaine;
- i) Appendix 4 – Settlement Area Wyebridge; and,
- j) Appendix 5 – Settlement Area Toanche.

A.2 LAND USE STRUCTURE

A.2.1 The Official Plan contains the following land use designations, which are found on Schedule A:

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A.2.1.1 **Environmental Protection**

A.2.1.1.1 The Environmental Protection designation is intended to include the following *natural heritage features and areas*:

- a) *Provincially Significant Wetlands*; and,
- b) *Provincially Significant Coastal Wetlands*.

A.2.1.2 **Greenlands**

A.2.1.2.1 The Greenlands designation is intended to include the following *natural heritage features and areas*:

- a) Other Evaluated Wetlands;
- b) Other Wetlands two (2) hectares or larger (including Coastal Wetlands that are not Provincially Significant);
- c) Significant Woodlands;
- d) Significant Valleylands;
- e) Significant Wildlife Habitat;
- f) Habitat of *Endangered and Threatened Species*;
- g) Provincially Significant *Areas of Natural and Scientific Interest*;
- h) Regionally Significant *Areas of Natural and Scientific Interest*;
- i) Nipissing Ridge;
- j) Natural Linkage Areas; and,
- k) Fish Habitat.

A.2.1.3 **Shoreline**

A.2.1.3.1 The Shoreline designation applies to those lands that have existing development or, in some cases, have historically been planned for development, for permanent and seasonal residential uses in close proximity to Georgian Bay and Farlain Lake.

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A.2.1.4 **Settlement Area**

A.2.1.4.1 The *Settlement Area* designation applies to Perkinsfield, Wyevale, Lafontaine, Toanche and Wyebridge.

A.2.1.5 **Country Residential**

A.2.1.5.1 The Country Residential designation applies to those lands that have existing registered plans of subdivision in the rural area.

A.2.1.6 **Employment Area**

A.2.1.6.1 The *Employment Area* designation applies to the *Township* Public Works Yard lands, the Huronia Airport lands and privately held lands in the vicinity of the Huronia Airport.

A.2.1.7 **Agricultural**

A.2.1.7.1 Lands designated Agricultural meet one or more of the following criteria:

- a) They consist of lands which are Classes 1, 2, or 3 according to the Canada Land Inventory;
- b) They consist of lands which, in spite of varying market conditions, are capable of sustaining viable agricultural operations;
- c) They support intensive farming operations; and/or,
- d) They are surrounded by or contiguous to other agricultural operations.

A.2.1.8 **Rural**

A.2.1.8.1 The Rural designation generally includes all of the rural areas in the *Township* that do not satisfy the criteria for lands in the Agricultural or Greenlands designations, and all lands that have existing rural employment and rural commercial uses. In addition, this designation includes all existing trailer parks/campgrounds and golf courses.

A.2.1.9 **Mineral Aggregate Resources One**

A.2.1.9.1 The Mineral Aggregate Resources One designation applies to existing *mineral aggregate operations*.

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A.2.1.10 Mineral Aggregate Resources Two

A.2.1.10.1 The Mineral Aggregate Resources Two designation is an overlay designation and applies to areas of primary and secondary *mineral aggregate resources*, but which are not the site of an existing *mineral aggregate operation*.

A.2.1.11 Land Use Schedules

A.2.1.11.1 All of the lands in the *Township* have been placed in one or more of the above land use designations, as shown on Schedule A to this Plan.

A.2.1.12 Natural Heritage System

A.2.1.12.1 The natural heritage system is comprised of the Environmental Protection designation and the Greenland designation. The natural heritage system of this Plan implements the County of Simcoe Official Plan, but has been further refined based on additional local review of features and linkages. Where there is conflict between the County of Simcoe Official Plan natural heritage system mapping and Township Official Plan natural heritage system mapping, the more refined Township Official Plan natural heritage system mapping shall apply.

A.2.1.13 Agricultural System

A.2.1.13.1 The agricultural system is comprised of the Agricultural Designation in the Township Official Plan and implements the County of Simcoe Official Plan. Where there is conflict between the County of Simcoe Official Plan agricultural system mapping and the Township Official Plan agricultural system mapping, the Township Official Plan agricultural system mapping shall apply.

A.3 GROWTH MANAGEMENT

A.3.1 Background

A.3.1.1 The Township of Tiny has five *Settlement Areas* within its geographic boundary, as well as extensive development along the shoreline of Georgian Bay and Farlain Lake. Historic development has occurred along the shoreline; however, it has been a policy of this Plan since 2001 to direct new development to the *Settlement Areas*. In October 2016, the *Township* completed a Growth Management Strategy (GMS) Report as a background document to the update of the Official Plan. The Report identified a deficiency in designated development lands and it recommended that the *Township* pursue a *Settlement Area* boundary expansion to one or more of its existing *Settlement Areas*. The basis of the recommendation was to

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direct growth to *Settlement Areas* where community facilities and appropriate *infrastructure* exists.

- A.3.1.2 In concert with the GMS, the *County* of Simcoe had identified that various parcels of land, which are designated Shoreline, within the *Township* be re-designated into an environmental category as part of the *County* of Simcoe's Greenlands system. The Shoreline designation permits residential and other forms of development to occur. The majority of the areas proposed by the *County* of Simcoe to proceed to an environmental land use category were based on the presence of *natural heritage features and areas*, including Significant Woodlands, Significant Valleylands, Regional Areas of Natural and Scientific Interest, and Other Wetlands two (2) hectares or larger.
- A.3.1.3 The PPS requires municipalities to make sufficient land available to meet projected needs for a time horizon of up to twenty-five (25) years. The GMS for the *Township* identified a need for an additional 171 units within the *Township* to accommodate the forecasted growth based on various factors. The GMS was based on the 2011 Census information, which was the most up-to-date information available at the time of the Report. As part of the GMS, it was determined that additional land would be required to accommodate the forecasted growth based on various factors.
- A.3.1.4 The 2011 Census identified that 11,232 people lived in the *Township*; this does not account for the seasonal population. The 2016 Census identified that this permanent population number grew to 11,787; a 5 percent increase over five years.
- A.3.1.5 The County of Simcoe Official Plan provides for a forecasted population for the *Township* of 12,500 to the year 2031. The *Township*, is therefore, planning for an additional permanent population of 713 people to the year 2031 or a 5.7 percent increase.
- A.3.1.6 The seasonal population also remains strong in the *Township* with approximately 50 percent of all households being seasonal. It is anticipated that seasonal growth will continue. The Provincial policies do not require that seasonal growth be planned for; however, within the *Township's* recreational context, it is prudent to do so. The *County* of Simcoe's 2016 residential land budget identified that 689 seasonal housing units will be required from 2011 to 2031.
- A.3.1.7 As is directed by the PPS, the Growth Plan directs new multiple lot development in rural areas to *Settlement Areas* but it does identify that it may be allowed in site-specific locations with approved zoning or designation that was in place at the inception date of the Growth Plan (June 16, 2006). However, the Growth Plan does not permit lands within key

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natural heritage areas to develop, including wetlands, ANSI's, significant woodlands and significant valleylands.

- A.3.1.8 The *Township's* GMS identified that, with the *County* of Simcoe's proposed expansion of the *County* Greenlands designation in the Shoreline Area, there was insufficient lands in the *Township* to accommodate the forecasted growth and the *Settlement Areas* should be considered for expansion. This Plan provides for a combination of vacant *Settlement Area* lands and existing lots of record in the Shoreline to accommodate the forecasted population until such time as the *County Municipal Comprehensive Review* is completed.
- A.3.1.9 Through the Growth Plan, the *Province* is directing the *County* of Simcoe to proceed to plan for forecasted population on a regional basis rather than on a municipality by municipality basis. The *County* of Simcoe, therefore, is required by the *Province* to do a regional wide *Municipal Comprehensive Review* and, firstly, direct growth to the Provincially identified Primary *Settlement Areas* (Midland/Penetanguishene, Collingwood, Alcona, Bradford and Alliston) and, secondly, to fully serviced *Settlement Areas*.
- A.3.1.10 In order to properly plan for growth within the *Township* during the planning period, this Plan provides for the Shoreline designated lands to be retained in the Shoreline designation, except where appropriate to identify and protect key *natural heritage features and areas* in accordance with the *Township's* Environmental and Greenlands designations, while the Settlement boundaries remain static.
- A.3.1.11 Historically, the Shoreline area has hosted more seasonal residents than permanent residents; however, this trend is changing and many people are moving permanently into the Shoreline area either through construction of new residential units or conversion of cottage units to permanent homes.
- A.3.1.12 The *Township* is also required to plan for forecasted employment growth. The GMS identified that there is sufficient land designated in *employment areas* to accommodate the forecasted employment to 2031 and, based on the historical absorption rates, there is sufficient employment land within the *Township* to accommodate the forecasted employment population beyond 2031.

A.3.2 Objectives

- a) To restrict development adjacent to the *Settlement Areas* of Perkinsfield, Wyevale and Lafontaine to allow for consideration of a:
 - i. future minor adjustment opportunities; and,

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- ii. *Settlement Area* boundary expansion(s) upon the County of Simcoe finalizing the *Municipal Comprehensive Review*.
- b) To maintain the Shoreline designation lands as an area to accommodate future permanent and seasonal growth in the *Township*;
- c) To ensure an orderly progression of *development*, including an efficient use of land, *infrastructure* and services;
- d) To create opportunity for employment within the *Township*; and,
- e) To encourage the development of *complete communities* within the *Settlement Areas* of Perkinsfield, Wyevale and Lafontaine.

A.3.3 **General Policies**

A.3.3.1 Development is directed to the *Settlement Areas*.

A.3.3.2 In order to ensure that future *Settlement Area* expansion opportunities are not compromised, development, including lot creation, is discouraged adjacent or in close proximity to the Perkinsfield, Wyevale or Lafontaine *Settlement Area* boundaries.

A.3.3.3 Expansion to the Shoreline and Country Residential Designations are prohibited.

A.3.4 **Density Targets**

The County of Simcoe Official Plan contains density targets that are to be considered as part of the review and evaluation of development applications that are within *Settlement Areas*.

A.3.5 **Settlement Area Boundary Expansion**

A.3.5.1 Expansions to a *Settlement Area* shall only be considered through a *Municipal Comprehensive Review* by the *County* of Simcoe. The *Municipal Comprehensive Review* will determine if the projected population and employment projections can be accommodated within the current *Settlement Area*, *Shoreline*, or *Employment Area* designations. Should it be determined that additional land is required to accommodate the projected growth, the *Township* will work closely with the *County* of Simcoe to determine the amount of land required and the appropriate location(s) to accommodate the projected growth.

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- A.3.5.2 Minor Adjustments may be made to the boundaries of *Settlement Areas* outside of a municipal comprehensive review in accordance with the following:
- a) the change is minor rounding out and is in keeping with the rural character of the area; and,
 - b) confirmation that water, wastewater and stormwater servicing can be provided for the long-term, with no negative impacts on water resources.
- A.3.5.3 A Minor Adjustment to a Settlement Area boundary shall be considered through a County Official Plan Amendment and Township Official Plan Amendment.
- A.3.5.3 *Settlement Area* expansion shall only be considered for the *Settlement Areas* of Perkinsfield, Wyevale and Lafontaine. Expansion to the existing *Settlement Areas* of Wyebridge and Toanche are not permitted.
- A.3.5.4 The PPS requires municipalities to plan for growth. Between the PPS and the Growth Plan, the *Province* has identified policies which direct how growth should or shall be undertaken, including justifying the growth, form of growth and how to service for that growth, among other matters. The *Province* and the *County* of Simcoe direct growth to *Settlement Areas* with the PPS stating that the *development*, vitality and regeneration of rural *Settlement Areas* shall be promoted. These policy documents identify that the preferred form of servicing in *Settlement Areas* is full municipal services; however, *partial services* or *private services* are permitted in some circumstances. The PPS identifies that when directing *development* in rural *Settlement Areas*, consideration be given to the provision of appropriate service levels. The Growth Plan identifies that major growth is to be directed to fully serviced *Settlement Areas* and limited growth is to be directed to *Settlement Areas* with other forms of servicing. The Growth Plan does not prohibit growth in *Settlement Areas* with other forms of servicing. Servicing of *Settlement Areas* is to be financially viable. The Growth Plan further seeks to align *infrastructure* investments with growth management within the Simcoe *County* area.
- A.3.5.5 The *Provincial* and *County* of Simcoe policies, therefore, permit the *development* of multiple lots on *private services* within the *Township's* Shoreline Designation, within the context of normal environmental and feasibility constraints.
- A.3.5.6 Without full *Provincial* funding, development of a municipal sewage system for one or more of the partially serviced *Settlement Areas* within the *Township* is not financially viable. Given the Growth Plan population

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allocation for the Township, the amount of needed supply within the *Settlement Areas* does not provide for financially viable *private communal sewage services*. *Development on partial services* is potentially viable (municipal water and private sewage). The *County* of Simcoe policies also permit municipalities to develop servicing policies to address the scale of growth in partially serviced *Settlement Areas* in order to assess the need for full services.

A.3.5.7 As identified in the *Township's* GMS, there is a potential option to accommodate the required permanent population outside of the *Settlement Areas*, within the existing approved Shoreline Designation lands on *private services*. This option is, however, now limited due to the expansion of the *Township's* Greenlands designation into the Shoreline Designation as a result of the natural heritage policies of the Growth Plan.

B LAND USE DESIGNATIONS

B.1 ENVIRONMENTAL PROTECTION

B.1.1 Introduction

B.1.1.1 The Environmental Protection designation provides for the greatest protection from *development* and *site alteration* for *Provincially Significant Wetlands*. These wetlands have been identified by the *Province* and have been mapped on Schedule A to this Plan.

B.1.2 Objectives

- a) To implement the 'Environment Focused' objectives of this Plan;
- b) To identify *natural heritage features and areas* that are prohibited from *development* and *site alteration*;
- c) To maintain, restore and where possible, improve the ecological function and, biodiversity of Provincially Significant Wetlands and Provincially Significant Coastal Wetlands; and,
- d) To provide the tools to properly assess *development* applications located in close proximity to Provincially Significant Wetlands, Provincially Significant Coastal Wetlands.

B.1.3 Location

B.1.3.1 The Environmental Protection designation includes the following components of the *natural heritage system*:

- a) *Provincially Significant Wetlands*; and,
- b) *Provincially Significant Coastal Wetlands*.

B.1.3.2 Lands designated Environmental Protection are shown on Schedule A to this Plan. The individual components of the Environmental Protection designation are shown on Schedule B to this Plan. All of these areas are generally within the *County Greenlands System*.

PART B LAND USE DESIGNATIONS

B.1.4 Description of Components of the Natural Heritage System

B.1.4.1 The *natural heritage system* represents a network of Provincially Significant Wetlands, Provincially Significant Coastal Wetlands, *key natural heritage features*, *key hydrologic features*, natural areas and linkages that continue to exist after the area was settled, and the lands and waters that support the ecological functions critical to the survival of these areas. The following sections provide a description of those components of the *natural heritage system* that are within the Environmental Protection designation. It is recognized that areas outside of the Environmental Protection designation shown on Schedule A to this Plan also contribute to the health and function of the *natural heritage system*.

B.1.5 Wetlands

B.1.5.1 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:

- a) Provide habitat for plants and animals;
- b) Store water for groundwater recharge purposes;
- c) Trap sediments, nutrients and contaminants thereby improving downstream water quality;
- d) Provide corridors for plant and animal movements; and,
- e) Provide flood control and protect shorelines from erosion.

B.1.6 Development Policies

B.1.6.1 *Development and site alteration* is not permitted within the Environmental Protection designation.

B.1.6.2 Nothing in Section B.1 (Environmental Protection) is intended to limit the ability of existing agricultural uses to continue on lands that are designated Environmental Protection.

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B.1.6.3 An Environmental Impact Study (EIS) may be undertaken to determine the accuracy of the limits of the Provincially Significant Wetland, Provincially Significant Coastal Wetland or the Environmental Protection designation.

B.1.6.4 Where an EIS has been undertaken and it has been demonstrated to the satisfaction of the Ministry of Natural Resources and Forestry that a Provincially Significant Wetland or Provincially Significant Coastal Wetland does not exist, an Official Plan Amendment shall not be required to remove these lands from the Environmental Protection Designation. In these circumstances, it must be demonstrated that the lands are not within a *Prime Agricultural Area*. Subject to this demonstration, the policies of the Rural designation shall apply.

B.1.7 **Adjacent Lands**

B.1.7.1 Adjacent lands are the lands adjacent to *natural heritage features and areas* where impacts must be considered and where the compatibility of the *development* proposal must be evaluated. For the purposes of this Plan, adjacent lands are defined as all lands within 120 metres of the Environmental Protection designation.

B.1.7.2 No *development* or *site alteration* shall be permitted on these adjacent lands unless an Environmental Impact Study (EIS) is completed and approved by the *Township*, subject to the comments of the appropriate agencies, which demonstrates that there will be no negative impact on the natural feature or their ecological functions. The scale and the contents of the EIS shall be determined at the time the *development* is proposed. The width of the adjacent lands may be increased or decreased, depending on the feature and the nature of the proposed *development*.

B.1.7.3 An appropriate *development* setback from the edge of any natural heritage feature or natural heritage area in the Environmental Protection designation shall be determined as part of the EIS required by this Section. Such a setback area may also be recognized in the implementing Zoning By-law either graphically or through the application of a setback.

B.1.8 **Implementation**

B.1.8.1 All lands in the Environmental Protection designation shall be placed in an Environmental Protection Zone in the implementing Zoning By-law.

B.1.8.2 The Environmental Protection Zone in the implementing Zoning By-law shall not permit *development* of buildings or structures, except in accordance with *provincial* and federal requirements.

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B.1.8.3 The Environmental Protection Zone in the implementing Zoning By-law shall not permit *site alteration*, except where permitted by the *Township's* Fill Control By-law.

B.1.8.4 The *Township* may apply a Site Plan Control By-law to all lands within and adjacent to the Environmental Protection designation.

B.2 GREENLANDS

B.2.1 Introduction

B.2.1.1 The Greenlands designation provides protection to *natural heritage features and areas, key natural heritage features and key hydrologic features* that are not designated Environmental Protection. Lands designated as Greenlands are mapped on Schedule A to this Plan and the individual components of the Greenlands designation are shown on Schedule B to this Plan. Not all of the identified *natural heritage features and areas, key natural heritage features and key hydrologic features* may be captured by the mapping in this Plan; however, the policies provide for their identification and protection, should these features be identified within the *Township*.

B.2.2 Objectives

- a) To implement the 'Environment Focused' objectives of this Plan;
- b) To maintain and enhance the ecological integrity of the *natural heritage system*, including linkages and related ecological functions amongst *natural heritage features and areas, key natural heritage features and key hydrologic features*;
- c) To provide the tools to properly assess *development* applications located within and in close proximity to *natural heritage features and areas, key natural heritage features and key hydrologic features*;
- d) To implement the Greenlands designation policies of the County of Simcoe Official Plan; and,
- e) To identify *natural heritage features and areas, key natural heritage features and key hydrologic features* that are restricted from development in accordance with the PPS and Growth Plan for the Greater Golden Horseshoe.

B.2.3 Component Parts

B.2.3.1 The Greenlands designation applies to components of the *natural heritage system* that are not included within the Environmental Protection

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designation. The Greenlands designation generally includes the following components of the *natural heritage system*:

- a) Other Evaluated Wetlands;
- b) Other Wetlands two (2) hectares or larger (including Coastal Wetlands that are not Provincially Significant);
- c) Significant Woodlands;
- d) Significant Valleylands;
- e) Significant Wildlife Habitat;
- f) Habitat of Endangered and *Threatened Species*;
- g) Provincially Significant *Areas of Natural and Scientific Interest*;
- h) Regionally Significant *Areas of Natural and Scientific Interest*;
- i) Portions of the Nipissing Ridge;
- j) Natural Linkages; and,
- k) *Fish Habitat*.

B.2.3.2 The limits of the Greenlands designation are considered to be approximate. Some of the features within the Greenlands designation may be significant enough to warrant their designation within the Environmental Protection designation after further study. In such cases, an amendment to Schedules A and/or B to this Plan will not be required. Such studies could be conducted by individuals/agencies and submitted to the Ministry of Natural Resources and Forestry and the *Township* for consideration.

B.2.4 **Description of the Components of the Natural Heritage System**

B.2.4.1 The *natural heritage system* represents a network of Provincially Significant Wetlands, Provincially Significant Coastal Wetlands, key *natural heritage features*, *key hydrologic features*, natural areas and linkages that continue to exist after the area was settled, and the lands and waters that support the ecological functions critical to the survival of these areas. The following sections provide a description of those components of the *natural heritage system* that are within the Greenlands designation. It is recognized that areas outside of the Greenlands shown on Schedule A to this Plan also contribute to the health and function of the *natural heritage system*.

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B.2.5 Other Evaluated Wetlands

B.2.5.1 Other Evaluated Wetlands are wetlands that are locally significant and are identified in the County Official Plan Schedules. These wetlands are identified on Schedule B to this Plan. Details about the function of wetlands can be found in Section B.1.5 (Wetlands).

B.2.6 Other Wetlands Two (2) Hectares or Larger

B.2.6.1 Other Wetlands two (2) hectares or larger are wetlands that are not locally significant and are not Provincially significant. These wetlands are identified on Schedule B to this Plan. Details about the function of wetlands can be found in Section B.1.5 (Wetlands).

B.2.6.2 Other Wetlands two (2) hectares or larger are found outside of the *Settlement Area* designation and outside of lots on registered plans of subdivision or existing lots of record within the Country Residential and Shoreline designations. This Plan recognizes that growth and *development* is directed to these areas and, based on the large area of natural heritage features, it is appropriate not to identify other wetlands two (2) hectares or larger within these areas.

B.2.7 Significant Woodlands

B.2.7.1 Significant Woodlands are woodlands that are:

- a) Ecologically important in terms of features, such as species composition, age of trees or stand history;
- b) Functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; and/or,
- c) Economically important due to site quality, species composition, or past management history.

B.2.7.2 Significant Woodlands are found outside of the *Settlement Area* and *Employment Area* designations and outside of lots on registered plans of subdivision or existing lots of record within the Country Residential and Shoreline designations. This Plan recognizes that growth and *development* is directed to these areas and based on the large area of natural heritage features, it is appropriate not to identify significant woodlands within these areas.

B.2.7.3 Significant Woodlands are identified as woodlands that are 50 hectares in size or larger and are identified on Schedule B to this Plan.

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B.2.8 Significant Valleylands

B.2.8.1 Significant Valleylands are natural areas in a valley or other landform depression that has water flowing through or standing for some period of the year. Significant Valleylands are identified on Schedule B to this Plan.

B.2.8.2 Significant Valleylands are identified based on the criteria and standards outlined in the Ministry of Natural Resources and Forestry Natural Heritage Reference Manual, which considers surface water and groundwater function, landform prominence, degree of naturalness and linkage function.

B.2.8.3 Significant Valleylands are found outside of the *Settlement Area* and *Employment Area* designations and outside of lots on registered plans of subdivision or existing lots of record within the Country Residential and Shoreline designations. This Plan recognizes that growth and *development* is directed to these areas and, based on the large area of natural heritage features, it is appropriate not to identify significant valleylands within these areas.

B.2.9 Significant Wildlife Habitat

B.2.9.1 Significant Wildlife Habitat is an area that is ecologically important in terms of features, functions, representation or amount and contributing to the quality and diversity of the area, and is identified using Provincially-defined Significant Wildlife Habitat criteria.

B.2.9.2 Significant Wildlife Habitat includes waterfowl nursery areas, deer wintering areas and other important bird areas identified using Provincially-defined Significant Wildlife Habitat criteria.

B.2.9.3 As new information becomes available, other Significant Wildlife Habitat areas may become known. This new information will be considered at the time a *development* application is submitted and when the Official Plan is reviewed.

B.2.10 Habitat of Endangered Species and Threatened Species

B.2.10.1 The *Endangered Species Act*, 2007 places a strong emphasis on science-based review and assessment of species.

B.2.10.2 Habitat of *endangered species* and *threatened species* is defined in the PPS and is generally comprised of areas that listed species depend on either directly or indirectly to carry on life processes, such as reproduction, rearing, hibernation, migration or feeding.

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B.2.10.3 These areas often exist in other *natural heritage features and areas* and are not identified on this Plan's Schedules due to their significance.

B.2.10.4 At the time of a *development* application, the presence of Habitat of *Endangered species* and *Threatened species* shall be confirmed by the applicant's environmental consultant in consultation with the Ministry of Natural Resources and Forestry and/or other applicable agencies.

B.2.11 **Provincially and Regionally Significant Areas of Natural and Scientific Interest**

B.2.11.1 Provincially and Regionally Significant *Areas of Natural and Scientific Interest* are identified on Schedule B to this Plan.

B.2.11.2 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 that have been identified by the Ministry of Natural Resources and Forestry as having values related to protection, natural heritage appreciation, scientific study or education.

B.2.12 **Fish Habitat**

B.2.12.1 The majority of the shoreline along Georgian Bay is considered to be *Fish Habitat*. Some areas of inland lakes and watercourses are also considered to be *Fish Habitat*. *Fish Habitat* is comprised of the 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. All proposed *development* and *site alteration* below the 176.96 metre C.G.D. elevation adjacent to Georgian Bay or in the water shall be subject to all applicable provincial and federal requirements.

B.2.13 **The Nipissing Ridge**

B.2.13.1 The Nipissing Ridge is a major geographical feature that extends along coastal areas of the *Township*, formed during the Nipissing phase high-water period of Lake Huron/Georgian Bay. The Nipissing Ridge is identified on Schedule B to this Plan. In the *Township*, a relatively short distance from the existing shoreline, the Ridge rises steeply in a relatively short distance from the existing shoreline. Much of the Nipissing Ridge is forested, and thus also provides natural heritage functions. In addition, the forested slopes provide stability from potentially dangerous erosion and slumping that occurs with the removal of forest cover.

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B.2.14 Dunes

B.2.14.1 Eolian (wind-blown) sand deposits, or dune complexes, occur in several forms in the *Township*. Dune complexes are found where there is an abundance of shoreline sand and prevailing winds are conducive to the transport of material through the constant movement and deposition of sand. Dune complexes range in size from large, 20 to 30 metre high stabilized systems, to low relief deposits with smaller, 2 to 3 metre high parabolic (U-shaped) dunes. Several *Areas of Natural and Scientific Interest* within the *Township* include locations where dunes are known to exist.

B.2.14.2 Natural Linkages

B.2.14.3 Natural Linkages are areas that are within the Greenland designation that are characterized by linear *natural heritage features and areas* such as streams, floodplains, steep slopes, valleys, contiguous narrow woodlands/hedgerows and wetlands that connect two or more *key natural heritage features and key hydrologic features* or areas.

B.2.14.4 Natural Linkages are important to the *natural heritage system*, as they:

- a) May allow for the passage of animals requiring a variety of habitats for their survival;
- b) May allow for the movement of plants and animals to other areas thereby increasing their population;
- c) May provide for hydrological linkages and movement corridors for various types of species; and,
- d) May provide for reproductive interchanges for plants and animals, thereby promoting genetic variations.

B.2.15 Other Areas Identified Through a Planning Process

B.2.15.1 These are areas of land where a detailed planning approval process has identified a natural heritage feature and/or an area or topographical feature that should be protected from *development*. Examples of such areas in the *Township* include major sand dune areas or low and wet areas that have not been classified as wetlands. The identification of new areas would only occur through the review of a *development* application requiring an amendment to this Plan or an amendment to the implementing Zoning By-law.

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B.2.16 Permitted Uses

B.2.16.1 The uses permitted on lands designated Greenlands include existing uses (legally established as of the date of adoption of this Plan), residential dwelling units (including home occupation, bed and breakfast establishment, or home industry), or uses where the use can be established in accordance with the requirements of Sections B.2.17 (Greenlands Development Policies) and B.2.18 (Greenlands Adjacent Lands) of the Plan including:

- a) Forest, fish and wildlife management;
- b) Conservation and flood or erosion control projects;
- c) Infrastructure authorized by an Environmental Assessment;
- d) Expansions to existing buildings and structures;
- e) Accessory structures and uses;
- f) Change in use of legally existing uses to a use that is more compatible with the Greenlands designation;
- g) Expansions or alterations to existing buildings and structures for agricultural uses, agriculture-related uses, or on-farm diversified uses, subject to an EIS; and,
- h) Boardwalks, footbridges, fences and docks, subject to an EIS.

B.2.17 Development Policies

B.2.17.1 *Development and site alteration* is not permitted within the following *natural heritage features and area, key natural heritage features and key hydrologic features*, except for development and site alteration related to a permitted use identified in Policy B.2.16:

- a) Other Evaluated Wetlands;
- b) Other Wetlands Two (2) hectares or larger;
- c) Significant Woodlands;
- d) Significant Wildlife Habitat;
- e) Provincially Significant *Areas of Natural and Scientific Interest*;

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- f) Regionally Significant *Areas of Natural and Scientific Interest*; and,
- g) Significant Valleylands.

B.2.17.2 *Development and site alteration* is not permitted within *Fish Habitat*, except in accordance with *provincial* and federal requirements.

B.2.17.3 *Development and site alteration* is not permitted within habitat of *endangered species* and threatened species, except in accordance with provincial and federal requirements.

B.2.17.4 It is a policy of this Plan to protect the Nipissing Ridge feature from *development*, or any activity, such as tree removal, which might in anyway accelerate the natural erosion or breakdown of this feature.

B.2.17.5 In instances where Dunes exist outside of *Areas of Natural and Scientific Interest* and are identified though the completion of an EIS, the Study shall be required to evaluate the significance of the feature and whether it should be protected as part of any *development* proposal, in accordance with the information contained in the document titled, 2015 SSEA “Evaluation of Natural Heritage Conditions in the Township of Tiny”.

B.2.17.6 Where *development* is proposed in the Greenlands designation, but on lands not subject to *natural heritage features and areas, key natural heritage features and key hydrologic features* on Schedule B to this Plan, the requirement for the preparation of an EIS shall be determined in consultation with the *Township and County* through pre-consultation. Such a review shall consider connectivity and natural linkages that the Greenlands area may provide between *natural heritage features and areas, key natural heritage features and key hydrologic features*.

B.2.17.7 Nothing in this Section is intended to limit the ability of existing agricultural uses to continue on lands that are designated Greenlands.

B.2.17.8 Notwithstanding Section E.12 of this Plan, where an EIS is required for a use permitted in Section B.2.17, the following shall apply:

- a) Expansions or alterations to existing buildings and structures for agricultural uses, agriculture-related uses, or on-farm diversified uses, subject to an EIS – The EIS shall demonstrate that:
 - (i) there is no alternative, and the expansion or alteration in the feature is minimized and, in the vegetation protection zone, is directed away from the feature to the maximum extent possible; and,

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- (ii) the impact of the expansion or alteration on the feature and its functions is minimized and mitigated to the maximum extent possible.
 - b) Boardwalks, footbridges, fences and docks – The EIS shall demonstrate how negative impacts are minimized.
- B.2.17.9 Where an EIS has been undertaken and it has been demonstrated that *development* may proceed in accordance with the policies of this Plan, the County of Simcoe Official Plan, and applicable Provincial Policies, an Official Plan Amendment shall not be required to remove the lands from the Greenlands designation. In these circumstances, it must be demonstrated that the lands are not within a *Prime Agricultural Area*. Subject to this demonstration, the policies of the Rural designation shall apply.
- B.2.17.10 An appropriate *development* setback from the edge of any feature in the Greenlands designation shall be determined as part of the EIS required by this Section. Such a setback area may be recognized in the implementing Zoning By-law either graphically or through the application of a setback.
- B.2.17.11 Lots in the Greenlands designation that are in a Residential zone as of the date of adoption of this Plan are not subject to the policies of the Greenlands designation and shall be subject to the residential policies that are applicable to the Rural designation, with the exception of the residential lot creation policies in Section B.8.5.1 and B.8.5.2.
- B.2.18 Adjacent Lands**
- B.2.18.1 Adjacent lands are the lands adjacent to *natural heritage features and areas* where impacts must be considered and where the compatibility of the *development* proposal must be evaluated.
- B.2.18.2 For the purposes of this Official Plan, adjacent lands from *natural heritage features and areas, key natural heritage features and key hydrologic features* are defined as all lands:
- a) Within 120 metres of the boundary of:
 - (i) Other Evaluated Wetlands;
 - (ii) Other Wetlands Two (2) hectares or larger;
 - (iii) Significant Woodlands;
 - (iv) Significant Valleylands;

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- (v) Significant Wildlife Habitat;
 - (vi) Provincially Significant *Areas of Natural and Scientific Interest*; and,
 - (vii) *Fish Habitat*.
 - b) Within 50 metres of the boundary of a Regionally Significant Area of Natural and Scientific Interest.
- B.2.18.3 No *development* or *site alteration* shall be permitted on these adjacent lands unless an EIS is completed, subject to the comments of the appropriate agencies, which demonstrates that there will be no negative impact on the natural feature or their ecological functions.
- B.2.18.4 The scale and the contents of the required EIS shall be determined at the time the *development* is proposed. The width of the adjacent lands may be increased or decreased, depending on the feature and the nature of the proposed *development*.
- B.2.18.5 On adjacent lands, consent applications that do not result in the creation of a new lot, shall not be required to complete an EIS.
- B.2.18.6 If it is determined by a qualified biologist/ecologist that the subject property does not contain any *natural heritage features and areas, key natural heritage features and key hydrologic features* on the subject or adjacent lands that could be impacted by the proposed *development* and that the lands are not required as a connection, linkage or providing an ecological function to the *natural heritage system*, the *Township* may determine that no EIS would be required to be submitted.
- B.2.18.7 An appropriate *development* setback from the edge of any *natural heritage features and areas* in the Greenlands designation shall be determined as part of an EIS required by this Section. Such a setback area may be recognized in the implementing Zoning By-law.
- B.2.18.8 Only *development* applications for an Official Plan Amendment, Zoning By-law Amendment, Plan of Subdivision and Consent (only where new lot creation is proposed) within 120 metres of *Fish Habitat* shall require the preparation of an EIS.

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B.2.19 **Implementation**

B.2.19.1 Lands within the Greenlands Designation will be placed in an appropriate zone in the implementing Zoning By-law to ensure only those uses permitted by this Plan shall be permitted.

B.2.20 **Exceptions**

B.2.20.1 Greenlands Exception
Part of Lot 22, Concession 20 West

Notwithstanding any other provision of this Plan, the Greenlands Exception area can be created by consent as a separate residential lot from the original subject property being Part of Lot 22, Concession 20 West. The new waterfront lot shall be subject to Site Plan Control

B.3 SETTLEMENT AREA

B.3.1 **Introduction**

B.3.1.1 There are five *Settlement Areas* within the *Township*, which are Perkinsfield, Wyevale, Lafontaine, Wyebridge and Toanche. Perkinsfield, Wyevale and Lafontaine have municipal water systems. Lands designated Settlement Area are mapped on Schedule A to this Plan and the *Settlement Area* boundaries are mapped on all of the Official Plan Schedules and Appendices.

The five *Settlement Areas* are defined as *Rural Settlements* in the Growth Plan.

NOTE:

Non-Decision Lands within and abutting the Settlement Area Boundaries of Perkinsfield, Wyevale, Lafontaine, Wyebridge and Toanche are identified on Schedules A-E and Appendices 1-5 of this Plan. The County's non-decision relates to both the land use designation and the Settlement Area Boundary as it applies to these Non-Decision Lands. These areas of non-decision indicate interim mapping, where the designation of the 2001 Township Official Plan shall remain applicable, however, the policies of this Plan shall apply. Following the process and approval of a County initiated Official Plan amendment that will correct and clarify these Settlement Area Boundaries on Schedule 5.1 Land Use Designation to the County Official Plan, County Planning Staff will bring forward a recommendation to approve appropriate land use designations and settlement area boundaries for these Non-Decision Lands on the Township's Official Plan Schedules A-E and Appendices 1-5 that are in conformity with the County Official Plan.

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B.3.1.2 Perkinsfield, Wyevale and Lafontaine are the largest geographic *Settlement Areas*. Collectively, they host schools, fire stations, various recreational areas, including parks, and commercial and employment uses. It is a policy of this Plan that these communities contain a mix of land uses and will be the focus of *development*.

B.3.1.3 Wyebridge and Toanche are smaller *Settlement Areas* with limited services.

B.3.2 Objectives

- a) To maintain and create attractive communities with suitable amenities;
- b) To encourage the *development* of additional commercial uses where they are compatible with nearby uses and can be supported by rural service levels in the settlements of Perkinsfield, Wyevale and Lafontaine;
- c) To ensure that *Settlement Areas* are developed in a logical and cost-effective manner;
- d) To ensure that all new *development* contributes to the character of the settlement and the *Township*;
- e) To encourage the *development* of Perkinsfield, Wyevale and Lafontaine as *complete communities*;
- f) To direct growth to *Settlement Areas*, except as otherwise permitted in this Plan; and,
- g) To direct the majority of new development for industrial, office and other employment uses to the *Settlement Areas* of Perkinsfield, Wyevale and Lafontaine and the *Township's Employment Area*.

B.3.3 Permitted Uses

B.3.3.1 The uses permitted on lands designated Settlement Area include:

- a) Low density residential uses;
- b) Garden Suites and Second Units (as per the policies of D.10);
- c) Housing for older persons (as per the Policies of D.11);

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- d) Group homes;
- e) Small scale commercial uses;
- f) Institutional uses such as schools, emergency service stations, places of worship, community centres, libraries and similar uses;
- g) Bed and breakfast establishments (as per the policies of D.12);
- h) Public parks, open space areas and trails;
- i) Home occupations and community gardens; and,
- j) Legally existing small scale industrial uses.

B.3.3.2 Additional Permitted uses in Perkinsfield, Wyevale and Lafontaine include:

- a) Multi-unit residential;
- b) Mixed use developments;
- c) Small scale industrial development in the form of repair garages, warehouses, contractors yards, workshops or manufacturing and/or fabrication plants; and,
- d) Accommodation facilities such as hotels and motels.

B.3.4 **General Policies**

B.3.4.1 There is a hierarchy of *Settlement Areas* within the Township with Perkinsfield, Wyevale and Lafontaine being the Major *Settlement Areas* and Wyebridge and Toanche being the Minor *Settlement Areas*.

B.3.4.2 The Major *Settlement Areas* shall be the focus for *development* and these communities will strive to develop as *complete communities*.

B.3.4.3 The Minor *Settlement Areas* will continue to develop with a limited amount of *development* as low service and low density communities.

B.3.4.4 A *Settlement Area* boundary expansion is the responsibility of the *County* of Simcoe. *Settlement Area* boundary expansions shall proceed through an amendment to the *County* of Simcoe Official Plan as part of a *Municipal Comprehensive Review* as well as an amendment to this Plan as outlined in Section A.3 (Growth Management) in this Plan. Alternatively, minor

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adjustments may be considered in advance of the *Municipal Comprehensive Review* as per Section A.3.5.2 of this Plan.

B.3.4.5 Settlement boundary expansion is not permitted for Toanche and Wyebriidge.

B.3.4.6 Boundary expansions to the Major or Minor *Settlement Areas* for legal or technical reasons or for minor adjustments that do not result in lot development is permitted without a *County Municipal Comprehensive Review* but does require an amendment to this Plan.

B.3.4.7 Development within *Settlement Areas* will be subject to the applicable policies of this Plan including but not limited to Natural Heritage, Source Water Protection, Transportation, Sewage, Water and Stormwater Management.

B.3.4.8 The controlled development of vacant land within *Settlement Areas* shall generally take place by plan of subdivision.

B.3.4.9 Consideration of a trail system and trail linkages within new development proposals shall be considered and accommodated where appropriate.

B.3.4.10 Retention of natural vegetation, where appropriate and feasible, shall be considered when reviewing any *development* application.

B.3.4.11 The grouping of Institutional or public uses is encouraged where the sharing of uses would benefit the community or the *Township*.

B.3.4.12 Development, including lot creation, is discouraged outside of but adjacent or in close proximity to Perkinsfield, Wyevale and Lafontaine in order to enable the efficient expansion of the *Township's Settlement Areas* when required.

B.3.4.13 The establishment of new *Settlement Areas* shall be prohibited.

B.3.5 **Development Policies**

B.3.5.1 **Settlement Area Design**

B.3.5.1.1 It is a policy of this Plan that the scale and location of new development in the settlements maintain and/or enhance the character of the *Settlement Area*. This will be accomplished by encouraging:

- a) All new roads to blend into the character of the existing road pattern established within the *Settlement Area*;

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- b) All new and upgraded roads within the *Settlement Area* are to emphasize active transportation through the use of widened shoulders, bicycle lanes, abutting trails and/or sidewalks, as appropriate; and,
- c) The preservation and enhancement of historic features that exist in each *Settlement Area*.

B.3.5.2 Multi-Unit Residential Development

B.3.5.2.1 Multi-unit residential development shall consist of small scale apartments, semi-detached units, townhouses, and stacked housing structures or similar types of structures.

B.3.5.2.2 New multi-unit residential development may be permitted by the Township subject to approval of a Zoning By-law Amendment, other applicable policies of this Plan, and subject to the following:

- a) Multi-unit residential development shall be supported by water and sewage services that are appropriate for the form and type of *development* proposed and is to conform to the Servicing policies of this Plan;
- b) The built form and orientation of structures for multi-unit residential purposes shall be considerate of adjacent residential building types and orientation;
- c) Appropriate buffering and setbacks to neighbouring residential uses is required;
- d) Multi-unit residential uses shall provide adequate off-street parking and consideration shall be given to provision of bicycle racks;
- e) Traffic is appropriately addressed;
- f) Drainage is appropriately addressed; and,
- g) Vehicular access points shall be limited.

B.3.5.2.3 Large scale multi-unit developments are encouraged to:

- a) Locate where direct access to a major public road is available;

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- b) Locate close to public open space or alternatively shall provide adequate on-site outdoor recreational facilities; and,
- c) Locate in close proximity to commercial facilities and/or schools.

B.3.5.2.4 Multi-lot or multi-unit development proposals by plan of subdivision or condominium should include active transportation routes both internally and linkage to external routes and public areas. These elements may include but not be limited to sidewalks, trails and bicycle paths. Dedication of land for trails will be in accordance with the Planning Act.

B.3.5.2.5 Multi-unit development is subject to Site Plan Control excluding semi-detached and duplex dwellings.

B.3.5.2.6 For the purposes of this policy, multi-unit residential development is not considered a Garden Suite or residential Second Unit.

B.3.6 **Mixed-Use Development**

B.3.6.1 Commercial development may be permitted in the same building as residential development in the following circumstances:

- a) On the ground floor in the form of an owner or caretaker's residence; or,
- b) On upper floors from ground floor commercial for single or multi-unit residential development.

B.3.6.2 Mixed-use commercial with multi-unit residential development is only permitted in the *Settlement Areas* of Perkinsfield, Wyevale and Lafontaine.

B.3.7 **Commercial and Industrial Development Policies**

B.3.7.1 New Commercial and Industrial development may be permitted, subject to approval of a Zoning By-law Amendment. Such uses shall be developed in accordance with the applicable policies of this Plan as well as the following:

- a) Be at a scale that conforms to the character of the applicable *Settlement Area*;
- b) Is appropriate for the available water and sewage services available to the site;
- c) Traffic is appropriately addressed;
- d) Drainage is appropriately addressed;

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- e) Provide for adequate off-street parking and loading on the same lot as the permitted use. Consideration shall be given to the provision of bicycle racks;
- f) Provide for appropriate buffers and landscaping between the permitted use and institutional, recreational and residential uses;
- g) Provide that any required lighting shall be consistent with dark sky lighting principles and shall not flood adjacent properties with light;
- h) Provide for appropriate façade treatments which are compatible with the character of the neighbourhood;
- i) Provide for appropriate landscaping, including abutting any main transportation routes such as *Provincial* Highways and *County* Roads; and,
- j) Outdoor storage shall be appropriately screened and where appropriate, located at the rear of buildings.

B.3.7.2 New Commercial and Industrial uses are not permitted to be located in a predominately residential area and are encouraged to cluster near other Commercial or Industrial uses.

B.3.7.3 The *Township* may require the completion of various studies to determine the compatibility or appropriateness of a new commercial or industrial use.

B.3.7.4 Zoning of commercial lands to permit a new non-commercial or industrial use is discouraged. The *Township* may require a market study or needs analysis to determine if the rezoning of the commercial property can be supported.

B.3.7.5 Industrial uses are required to meet any regulatory guideline or policy, including those related to noise, emissions or vibrations.

B.3.7.6 New industrial and commercial development within the *Settlement Area* is subject to Site Plan Control.

B.3.8 **Institutional Development**

B.3.8.1 Institutional development may be permitted within the *Settlement Area* boundary. New large scale institutional uses may be required to demonstrate compatibility with surrounding or neighbourhood land uses.

B.3.8.2 Institutional uses may be subject to Site Plan Control.

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B.3.9 Land Division

B.3.9.1 Land Division is subject to the policies of this Plan, including the general Consent and Subdivision and Condominium policies of Sections D.7 (Consents) and D.8 (Subdivision and Condominium).

B.3.10 Plan of Subdivision Development

B.3.10.1 Prior to the consideration of an application for Plan of Subdivision, the *Township* shall be satisfied that the proposed Plan of Subdivision is of a scale and density that is compatible with existing development in the area.

B.3.11 New Residential Lots by Consent

B.3.11.1 The creation of new lots for a residential use by consent to sever is permitted, provided a Plan of Subdivision is not required in accordance with Section D.8 (Subdivision and Condominium).

B.3.12 Major Township Parks in the Settlement Areas

B.3.12.1 It is a policy of this Plan that the Major *Township* Parks in the *Settlement Area* will continue to provide a wide range of recreational opportunities for the *Township's* residents. It is also a policy of this Plan that, before any major changes to the facilities or the level of service in each of the Parks are made, a Park Master Plan be prepared to review the current and proposed functions of the Park and the type and scale of the improvements required to ensure that the Park meets the community's needs and is cost-effective to operate.

B.3.13 Implementing Zoning By-Law

B.3.13.1 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.

B.3.13.2 All large tracts of undeveloped land that are designated *Settlement Area* shall be placed in a Future Development Zone. Permitted uses in this zone shall be restricted to uses that existed on the date the Implementing Zoning By-law comes into effect.

B.4 SHORELINE

B.4.1 Introduction

B.4.1.1 The Shoreline designation is the historic recreational area of the *Township* supporting cottage properties. The Shoreline designation has maintained this cottage area function and character but has evolved to accommodate permanent residential development in the form of new residential units and conversion of existing cottages. The Shoreline designation has limited commercial development, diverse geography and has a different character from the other developed areas of the *Township*. Lands designated as Shoreline are mapped on Schedule A to this Plan.

B.4.2 Objectives

- a) To ensure that the scale of new development is consistent with the scale and character of this predominantly residential area;
- b) To ensure that the impacts of new development on the *natural heritage features and areas*, vegetation and groundwater resources in the area are minimized;
- c) To ensure that new development on the undeveloped lands in the *Shoreline* designation is properly serviced by appropriate *sewage and water services*;
- d) To ensure that all existing sewage systems are upgraded wherever possible;
- e) To encourage improvements to the *infrastructure* in the *Shoreline* designation;
- f) To minimize the negative impact of public use in the *Shoreline* designation on the environment and adjacent residential areas;
- g) To minimize the negative impact of any new development near the shores of Georgian Bay and Farlain Lake on the quality of those lakes.

B.4.3 Permitted Uses

B.4.3.1 The uses permitted on lands designated Shoreline include single detached dwellings, Garden Suites (as per the policies of D.10), bed and breakfast establishments (as per the policies of D.12), small scale office and commercial uses, public and private community parks, public and private beaches, home occupations, small scale institutional uses, and legally

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existing multi-unit residential development and multiple residential development as of the date of the adoption of this Plan.

B.4.4 Residential Development Policies

B.4.4.1 The establishment of new Shoreline Areas or expansion of the Shoreline designation shall be prohibited.

B.4.4.2 *Development* on Private Roads is not permitted, except in accordance with the Transportation Policies of Section D.3 (Transportation) of this Plan.

B.4.4.3 Given the inability of the *Township* to provide municipal services to lands on Giant's Tomb Island, the residential lots on Giant's Tomb shall be placed in a Limited Service Residential Zone.

B.4.4.4 Retention of natural vegetation, where appropriate and feasible, shall be considered when reviewing any *development* application.

B.4.5 Land Division

B.4.5.1 Land Division is subject to the policies of this Plan including the general Consent and Subdivision and Condominium policies of Sections D.7 (Consents) and D.8 (Subdivision and Condominium).

B.4.6 Plan of Subdivision Development

B.4.6.1 Prior to the consideration of an application for Plan of Subdivision, the *Township* shall be satisfied that:

- a) The proposed Plan of Subdivision is of a scale and density that is compatible with existing development in the area; and,
- b) The proposed development will enhance or maintain the character of the area.

B.4.7 New Residential Lots by Consent, Lot Additions and Other Means

B.4.7.1 The creation of new lots for residential use by consent to sever is permitted, provided a Plan of Subdivision is not required in accordance with Section D.6.2. It is a policy of this Plan that new lots created by Consent or by Plan of Subdivision generally have a minimum lot area of 4,000 square metres.

B.4.7.2 There are a large number of vacant existing lots of record in the Shoreline designation that may be too small to support development on *private services*. It is a policy of this Plan to encourage the consolidation of these lots with adjoining lots to create a larger, more sustainable lot.

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B.4.7.3 Additions to existing lots that have the effect of increasing the size of undersized existing lots of record is encouraged. Lots that are made larger in this manner shall be deemed to comply with the lot frontage and lot area requirements of the implementing Zoning By-law and shall not be subject to a minor variance. This policy also applies to new lots that are created as a result of the merging of two or more lots in an existing Plan of Subdivision.

B.4.7.4 Additions to existing lots that are vacant shall comply with the policies of Section D.1.3 (Preferred Means of Servicing).

B.4.7.5 The creation of new lots for residential purposes shall also comply with Section D.7 (Consents) of this Plan.

B.4.8 Multi-Unit Residential Development and Multiple Residential Development

B.4.8.1 Only legally existing multi-unit residential development as of the date of the adoption of this Plan is permitted.

B.4.8.2 Expansion to legally existing multi-unit residential development may be permitted, subject to the applicable policies of this Plan and the following:

- a) The expansion is small in scale;
- b) The built form shall be compatible with adjacent uses and structures;
- c) Appropriate buffering and setback to adjacent uses is provided;
- d) The servicing policies of this Plan are conformed with;
- e) Traffic is adequately addressed; and,
- f) Drainage is adequately addressed.

B.4.8.3 A rezoning and site plan approval may be required for the expansion.

B.4.8.4 For the purposes of this policy, multi-unit residential development is not considered a Garden Suite or a Second Unit as per Policy D.10 in this Plan.

B.4.8.5 New multiple residential development is not permitted. For the purpose of this Plan, multiple residential development is more than one residential unit located on one lot, which includes but is not limited to, cottage courts, but excludes multi-unit buildings and condominium units on one lot. Notwithstanding this, existing multiple residential development as per the

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date of the adoption of this Plan is permitted. In this context, existing means legally permitted and physically established.

B.4.8.6 Lands hosting existing multi-unit residential development and multiple residential development shall be placed in an appropriate zone to recognize their historic use.

B.4.9 **Shoreline Commercial Development Policies**

B.4.9.1 The main commercial area in the Shoreline designation is the Balm Beach community. There is a historical and unique relationship between the commercial area and residential areas of Balm Beach. New commercial uses, including tourist commercial uses that serve the wider region, are encouraged to locate in the Balm Beach area. Limited and small scale commercial and convenience commercial uses may locate outside of the Balm Beach area.

B.4.9.2 All new commercial uses, not currently permitted in the *Township's* implementing Zoning By-law, shall proceed by way of a Zoning By-law Amendment and shall be subject to Site Plan Control. Before considering an amendment to the implementing Zoning By-law in the Shoreline designation, the Township shall be satisfied that:

- a) The use serves the needs of the residents or visitors of the Shoreline area and is not more suitably located in a *Settlement Area*;
- b) The proposed use is compatible with the character of the Shoreline area;
- c) Adequate parking and loading facilities can be provided on site;
- d) Adequate buffering and landscaping shall be provided;
- e) Traffic is adequately addressed;
- f) Drainage is adequately addressed; and
- g) The proposed use can be serviced with an appropriate water supply and means of sewage disposal.

B.4.10 **Marinas**

B.4.10.1 Only marinas that are zoned for the use as of the date of adoption of this Plan are permitted in the Shoreline designation. Expansion to an existing marina zone boundary shall require an amendment to the Official Plan and shall only be considered if the following policies can be met:

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- a) The expansion is compatible with the surrounding uses and with the character of the shoreline area;
- b) The expansion can be serviced with an appropriate water supply and means of sewage disposal;
- c) Traffic is adequately addressed;
- d) Adequate buffering and landscaping shall be provided;
- e) Drainage is adequately addressed; and,
- f) Adequate parking and loading facilities can be provided on site.

B.4.11 Township Beach Parks with Master Plans/Management Plans

B.4.11.1 There are five Beach Parks in the Shoreline designation that have Master Plans or Management Plans. These parks include Woodland Beach Park, Bluewater Beach Park, Jackson Beach Park, Balm Beach Park and Lafontaine Beach Park.

B.4.11.2 Park Master Plans or Management Plans have been prepared for each of these Parks to ensure that they are effectively planned and managed to both accommodate, public use and, to minimize use impacts on the environment and adjacent residential communities. Given the environment focused objectives of this Plan, the development of additional parking areas, facilities and other *infrastructure* to support these Parks should be carried out in a manner that ensures that the natural features and functions of these Parks are protected and/or enhanced.

B.4.11.3 All development and activity within each beach park with a Master Plan or Management Plan (including Environmental Restoration Plans) shall be developed in conformity with the applicable approved Plan. If the Park Master Plans or Management Plans (including Environmental Restoration Plans) identify areas for environmental protection, then the Greenlands policies of this Official Plan shall apply to those areas.

B.4.12 Community Beach Parks and Road Allowances in the Shoreline Area

B.4.12.1 In addition to the Beach Parks (as described in Section B.4.11), there are a number of other *Township*-owned beaches that are used for recreational purposes adjacent to Georgian Bay. These include smaller community beaches and road allowances accessing Georgian Bay. These areas are intended to be used on a low intensity basis by all Township residents.

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B.4.13 **Implementing Zoning By-law**

- B.4.13.1 Lands that are used for residential purposes shall be placed in a Residential Zone. Lands that are used for non-residential uses shall be placed in appropriate zones that recognize the use.
- B.4.13.2 Lands that are accessed by a private road shall be placed in a Limited Service Residential Zone in accordance with Section D.3.11 (Development on Private Roads). The residential lots on Giant's Tomb Island shall also be placed in this zone to reflect the inability of the *Township* to provide services to Giant's Tomb Island.
- B.4.13.3 All large tracts of undeveloped land that are designated Shoreline and that are not part of the Environmental Protection designation or Greenlands designation shall be placed in a Future Development Zone. Permitted uses in this zone shall be restricted to uses that legally existed on the date the implementing Zoning By-law comes into effect.
- B.4.13.4 The implementing Zoning By-law may establish zone provisions in the Shoreline Designation to limit the height, width, massing and lot coverage of structures in order to limit built form and to ensure that the character of the area is maintained.

B.5 COUNTRY RESIDENTIAL

B.5.1 **Introduction**

- B.5.1.1 The Country Residential designation is a historical designation that allowed for the development of rural estate type residential development. New Country Residential development has not been permitted in the *Township* for some time in accordance with *Provincial* policy. The policies within this Plan are intended to provide for a planning framework to recognize the existing subdivision development within the Country Residential lands within the *Township*. Lands designated as Country Residential are mapped on Schedule A to this Plan.

- B.5.1.2 The expansion of the Country Residential designation shall be prohibited.

B.5.2 **Objectives**

- a) To recognize the existing Country Residential developments in the *Township*.

B.5.3 **Permitted Uses**

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B.5.3.1 Permitted uses on lands designated Country Residential are limited to single detached dwellings, home occupations, public parks, bed and breakfast establishments (as per the policies of D.12), Garden Suites and Second Units (as per the policies of D.10).

B.5.4 Development Policies

B.5.4.1 Lot creation in the Country Residential designation is not permitted.

B.5.4.2 Servicing of lands designated Country Residential shall be subject to the servicing policies of Section D.1 (Water and Sewage Servicing) of this Plan.

B.5.4.3 Retention of natural vegetation, where appropriate and feasible, shall be considered when reviewing any *development* application.

B.5.5 Implementing Zoning By-Law

B.5.5.1 Lands designated Country Residential shall be placed in a Country Residential Zone or a zone that reflects a legally existing land use or a use permitted in the *Township's* implementing Zoning By-law.

B.6 EMPLOYMENT AREA

B.6.1 Introduction

B.6.1.1 The *Township* has two sole *employment areas* which are lands located in relation to the Huronia Airport and the *Township's* Public Works Yard lands on Concession 9 East. Lands designated as *Employment Area* are mapped on Schedule A to this Plan. There are various other areas that the *Township* provides policies for planning for employment uses; however, they do not form part of the *Employment Area* designation and are, thus, primarily subject to other policies of this Plan.

B.6.2 Objectives

- a) To provide lands for the creation of employment opportunities at appropriate locations;
- b) To ensure that the design of new industrial development is sensitive to the rural character of the Township;
- c) To ensure that new industrial development occurs in an orderly manner and is serviced with appropriate sewage and water services;

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- d) To encourage the growth and development of the Huronia Airport in the regional economy;
- e) To protect the existing *Employment Areas* of the *Township*; and,
- f) To direct the majority of new development for industrial, office and other employment uses to the *Settlement Areas of Perkinsfield, Wyevale and Lafontaine and the Township's Employment Area*.

B.6.3 Permitted Uses

B.6.3.1 The uses permitted on lands designated *Employment Area* include manufacturing, assembly, processing, fabrication, storage and/or warehousing uses, and research establishments, wholesaling establishments, offices and similar uses. Other permitted uses include *wayside pits* and *quarries* and *portable asphalt plants* for road works in the area where road work is occurring. No amendment to this Plan or to the implementing Zoning By-law shall be required for a *wayside pit* and *quarry* or a *portable asphalt plant*.

B.6.3.2 Permitted accessory uses include commercial uses that are small-scale and are supportive of the *Employment Area* including accessory retail to a permitted use.

B.6.3.3 Major retail uses are not permitted.

B.6.4 Development Policies

B.6.4.1 Minor expansions to the *Employment Area* designation may only be permitted if necessary to support the immediate needs of existing businesses and shall subject to the following policies:

- a) If for a new business, there is a demonstrated need for the expansion, and the traffic can be accommodated;
- b) If for an existing business, the expansion is minor in nature;
- c) Appropriate *sewage and water services* can be provided in accordance with the policies of this Plan;
- d) The use proposed for the expansion is compatible with the surrounding uses;
- e) An expansion to the *Employment Area* adjacent to the Huronia Airport is not permitted if it results in a conflict with the aviation operation of the airport by means of building or structure height,

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emissions, steam, or glare, the construction of habitat such as landscaping or stormwater management ponds which would encourage birds hazardous to the aviation sector to congregate in the area;

- f) No expansion is permitted into the Agricultural or Environmental Protection designations;
- g) Any expansion would be subject to Site Plan Control; and,
- h) An amendment to the Official Plan and Zoning By-law is required.

B.6.4.2 Prior to considering an application for a Zoning By-law Amendment and/or Site Plan approval, the *Township* 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 untreed sites incorporate landscaping to enhance the site and surrounding area;
- d) Outdoor storage areas are substantially screened from view from passing traffic and are generally not permitted to locate in the front yard;
- e) The proposed use can be serviced with an appropriate water supply and means of sewage disposal;
- f) Where a proposed use abuts or is in close proximity to an existing residential use, fencing, landscaping, berming or a combination of these features are utilized to ensure that there is adequate screening between the uses;
- g) The new use would be required to meet any applicable guidelines for industrial uses and separation distance as well as requirements for odour, noise and vibration.

B.6.5 **Conversion of Employment Lands**

B.6.5.1 Conversion of lands from *Employment Area* to a non-employment use shall be considered through a *County Municipal Comprehensive Review* and would require an amendment to this Plan.

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B.6.5.2 Notwithstanding the above, employment land conversions may be considered by the Township to remove lands from an *Employment Area* designation, in advance of the *Municipal Comprehensive Review*, provided the following criteria be demonstrated:

- i) There is a need for the conversion;
- ii) The employment lands are not required over the horizon of this Plan;
- iii) The Township will meet the employment forecasts and maintain sufficient employment lands to accommodate forecasted employment growth to the horizon of this Plan; and,
- iv) The conversion will not adversely affect the overall viability of the *Employment Area*.

B.6.6 **Implementing Zoning By-Law**

B.6.6.1 All lands within the *Employment Area* designation shall be placed in an appropriate Employment Zone in the implementing Zoning By-law. Lands adjacent to Huronia Airport may be subject to height restrictions in the implementing Zoning By-law.

B.7 AGRICULTURAL

B.7.1 **Introduction**

B.7.1.1 The Agricultural areas of the *Township* provide an important historical, character and economic base within the *Township*. The policies of this Plan provide for the protection and support of the agricultural sector in the *Township*. Lands designated as Agricultural are mapped on Schedule A to this Plan.

B.7.2 **Objectives**

- a) To maintain and preserve the agricultural resource base of the *Township*;
- b) To protect land suitable for agricultural production from *development* and land uses unrelated to agriculture, *agriculture-related uses* or *on-farm diversified uses*;
- c) To promote the agricultural industry and associated activities and enhance their capacity to contribute to the economy of the *Township*;

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- d) To grow the *agri-tourism* sector;
- e) To preserve and promote the agricultural character of the *Township*;
- f) To provide opportunities for *agriculture-related uses* and *on-farm diversified uses*;
- g) To minimize land use conflicts and require new land uses and new or expanding livestock facilities to comply with the *Minimum Distance Separation Formulae* where applicable; and,
- h) To protect *Prime Agricultural Areas* for long-term agricultural and related uses.

B.7.3 Permitted Uses

B.7.3.1 The uses permitted on lands designated Agricultural include all forms of agricultural uses, which include but are not limited to the growing of agricultural products, the raising of animals, birds and fish, for food, fur or fiber, and also includes trees for harvesting and turf-grass, *agriculture-related uses* and *on-farm diversified uses*. Additional uses which are an exception to the Agricultural designation may also be permitted as per the policies of B.7.10 of this Plan.

B.7.3.2 Permitted accessory uses include single detached, semi-detached and duplex dwellings, accommodation for on-farm labour, Garden Suites and Second Units (as per the policies of D.10), bed and breakfast establishments (as per the policies of D.12) and seasonal produce stands.

B.7.3.3 Uses permitted on lots which existed prior to the adoption of this Plan are not subject to the *Province's Minimum Distance Separation Formulae*.

B.7.4 Development Policies

B.7.4.1 *Development* on lands designated Agricultural should be designed and sited to minimize any adverse impact to the agricultural use of the property and surrounding agricultural properties.

B.7.4.2 Outside of *Settlement Areas*, land use compatibility between agricultural and non-agricultural uses are to be achieved by avoiding adverse impacts on the *agricultural system*. Where avoidance is not possible, minimizing and mitigating adverse impacts shall be required by the non-agricultural use.

B.7.4.3 *Agriculture-related uses* may utilize large tracts of land, while *on-farm diversified uses* are limited in area to generally no more than 2 percent of the lot area to a maximum of 1.0 hectare.

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B.7.4.4 The re-use or repurposing of existing buildings for *agriculture-related uses* or *on-farm diversified uses* is encouraged.

B.7.4.5 The development of *agriculture-related uses*, and/or *on-farm diversified uses*, are subject to the following development policies:

- a) Surrounding agricultural operations are not impaired or inconvenienced;
- b) The proposed use shall be appropriate to the rural service level available, including road access, water and waste water, and fire protection service;
- c) The lot size is adequate for the use and shall be limited to the minimum area required for the use, including any required parking, buffering and landscaping;
- d) Traffic is appropriately addressed;
- e) The proposed use is compatible with surrounding uses;
- f) The proposed use can be buffered from adjacent residential uses where appropriate;
- g) All required permits from other applicable agencies are obtained or are available;
- h) The cumulative impact of the proposed use in relation to other *agriculture-related uses* and/or *on-farm diversified uses* in the area will be evaluated to ensure that the agriculture nature of the area is not impaired;
- i) The use may be required to be site specifically zoned within the *Township's* implementing Zoning By-law; and,
- j) The use may be subject to Site Plan Control.

B.7.5 **Commercial Dog Kennels**

B.7.5.1 Commercial dog kennels may be permitted in the Agricultural designation as an *on-farm diversified use*, subject to an amendment to the implementing Zoning By-law. Before considering such an amendment, the *Township* shall be satisfied that:

- a) The size of the proposed dog kennel is appropriate for the area;

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- b) The building housing the dog kennel is set back an appropriate distance from lot lines;
- c) The noise emanating from the kennel will not have an adverse impact on the enjoyment of adjacent properties; and,
- d) A concentration of dog kennels does not already exist in the general vicinity of the proposed kennel.

B.7.5.2 A new dog kennel may also be subject to Site Plan Control to address issues such as buffering, the location and size of buildings and landscaping to minimize the impact of the use on adjacent land uses.

B.7.6 Temporary Uses

B.7.6.1 Temporary uses, as part of an *on-farm diversified use* may be permitted through a Temporary Use By-law and as outlined in this Plan. This includes but is not limited to an event being temporary in nature and is either a onetime use or is held infrequently and is also subject to the following development policies:

- a) Is limited in area and displaces little to no agricultural land;
- b) Any displaced agricultural land is immediately returned to agricultural production or use;
- c) Requires no re-grading or drainage changes;
- d) Any impact to the agricultural land is remedied such as compaction;
- e) No permanent structures are constructed;
- f) Off-site impacts, such as traffic, are limited;
- g) All applicable permits or other criteria is met, for example criteria under the Building Code and/or Fire Code; and,
- h) Does not require any special services from the *Township*, unless otherwise agreed to by the *Township*.

B.7.7 Accommodation for On-Farm Labour

B.7.7.1 Residential units for on-farm labour may be permitted subject to an amendment to the implementing Zoning By-law. Before considering such an amendment, the Township shall be satisfied that:

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- a) There is a demonstrated need;
- b) The residential unit(s) may be stand-alone units or contained within an existing structure;
- c) The residential unit(s) are accessed by the existing residential or farm driveway;
- d) Appropriate sewage, water, drainage and transportation matters have been appropriately addressed; and,
- e) The site is zoned to permit the applicable number of units and the use is restricted to farm help.

B.7.7.2 The implementing Zoning By-law shall identify that the residential unit cannot be severed including as a residential unit surplus to an existing farm dwelling.

B.7.8 **The Creation of New Residential Lots**

B.7.8.1 In accordance with the intent of this Plan to maintain and protect the agricultural resources of the *Township*, the creation of new lots for residential purposes shall generally not be permitted, as this Plan directs all new residential growth to *Settlement Areas* or existing vacant building lots.

B.7.8.2 New residential lots shall only be permitted if an existing residence is surplus to a farming operation as a result of a *farm consolidation*. The following criteria must also be satisfied:

- a) The new lot is limited in size to accommodate the residential use, including *sewage and water services*, and shall generally be no larger than 1.0 hectare in area. The Township shall zone the new lot to an appropriate residential zone category as a condition of any severance created under this policy;
- b) New residential dwelling units shall be prohibited on any remnant parcel created as a result of the severance. The *Township* shall zone the remnant parcel to prohibit the construction of a residential dwelling unit as a condition of any severance created under this policy; and,
- c) Applicable consent policies of Section D.7 (Consents) apply.

B.7.9 **The Creation of New Lots for Agricultural Purposes**

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B.7.9.1 The creation of new lots for agricultural purposes may only be permitted for one of the following uses, and is also subject to the policies of the Plan:

- a) Agricultural uses and the lot for the agricultural use has a minimum lot area of 40 hectares or the original survey size, whichever is lesser; and,
- b) *Agriculture-related uses*. The new lot is to be limited in size to accommodate the use and the required sewage and water service. Residential uses are prohibited on the severed lot. The *Township* shall zone the severed lot to prohibit the construction of a residential dwelling unit on the lot as a condition of any severance created under this policy.

B.7.10 **Exception to the Agricultural Designation**

B.7.10.1 Non-agricultural uses in the Agricultural designation may only be permitted as an exception to the Agricultural designation for the following uses:

- a) The extraction of *minerals, petroleum resources and mineral aggregate resources* in accordance with the applicable policies of this Plan, including Sections B.9 (Mineral Aggregate Resources One) and B.10 (Mineral Aggregate Resources Two); and,
- b) Limited non-residential uses through an amendment to this Official Plan and where all of the following are demonstrated:
 - (i) There is an identified need within the planning period of this Official Plan for additional land to be re-designated to accommodate the proposed use;
 - (ii) Alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations that avoid the Agricultural designation and are lower priority agricultural lands;
 - (iii) The use is compatible with the surrounding uses;
 - (iv) The proposed use complies with the *Minimum Distance Separation Formulae (MDS)*;
 - (v) Appropriate information has been provided to the *Township* which demonstrates that appropriate services can be provided for the use;

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(vi) The proposed use will not be located in an area that may have an impact on the efficient and logical expansion of nearby *Settlement Areas*; and,

(vii) The use shall be subject to Site Plan Control.

B.7.10.2 All commercial and industrial uses that are zoned for the permitted use as of the date of adoption of this Plan are also permitted.

B.7.10.3 *Development*, including lot creation, is discouraged outside of but adjacent or in close proximity to Major *Settlement Area* boundaries in order to enable the efficient expansion of the *Township's* Major *Settlement Areas* when required.

B.7.11 Implementing Zoning By-Law

B.7.11.1 All lands in the Agricultural designation shall be placed in an Agricultural Zone in the implementing Zoning By-law. Lands adjacent to Huronia Airport may be subject to height restrictions in the implementing Zoning By-law.

B.8 RURAL

B.8.1 Introduction

B.8.1.1 The Rural areas of the *Township* provide for a diversity of landscapes and built form. These are areas that are outside of *Settlement Areas* or built up areas, are not considered *Prime Agricultural Lands* nor environmentally sensitive within the context of the policies of this Plan and provide for a resource base. Lands designated Rural are mapped on Schedule A to this Plan. The policies of this Plan seek to reduce incompatible uses within the Rural area and to promote appropriate economic opportunities.

B.8.2 Objectives

- a) To preserve and promote the rural character of the *Township*;
- b) To prevent the intrusion of land uses that are incompatible with the rural character and/or natural resource activities of the area; and,
- c) To promote diversification of the economic base within the Rural designation.

B.8.2.1 The Rural designation applies to those rural lands in the *Township* that are not considered to be *Prime Agricultural Land*, *Settlement Area*, *Employment Area*, or part of the *natural heritage system*.

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B.8.3 Permitted Uses

- B.8.3.1 The uses permitted on lands designated Rural include those uses permitted in the Agricultural designation, as well as cemeteries, resource management uses, forestry, conservation, limited and small-scale tourism and recreational uses, and other rural land uses.
- B.8.3.2 Other rural land uses include farm implement dealers, feed and fertilizer distribution facilities, greenhouses and seasonal produce stands. Rural industrial and rural commercial uses that cannot be located and/or are not appropriate in a *Settlement Area* or an *Employment Area* may be permitted in the Rural designation, subject to the development policies of this Plan, including Section B.8.6 (Other Rural Land Uses).
- B.8.3.3 Institutional uses, such as schools, places of worship and community centres, which were zoned prior to the adoption of the Official Plan are permitted.
- B.8.3.4 Permitted tourism accommodations within the Rural designation shall be limited to small scale accommodations, such as rural lodges and rental cabins as well as tent and trailer parks with existing designation and which were zoned at the time of adoption of this Plan.
- B.8.3.5 All commercial and industrial uses that are zoned for the permitted use as of the date of adoption of this Plan are also permitted.
- B.8.3.6 Uses which are permitted on lots that existed prior to the adoption of this Plan are not subject to the *Province's Minimum Distance Separation Formulae* (MDS).

B.8.4 Development Policies

- B.8.4.1 The applicable development policies for the permitted agricultural uses found in the Agricultural designation apply, unless otherwise identified within this designation. Section B.7.10 shall not apply to the Rural designation.
- B.8.4.2 The development of permitted uses in the Rural designation is subject to the following policies:
- a) The proposed use shall be appropriate to the rural service level available, including road access, water and sewage, and fire protection service;

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- b) The lot size is adequate for the use and shall be limited to the minimum area required for the use, including services, any required parking, buffering and landscaping;
- c) The proposed use does not cause a traffic hazard;
- d) The proposed use is compatible with the rural and/or agricultural character of the area and surrounding uses;
- e) The proposed use can be buffered from adjacent residential uses where appropriate;
- f) The proposed use has little or no impact on area agricultural uses;
- g) For a rural industrial use, the use is not located in the proximity of residential or other incompatible land uses and is in accordance with the applicable guidelines for industrial use distance separation;
- h) For a rural commercial use, the use must primarily serve the travelling public and tourists to the area on the basis of convenience and access;
- i) The use may be required to be site specifically zoned within the *Township's* implementing Zoning By-law;
- j) The proposed use will not preclude or hinder the establishment of new *mineral aggregate operations* within the Mineral Aggregate Resources One and Mineral Aggregate Resources Two designations; and,
- k) The use may be subject to Site Plan Control.

B.8.5 The Creation of New Lots

B.8.5.1 In accordance with the intent of this Plan to maintain the rural character of the *Township*, the majority of the new residential development is directed to *Settlement Areas* and existing lots of record. However, a limited number of new lots for residential purposes may be created in the Rural designation.

B.8.5.2 In this regard, no more than two residential lots can be created from any parcel of land over and above any qualifying residence which is surplus due to a farm consolidation. In considering the creation of a new lot for residential purposes, the *Township* shall be satisfied that:

- a) The severed lot is located where it would have the least impact on existing and future agricultural operations;

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- b) The proposed lot is a minimum of 0.4 hectares in size and a maximum of 1.0 hectare, unless a larger lot size can be justified on the basis of the natural features on the property;
- c) The remnant lot shall have a minimum lot area of no less than 19.8 hectares, regardless of the lot's Official Plan designation;
- d) The number of lots on Concession Roads, *County* Roads and *Provincial* Highways shall be restricted to avoid *strip* development, maintain the rural character and to maintain the original road function;
- e) The proposed lot complies with the *Province's* Minimum Distance Separation (MDS);
- f) No residential severance has been granted since January 1, 2000; and,
- g) The proposed lot complies with the criteria set out in Section D.8 (Consents) and Sections B.9 (Mineral Aggregate Resources One) and B.10 (Mineral Aggregate Resources Two) of this Plan.

B.8.5.3 If an existing residence is surplus to a farming operation as a result of a farm consolidation, the lot may be severed in accordance with the policies of the Agricultural Designation.

B.8.5.4 The creation of new lots for agricultural purposes may be permitted in accordance with the policies of the Agricultural Designation.

B.8.6 **Other Rural Land Uses**

B.8.6.1 Other Rural Land Uses may be permitted in the Rural designation, subject to an amendment to the implementing Zoning By-law. Before considering such an amendment, the Township shall be satisfied that:

- a) The site is located in proximity to an arterial road or highway or alternatively generates minimal traffic;
- b) Appropriate water, sewage and fire protection services are provided;
- c) The land use is compatible with surrounding and/or nearby land uses and that the *Provincial* industrial guidelines, where applicable, are addressed;

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- d) For rural commercial uses, the use must primarily serve the travelling public and tourists to the area for the basis of convenience and access;
- e) Traffic is appropriately addressed;
- f) Drainage is appropriately addressed; and,
- g) Spill containment or other operational matters are appropriately addressed.

B.8.7 Rural Lands Adjacent to a Settlement Area

B.8.7.1 Notwithstanding the above, for lands designated Rural within one kilometre of a defined boundary of a Major *Settlement Area*, the Town of Midland or the Town of Penetanguishene, the policies of Section B.7 (Agricultural) shall apply.

B.8.8 Commercial Dog Kennels

B.8.8.1 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, the *Township* shall be satisfied that:

- a) The size of the proposed dog kennel is appropriate for the area;
- b) The building housing the dog kennel is set back an appropriate distance from lot lines;
- c) The noise emanating from the kennel will not have an adverse impact on the enjoyment of adjacent properties; and,
- d) A concentration of dog kennels does not already exist in the general vicinity of the proposed kennel.

B.8.8.2 A new dog kennel may also be subject to Site Plan Control to address issues, such as buffering, the location and size of buildings and landscaping, to minimize the impact of the use on adjacent land uses.

B.8.9 Implementing Zoning By-Law

B.8.9.1 All lands in the *Rural* designation shall be placed in a Rural Zone in the implementing Zoning By-law or a zone that reflects the legally existing land

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use. Lands in proximity to Huronia Airport may be subject to height restrictions in the implementing Zoning By-law.

B.8.10 Exceptions

B.8.10.1 Part of Lot 9, Concession 16 - Exception Policy Area

Lands in Part of Lot 9, Concession 16, Township of Tiny shown as subject to the policies of this section on Schedule A to this Plan may be severed from the sand and gravel operation and used for a concrete batching plant, which means the processing and recycling of mineral aggregate and/or the production of secondary aggregate products. The introduction of any other land use shall require an amendment to this Plan. In addition, any proposed building or structure on the property including the expansion of existing buildings and structures for the above permitted uses shall be subject to site plan approval under the Planning Act.

B.8.10.2 Part of Lots 4 and 5, Concession 16 East (Parts 1-3, 51R-24268) - Exception Policy Area

Notwithstanding any other provision of this Plan, a maximum of one residential lot is permitted to be created by consent on lands being Part of Lots 4 and 5, Concession 16 East (Parts 1-3, 51R-24268). For any consent application, in regard to general consent policies, the Committee of Adjustment shall be satisfied that the required lot frontage on a public road that is maintained on a year-round basis, will in this case, also require the applicant to provide a transfer of land to the Township for the purposes of enlarging the road allowance for a snowplow turnaround. The final configuration of the land is to be determined by the Township and must be free and clear of any encumbrances. All costs associated with this condition shall be borne by the owners.

B.9 MINERAL AGGREGATE RESOURCES ONE

B.9.1 Introduction

B.9.1.1 The Mineral Aggregate Resources One designation identifies existing *mineral aggregate operations* within the *Township* of Tiny and outlines the policy context from a land use planning perspective. Lands designated as Mineral Aggregate Resources One are mapped on Schedule A to this Plan.

B.9.1.2 *Mineral Aggregate Operations* are not subject to the policies of the Environmental Protection or Greenlands designation in Sections B.1 and B.2 of this Plan, except for where specifically referred to in this Section.

B.9.2 Objectives

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- a) To recognize existing *mineral aggregate operations*;
- b) To protect existing *mineral aggregate operations* and resources from activities that would preclude or hinder their continued use or expansion;
- c) To minimize conflicts among incompatible land uses; and,
- d) To ensure that extractive activities are carried out with minimal environmental and social cost.

B.9.3 Permitted Uses

B.9.3.1 The uses permitted on lands designated Mineral Aggregate Resources One are limited to quarrying and the extraction of gravel, sand and other aggregates and associated facilities used in extraction, transport, beneficiation, processing or recycling of *mineral aggregate resources* and derived products, such as asphalt and concrete, or the production of secondary related products.

B.9.3.2 Existing *mineral aggregate operations* shall be permitted to continue without the need for an Official Plan Amendment, a rezoning or a development permit under the *Planning Act*.

B.9.3.3 *Wayside pits and quarries* and portable asphalt and concrete plants used on public authority contracts are permitted without the need for an Official Plan Amendment, a rezoning, or a development permit under the *Planning Act*. In the Greenlands designation, *wayside pits and quarries* and portable asphalt and concrete plants used on public authority contracts are discouraged and are subject to the policies of Section B.10.4.2 (Mineral Aggregate Operations and Natural Heritage Features) of this Plan.

B.9.4 Adjacent Lands

B.9.4.1 Licensed *mineral aggregate operations* shall be protected from new *development* (through a *Planning Act* application), which would preclude or hinder their expansion or continued use.

B.9.4.2 In areas adjacent to the Mineral Aggregate Resources One designation, compatible uses include those related to other resources found in the area such as agriculture, forestry operations and other resource-related developments, as well as public utility installations, if their siting does not preclude or hinder aggregate development.

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B.9.4.3 In some cases, setbacks between the uses may be required to minimize conflicts. In order to determine if a new use will not preclude or hinder the licensed *mineral aggregate operation* or its ability to expand, the development proponent will be required to demonstrate that the proposed use shall provide for the necessary mitigation of impacts arising from the existing aggregate extraction operation, including future phases that are under license but are yet to be extracted, to meet applicable *Provincial* standards, regulations and guidelines. The *Township* may require the submission of noise, traffic, air quality and water resources studies to demonstrate that this policy is met.

B.9.4.4 It shall be a policy of this Plan that new land uses generally within 300 metres (984 feet) of a Mineral Aggregate Resources One area are subject to this policy.

B.9.5 **Rehabilitation**

B.9.5.1 The rehabilitation of an existing *mineral aggregate operation* shall be progressive and in accordance with the *Aggregate Resources Act* Site Plan governing the operation.

B.9.6 **Re-designation**

B.9.6.1 Upon surrender of the Aggregate License, the policies of the Rural designation of this Plan shall apply to the lands. This does not preclude consideration of an appropriate and applicable Official Plan Amendment for the lands, either through an application or at the time of consideration of an Official Plan Update.

B.9.7 **Implementing Zoning By-law**

B.9.7.1 The implementing Zoning By-law shall place all existing *mineral aggregate operations* in a zone that permits *mineral aggregate operations*.

B.9.7.2 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 except when Mineral Aggregate Resources One are adjacent to each other the setbacks shall be in accordance with the requirements of the *Aggregate Resources Act*.

B.10 MINERAL AGGREGATE RESOURCES TWO

B.10.1 **Introduction**

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B.10.1.1 The Mineral Aggregate Resources Two designation identifies areas of known *deposits of mineral aggregate resources* and aims to protect these areas from *development* that may preclude or hinder the establishment of future *mineral aggregate operations* in these areas. Lands designated Mineral Aggregate Resources Two are mapped on Schedule A to this Plan. The Mineral Aggregate Resources Two designation also includes policies and criteria that must be satisfied in order for a new *mineral aggregate operation* to be developed and ultimately be identified through the Mineral Aggregate Resources One designation.

B.10.2 Objectives

- a) To ensure that new *mineral aggregate operations* are carried out with minimal environmental, economic and social costs;
- b) To protect areas adjacent to or in known *deposits of mineral aggregate resources* from *development* and activities, which would preclude or hinder the establishment of new *mineral aggregate operations* or access to the resource;
- c) To encourage *mineral aggregate resources* be made available as close to markets as possible; and,
- d) To make available as much of the *mineral aggregate resources* as is realistically possible.

B.10.3 Permitted Uses

B.10.3.1 The Mineral Aggregate Resources Two designation includes known *deposits of mineral aggregate resources*, as shown on Schedule A to this Plan. The mapping is approximate and can be further refined without amendment to this Plan through detailed information and consultation with the *Province* and the *County*.

B.10.3.2 The Mineral Aggregate Resources Two designation is intended to function as an 'overlay' designation, meaning that development that is permitted in the underlying designation is only permitted if it does not preclude or hinder the development of the *mineral aggregate resource*.

B.10.3.3 The uses permitted on lands designated as Mineral Aggregate Resources Two are those of the underlying designation.

B.10.4 Development Policies

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B.10.4.1 **New Mineral Aggregate Operations or Expansions to Existing Operations**

- B.10.4.1.1 All new *mineral aggregate operations* and expansions to existing *mineral aggregate operations* shall require an amendment to the Official Plan to the Mineral Aggregate One designation and an amendment to the implementing Zoning By-law as well to satisfy the requirements of the *Aggregate Resources Act* or its successor.
- B.10.4.1.2 Applications for proposed new and/or expansions to existing *mineral aggregate operations* are to be supported by studies that are based on predictable, measurable, objective effects on people and the environment, and evaluated in accordance with *Provincial* policy, *Provincial* standards, regulations and guidelines, as well as the applicable policies of this Plan, and, if approved under the *Aggregate Resources Act*, will operate under a site-specific license/permit as issued by the Ministry of Natural Resources and Forestry.
- B.10.4.1.3 Demonstration of the need for *mineral aggregate resources*, including any type of supply/demand analysis, shall not be required, notwithstanding the availability, designation or licensing for extraction of *mineral aggregate resources* locally or elsewhere.
- B.10.4.1.4 The *Township* will consider an Official Plan Amendment to permit a new or expanded *mineral aggregate operation* based on the following:
- a) The effect of the *mineral aggregate operation* and mitigation measures to minimize impacts on:
 - (i) The natural features and ecological functions in accordance with the policies of Section B.10.4.2 (Mineral Aggregate Operations and Natural Heritage Features);
 - (ii) Nearby *Settlement Areas* or concentration of residential uses;
 - (iii) The agricultural resources in accordance with the policies of Section B.10.4.3 (Extraction in Prime Agricultural Areas);
 - (iv) *Sensitive land uses*;
 - (v) The quality and quantity of sensitive groundwater features in accordance with Section C.5.2 (Water Resource Management Report);

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- (vi) The quality and quantity of sensitive surface water features in accordance with Section C.5.2 (Water Resource Management Report);
- (vii) Nearby wells used for drinking water purposes;
- (viii) The groundwater recharge and discharge functions on the site and in the immediate area;
- (ix) The effect of the noise, odor, dust and traffic generated by the proposed use on adjacent land uses;
- (x) How the impacts from the proposed *mineral aggregate operation* will be mitigated in order to lessen those impacts; and,
- (xi) How the site will be progressively rehabilitated, as per the policies of Section B.10.4.4 (Rehabilitation), to accommodate subsequent land uses after the extraction is completed. Rehabilitation shall consider approved and surrounding land uses and, where a concentration of *mineral aggregate operations* exists, comprehensive rehabilitation planning is encouraged.

b) Evaluation of cumulative impact, which shall address:

- i) Existing *mineral aggregate* operations in the immediate area; and,
- ii) The proposed *mineral aggregate operations* on lands.

In considering the added impact of the new *mineral aggregate operation* to existing known impacts, the *Township* shall ensure that mitigation measures intended to lessen the added impact are reviewed and applied as required.

c) The *County* may require an Archaeological Assessment and/or Cultural Heritage Report in support of a proposed new or expanded *mineral aggregate operation* to identify significant cultural features. If significant cultural features are identified, they shall be conserved, which may include mitigation measures and/or alternative development approaches.

B.10.4.1.5 The studies prepared in accordance with this Section shall demonstrate that the requirements of Section B.10.4.2 (Mineral Aggregate Operations and Natural Heritage Features) have been satisfied.

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B.10.4.2 Mineral Aggregate Operations and Natural Heritage Features

B.10.4.2.1 Notwithstanding the Environmental Protection and Greenlands policies of Sections B.1 and B.2, new or expanded *mineral aggregate operations* and *wayside pits* and *quarries* are subject to the policies of this section:

- a) In accordance with the Growth Plan, within the *natural heritage system*, no new *mineral aggregate operation* and no new *wayside pits* and *quarries*, or any ancillary or accessory use, will be permitted in the following *key natural heritage features* and *key hydrologic features*:
 - (i) *Significant wetlands, or significant coastal wetlands;*
 - (ii) *Habitat of endangered species and threatened species except in accordance with provincial and federal requirements; and,*
 - (iii) Significant woodlands, unless the woodland is occupied by young plantation or early successional habitat, as defined by the *Province*, in which case the application must demonstrate that Policies B.10.4.2.1 and B.10.4.4.2 c) have been addressed and that they will be met by the operation.
- b) In accordance with the Growth Plan, an application requiring a new approval under the *Aggregate Resources Act* to expand an existing *mineral aggregate operation* may be permitted in the *natural heritage system*, including in *key natural heritage features*, *key hydrologic features* and any associated *vegetation protection zones*, only if the related decision is consistent with the PPS and satisfies the rehabilitation requirements of the policies in this subsection.
- c) Any application for a new *mineral aggregate operation* will be required to demonstrate:
 - (i) How the connectivity between *key natural heritage features* and *key hydrologic features* will be maintained before, during and after the extraction of *mineral aggregate resources*;
 - (ii) How the operator could replace *key natural heritage features* and *key hydrologic features* that would be lost from the site with equivalent features on another part of the site or on adjacent lands;
 - (iii) How the *water resource system* will be protected or enhanced; and,

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- (iv) How any *key natural heritage features* and *key hydrologic features* and their associated *vegetation protection zones* not identified in Policy B.10.4.2 will be addressed in accordance with Policies B.10.4.2.1 and B.10.4.4.2 c).

B.10.4.3 Extraction in Prime Agricultural Areas

B.10.4.3.1 Extraction of *mineral aggregate resources* in *prime agricultural areas* is permitted, provided the site will be rehabilitated back to an *agricultural condition*.

B.10.4.3.2 Complete rehabilitation to an *agricultural condition* is not required if:

- a) There is a substantial quantity of mineral aggregates below the water table warranting extraction; or,
- b) Other alternatives have been considered by the applicant and found unsuitable; and,
- c) Agricultural rehabilitation in remaining areas will be maximized.

B.10.4.3.3 Additionally, in *prime agricultural areas*, applications for new *mineral aggregate operations* will be supported by an *agricultural impact assessment* and, where possible, will seek to maintain or improve connectivity of the *agricultural system*.

B.10.4.4 Rehabilitation

B.10.4.4.1 For rehabilitation of new *mineral aggregate operation* sites, the following apply:

- a) The disturbed area of a site will be rehabilitated to a state of equal or greater *ecological value* and, for the entire site, long-term *ecological integrity* will be maintained or enhanced;
- b) If there are *key natural heritage features* or *key hydrologic features* on the site, or if such features existed on the site at the time of the application:
 - (i) the health, diversity and size of these *key natural heritage features* and *key hydrologic features* will be maintained or enhanced; and,

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(ii) any permitted extraction of *mineral aggregate resources* that occurs in a feature will be completed, and the area will be rehabilitated as early as possible in the life of the operation.

- c) Aquatic areas remaining after extraction are to be rehabilitated to aquatic enhancement, which will be representative of the natural ecosystem in that particular setting or ecodistrict, and the combined terrestrial and aquatic rehabilitation will meet the intent of policy B.10.4.2.1;
- d) Progressive rehabilitation shall be undertaken where aggregate extraction occurs in stages; and,
- e) In accordance with the Growth Plan, outside the *natural heritage system*, and except as provided in Policies B.10.4.2, final rehabilitation will appropriately reflect the long-term land use of the general area, taking into account applicable policies of this Plan and, to the extent permitted under this Plan, existing municipal and *provincial* policies. In *prime agricultural areas*, the site will be rehabilitated in accordance with Policy B.4.3 of this Plan.

B.10.4.4.2 In accordance with the Growth Plan, final rehabilitation for new *mineral aggregate operations* in the *natural heritage system* will meet these additional criteria:

- a) Where there is no extraction below the water table, an amount of land equal to that under natural vegetated cover prior to extraction, and no less than 35 per cent of the land subject to each license in the *natural heritage system*, is to be rehabilitated to forest cover, which will be representative of the natural ecosystem in that particular setting or ecodistrict. If the site is also in a *prime agricultural area*, the remainder of the land subject to the license is to be rehabilitated back to an *agricultural condition*;
- b) Where there is extraction below the water table, no less than 35 per cent of the non-aquatic portion of the land subject to each license in the *natural heritage system* is to be rehabilitated to forest cover, which will be representative of the natural ecosystem in that particular setting or ecodistrict. If the site is also in a *prime agricultural area*, the remainder of the land subject to the license is to be rehabilitated in accordance with Policy B.10.7.2; and,
- c) Rehabilitation will be implemented so that the connectivity of the *key natural heritage features* and the *key hydrologic features* on the site and on adjacent lands will be maintained or enhanced.

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B.10.4.5 **Transportation**

B.10.4.5.1 Applicants for new or expanded *mineral aggregate operations* shall work with the *Township, County and Ministry of Transportation* in determining the appropriate use of *Township, County and Provincial Roads* as haul routes. *County Roads* and *Provincial Highways* shall be the primary haul routes and *Township Roads* shall only be used to access the determined haul routes.

B.10.4.5.2 Where a *Township* road is required to access a *County Road* or *Provincial Highway* and there are two or more alternative routes, the route having the least impact shall be selected. If required, the cost of upgrading the roads shall be borne by the operators who require the upgrading.

B.10.4.6 **Resource Recovery and Conservation**

B.10.4.6.1 Strategies to conserve *mineral aggregate resources* within the *Township* shall be encouraged, including:

- a) The recovery and recycling of manufactured materials derived from *mineral aggregate resources* for reuse in construction, manufacturing, industrial, or maintenance projects as a substitute for new *mineral aggregate resources*;
- b) Recycling of manufactured materials derived from *mineral aggregate resources* may not be appropriate for every licenced aggregate site. Proposals shall be subject to the policies of Section B.10.4.; and,
- c) The wise use of *mineral aggregate resources*, including utilization or extraction of on-site *mineral aggregate resources* prior to development occurring.

B.10.5 **Implementing Zoning By-law**

B.10.5.1 The implementing Zoning By-law shall place all lands within the Mineral Aggregate Designation Two in a zone that reflects the underlying designation and permits only applicable residential uses, agricultural uses, passive recreational uses, conservation uses and forestry.

B.10.6 **New Lot Creation**

B.10.6.1 For any new consent applications, the severance policies of the underlying designation apply.

B.10.6.2 Notwithstanding the above, the *Township* may require an aggregate potential assessment or aggregate license compatibility assessment to

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ensure the resource or operation is not hindered or precluded by the proposed development.

B.10.7 Aggregate Resources Act Applications that Pre-date these Policies

B.10.7.1 Where an application under the *Aggregate Resources Act* has been received and deemed complete by the *Province* as of July 1, 2017, the Policies of Section B.10.4.2 (Natural Heritage Features) (b), (c), B.10.4.3 (Extraction in Prime Agricultural Areas) and B.10.4.4 (Rehabilitation) do not apply.

C ENVIRONMENTAL MANAGEMENT AND GROUNDWATER MANAGEMENT POLICIES

C.1 INTRODUCTION

C.1.1 The Environmental Management and Groundwater Management Policies section provides protection of watercourses, hazardous lands and municipal drinking water sources from incompatible *development*. These policies also ensure that the natural process and human safety are considered when assessing *development* applications.

C.2 OBJECTIVES

- a) To recognize and protect all watercourses and other bodies of water in the *Township* from *development* that may have an impact on their function as an important component of the *natural heritage system*;
- b) To ensure that *development* does not occur on land that is unstable or susceptible to flooding;
- c) To ensure that *development* does not occur on hazardous slopes;
- d) To protect the *quality and quantity of water* available for drinking water purposes;
- e) To ensure that the integrity of the *Township's* watersheds are maintained or enhanced;
- f) To identify what is required to support an application for *development* in an area that is considered to be environmentally sensitive; and,
- g) To identify what information is required to support an application that may have an impact on the hydrogeological resources of the *Township*.

C.3 WATERCOURSES

C.3.1 Function of Watercourses

C.3.1.1 All of the known watercourses in the *Township* as mapped on Schedule B to this Plan are considered to be environmentally sensitive since they may:

- a) Contain fish and wildlife habitat areas;
- b) Function as corridors for migrating wildlife habitat movement and vegetation dispersal;
- c) Form part of the Township's drainage system; and,
- d) Serve to maintain the quality and quantity of surface and ground water resources.

C.3.1.2 All watercourses, not shown on Schedule B to this Plan are subject to the Policies in this Section. Municipal drains, Municipal easements for drainage purposes, and roadside ditches are not subject to the policies of this Plan.

C.3.2 Implementation

C.3.2.1 It is the intent of this Plan to protect all watercourses from incompatible *development* and to minimize the impacts of such *development* on their function. The implementing Zoning By-law shall establish a setback for *development* from the top of bank of watercourses. The following shall be considered for *Planning Act* applications to reduce the required setback:

- a) The nature and stability of the soils;
- b) The nature and stability of the vegetation and cover;
- c) The slope of the land;
- d) The nature of existing and proposed drainage patterns;
- e) The nature of the fish and wildlife that may be present; and,
- f) The scale of the proposed *development*.

C.4 FLOODPLAINS AND FLOOD HAZARDS

C.4.1 Floodplains

C.4.1.1 Although flood plains have not been mapped in the *Township*, it is the intent of this Plan that no *development* or *site alteration* be permitted within the floodway of a river or stream system. Flood plain management shall occur on a watershed management basis, giving due consideration to the upstream, downstream and cumulative effects of *development*. The following policies shall apply to *development* proposed on lands susceptible to flooding, as determined by the Township under regional storm conditions:

- a) *Development* will generally be directed to areas outside of hazardous lands adjacent to a river, stream system or inland lake that is impacted by flooding hazards;
- b) *Development* and *site alteration* will not be permitted within the floodway of a river, stream system or inland lake unless, by their very nature, must locate within the floodway, including flood and/or erosion control works or minor additions or passive non-structural uses, which do not affect flood flows;
- c) *Development* and *site alteration* may be permitted within the flood fringe of a river, stream system or inland lake where flood depths and velocities would be less severe than those experienced within the floodway. Generally, lands located above the 1:100 year storm elevation and below the Regional Storm Event (Timmins storm of 1961) elevation would represent the flood fringe area. *Development* will only be permitted within the flood fringe provided the following criteria can be achieved:
 - (i) The hazards can be safely addressed and the *development* and *site alteration* can be carried out in accordance with established standards and procedures;
 - (ii) New hazards will not be created and existing hazards not aggravated;
 - (iii) No adverse environmental impacts will result;
 - (iv) Vehicles and people have a means of safely entering and exiting the area during times of flooding and other emergencies; and,

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- (v) The *development* does not include institutional uses or essential emergency services or the disposal, manufacturing, treatment or storage of hazardous substances.

C.4.1.2 The proponent of any *development* adjacent to any river, stream or small inland lake may be required to prepare a floodplain study, at the proponent's cost, to the satisfaction of the *Township*, subject to the comments of the appropriate agencies.

C.4.2 **Flood Hazards adjacent to Georgian Bay**

C.4.2.1 The Regulatory Flood Elevation (Flood Hazard Limit) for Georgian Bay is defined as 178.0 metres Canadian Geodetic Datum (CGD).

C.4.2.2 With the exception of structures essential for boating purposes or structural works required for flood and/or erosion or sedimentation control, no building or structure shall be located adjacent to the shore of Georgian Bay, unless sited inland from the Regulatory Flood Elevation.

C.4.2.3 It is recognized that some lots in the shoreline area may be completely or partly below the Regulatory Flood Elevation. In addition, some of these same lots are the site of buildings or structures. It is a policy of this Plan to not permit the *development* of new buildings (except those essential for boating purposes or essential structural works required for flood and/or erosion or sedimentation control) below this Elevation. Existing buildings and structures that are located wholly or partly below the Regulatory Flood Elevation will be considered to be legal non-complying uses in accordance with Section E.5 (Non Complying Uses) of this Plan.

C.4.2.4 The location of the 178.0 metre Elevation must be established by a qualified professional for all new *development*.

C.4.2.5 For new *development* requiring a *Planning Act* application, an assessment by a professional coastal engineer regarding the location of the proposed new *development* and its possible impact from shoreline natural hazards may be needed, depending on the scale and location of the *development* and its nature. Factors to be considered in this assessment include, but are not limited to:

- a) The existing and proposed grades on the property;
- b) The location of existing man-made structures on the property;
- c) The topography and vegetation on the property;

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- d) The nature of any modifications made, or proposed to be made to the topography on the property; and,
- e) The nature and location of man-made structure(s) or other impediments to wave action that exist or are proposed.

C.4.3 **Flood Hazards Adjacent to Farlain Lake**

C.4.3.1 The Township may consider the completion of a study to determine an appropriate setback for development adjacent to Farlain Lake. If such a study is completed, the development setback shall be implemented by the Township implementing Zoning By-law.

C.4.4 **Implementation**

C.4.4.1 The implementing Zoning By-law shall establish a setback for *development* from the Regulatory Flood Elevation.

C.4.4.2 The implementing Zoning By-law shall establish a minimum opening elevation of all buildings and structures above the Regulatory Flood Elevation adjacent to Georgian Bay.

C.4.4.3 The implementing Zoning By-law may regulate in-water structures.

C.5 WATER RESOURCE MANAGEMENT

C.5.1 **Introduction**

C.5.1.1 The majority of the *Township's* residents obtain drinking water from *individual on-site water services*. Other residents obtain water from municipally owned or *private communal water services*. Existing sources of municipal drinking water are to be maintained and protected for future use.

C.5.1.2 The *Township's* residents obtain municipal drinking water from a total of 16 water systems. There are a total of 45 municipal wells located within the *Township*. It is important to protect both the quality and quantity of drinking water sources in order to protect the supply of water in the *Township* for current and future residents, businesses and visitors.

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C.5.2 **Water Resource Management Report**

C.5.2.1 All major applications for *development* shall be supported by a Water Resource Management (WRM) Report. For the purposes of this Section, major applications include any *development* requiring an amendment to this Plan, all Plan of Subdivision/Condominium applications and major recreational uses, such as a golf course, or any other application deemed by the Township to have the potential to negatively impact a water resource. The WRM Report shall be prepared by a qualified professional to the satisfaction of the *Township* and the appropriate agencies. The purpose of the WRM Report is to investigate the impacts of the proposed *development* on water quality and quantity and provide recommendations on how to protect, improve or restore the *quality and quantity of water* as it relates to:

- a) The natural hydrological characteristics of the water resource;
- b) The proposed use on the groundwater recharge function;
- c) The proposed use on the quality and quantity of drinking water in adjacent private and municipal wells;
- d) Sensitive groundwater recharge/discharge areas, aquifers and headwater areas;
- e) The quality of the watercourses affected by the *development*;
- f) The water quality of Georgian Bay/Severn Sound watershed; and,
- g) The WRM report shall also provide recommendations on the potential to monitor water budgets for groundwater aquifers and surface water features.

**C.6 MUNICIPAL DRINKING WATER SUPPLY – SOURCE
WATER PROTECTION**

C.6.1 **Introduction**

C.6.1.1 The Source Protection Plan has been developed to protect existing and future supplies of municipal drinking water. The Source Protection policies contained in this Section have been developed to protect both the quality of drinking water and the quantity of drinking water for existing and future residents and businesses of the *Township* where there is a vulnerable threat to municipal drinking water as prescribed by the *Clean Water Act*.

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C.6.1.2 Wellhead Protection Areas, Highly Vulnerable Aquifers, Significant Groundwater Recharge Areas and Issues Contributing Areas are mapped on Schedule E to this Plan. The Wellhead Protection Areas (WHPAs) A through E relate to water quality considerations while WHPAs Q1 and Q2 relate to water quantity considerations. The following describes each of the Source Protection areas:

- a) Wellhead Protection Area A (WHPA-A): 100 metre radius surrounding a well.
- b) Wellhead Protection Area B (WHPA-B): Two (2) year travel time for water to enter the well.
- c) Wellhead Protection Area C (WHPA-C): Five (5) year travel time for water to enter the well.
- d) Wellhead Protection Area C1 (WHPA-C1): Ten (10) year travel time for water to enter the well.
- e) Wellhead Protection Area D (WHPA-D): Twenty-five (25) year travel time for water to enter the well.
- f) Wellhead Protection Area E (WHPA-E): The vulnerable area for groundwater supplies that are under the direct influence of surface water. The area is calculated based on a two (2) hour travel time of surface water to the municipal well.
- g) Wellhead Protection Area Q1 (WHPA-Q1): An area delineated through a Tier 3 Water Budget and Water Quantity Risk Assessment as being the combined area that is the cone of influence of the well and the whole of the cones of influence of all other wells that intersect that area.
- h) Highly Vulnerable Aquifer (HVA): An aquifer that can be easily changed or affected by contamination from both human activities and natural processes as a result of (a) its intrinsic susceptibility, as a function of the thickness and permeability of overlying layers, or (b) by preferential pathways to the aquifer. The technical rules established under the *Clean Water Act* will permit the use of various methods, such as the Intrinsic Susceptibility Index (ISI), to determine those aquifers that are highly vulnerable. Ontario's ISI defines a highly vulnerable aquifer as having a value of less than 30. An ISI is a numerical indicator that helps to indicate where contamination of groundwater is more or less likely to occur as a result of surface contamination due to natural hydrogeological features. The ISI is the most commonly used method of index mapping and was the

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prescribed method set out in the *provincial* 2001/2002 Groundwater Studies.

- i) Significant Groundwater Recharge Area (SGRA): These are areas on the landscape that are characterized by porous soils, such as sand or gravel, which allows the water to seep easily into the ground and flow to an aquifer. A recharge area is considered significant when it helps maintain the water level in an aquifer that supplies a community with drinking water.
- j) Issues Contributing Area (ICA): The area of land where drinking water threats may contribute to a known drinking water issue. In the Georgian Sands Issues Contributing Area, nitrate was determined to be an issue.

C.6.1.3 The Source Protection Overlays may be updated without the need for an amendment to the Official Plan if a study is undertaken by the Source Protection Authority to refine these areas.

C.6.2 **Transition**

C.6.2.1 The transition policies of the Source Protection Plan shall apply to threat activities that have been applied for under the *Planning Act*, *Condominium Act* or *Building Code Act*, prior to July 1, 2015.

C.6.3 **No Planning Act or Change of Use Application**

C.6.3.1 No *Planning Act* Application may be made and no Building Permit or Change of Use Permit under the Ontario Building Code may be issued to establish a use that is detailed by policy RLU-1 of the Source Protection Plan. The implementing Zoning By-law shall detail these uses as set out in policy RLU-1 and provide direction for the Risk Management Official (RMO) to review the use and provide written notice in accordance with the *Clean Water Act*.

C.6.4 **Prohibited Uses**

C.6.4.1 The following uses are prohibited in accordance with Section 57 of the *Clean Water Act*, in WHPAs where they would be a significant drinking water threat:

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- a) *Waste disposal sites* within the meaning of Part V of the *Environmental Protection Act* (excluding storage of wastes described in clauses (p), (q), (r), (s), (t), or (u) of the definition of hazardous waste (O.Reg 347) and storage of hazardous or liquid industrial waste);
- b) Large (more than 10, 000 L) on-site sewage systems;
- c) Agricultural source material storage facilities;
- d) Non-agricultural source material storage facilities;
- e) Commercial fertilizer storage facilities;
- f) Pesticide storage facilities;
- g) Road salt storage facilities;
- h) Snow storage facilities;
- i) Fuel storage facilities;
- j) Dense Non-Aqueous Phase Liquid (DNAPL) storage;
- k) Organic solvent storage facilities; and,
- l) Outdoor confinement or farm animal yard in WHPA-A.

C.6.4.2 The RMO shall be responsible for determining when an existing or future use or activity is, or may be, a significant drinking water threat in accordance with the *Clean Water Act, 2006*; and whether the use or activity is prohibited or regulated through a Risk Management Plan in accordance with the Source Protection Plan.

C.6.5 **Pre-Consultation**

C.6.5.1 Prior to filing an application under the *Planning Act*, an applicant proposing a new use within a WHPA or ICA shall pre-consult with the *Township* and the RMO to determine if the proposed use would be a significant threat to drinking water. The RMO shall determine which studies are required for the application and identify the scope of issues and/or technical requirements that need to be addressed before such a use is permitted.

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C.6.6 **Complete Application**

C.6.6.1 An application submitted under the *Planning Act* within a WHPA or ICA where a proposed use or activity could be a significant threat to drinking water shall only be deemed complete under the *Planning Act* if submitted with a Section 59 Notice issued by the RMO, in accordance with the *Clean Water Act, 2006*, and where applicable in accordance with the Source Protection Plan.

C.6.7 **Risk Management Official**

C.6.7.1 The Risk Management Official (RMO) is an individual appointed by the *Township* under Part IV of the *Clean Water Act, 2006*. The RMO shall be responsible for determining whether uses are considered significant threats to drinking water and shall be responsible for the preparation of Risk Management Plans.

C.6.8 **Education and Outreach**

C.6.8.1 The *Township* may assist the Source Protection Authority and the Ministry of the Environment, Conservation and Parks in their endeavor to educate those engaged in applying, handling or storing of materials that could potentially lead to a significant threat to drinking water. In co-operation with the *Township's* RMO, the *Township* may undertake public education and outreach programs as required by the Source Protection Plan.

C.6.9 **Highly Vulnerable Aquifers**

C.6.9.1 A Highly Vulnerable Aquifer (HVA) is an aquifer used as a water supply for a well where the aquifer is particularly susceptible to contamination due to the proximity of the aquifer to the surface or to the type of materials found in proximity to the aquifer.

C.6.9.2 HVAs are identified on Schedule E of this Plan. Where major *development* applications, such as the storage of bulk fuels or chemicals, are proposed in a HVA, the *Township* shall encourage the use of mitigative measures in order to protect, improve or restore HVAs.

C.6.10 **Significant Groundwater Recharge Areas**

C.6.10.1 A Significant Groundwater Recharge Area (SGRA) is an area where an aquifer is recharged by natural processes, such as infiltration from rainfall or by human activities, such as stormwater management.

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C.6.10.2 SGRAs are identified on Schedule E of this Plan. Where major *development*, such as the storage of bulk fuels or chemicals, is proposed in an SGRA, the *Township* shall encourage the use of best management practices, such as low impact design, in order to protect SGRAs by maintaining pre-development recharge rates.

C.6.11 **Stormwater Management in Vulnerable Areas**

C.6.11.1 The design of new stormwater management facilities/systems in vulnerable areas shall minimize the risk of contaminating drinking water by encouraging grading and drainage designs that reduce ponding and direct any run-off outside of vulnerable areas where it would be a significant drinking water threat.

C.6.11.2 Where a *development* proposal includes stormwater management facilities/systems in a vulnerable area, a Stormwater Management Report shall be required to ensure that the design of the new facilities minimizes the risk to drinking water and directs the discharge to lands outside of vulnerable areas.

C.6.12 **Definitions**

C.6.12.1 For the purposes of this Section, any terms not defined in the Official Plan are subject to the definitions located in the Source Protection Plan.

C.7 HAZARDOUS SLOPES

C.7.1 The following policies shall apply to *development* proposed in association with steep slopes.

C.7.2 *Development* will not be permitted on slopes that are subject to active erosion or historic slope failure.

C.7.3 *Development* shall be sufficiently setback from the top of bank of hazardous slopes. The implementing Zoning By-law shall establish a setback for *development* from the top and toe of bank of hazardous slopes.

C.7.4 The following information shall be required for *Planning Act* applications to reduce the required setback:

- a) The location of the top and/or toe of slope has to be established by a qualified professional; and,

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- b) A slope stability analysis completed by a professional engineer regarding the location of the new *development* and its possible impact may be required. Factors to be considered in this assessment include, but are not limited to:
 - (i) Soil type and groundwater patterns;
 - (ii) Vegetation type and cover;
 - (iii) Severity of slope; and,
 - (iv) Nature of development.

C.8 CONSERVATION AND CLIMATE CHANGE

C.8.1 Policies

C.8.1.1 The *Township* shall support energy and water conservation, air improvement and protection and climate change adaptation by encouraging or promoting:

- a) Active transportation routes when considering *development*;
- b) Public transit planning;
- c) Compact development where appropriate;
- d) Mixed-use development within the *Township's Major Settlement Areas*;
- e) Design and site orientation, which maximizes the use of passive solar opportunities;
- f) Water recycling opportunities;
- g) Community gardens, including composting opportunities; and,
- h) Use of vegetation for renewable energy projects.

C.8.2 Tree Canopy and Natural Vegetation

C.8.2.1 The protection and enhancement of the tree canopy and natural vegetation within the Township will be achieved through the 'Environment Focused' objectives of this Plan.

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C.8.3 **Excess Soil**

C.8.3.1 Excess soil generated through development, construction, *site alteration*, including *infrastructure* development, is to be managed, where feasible and appropriate to:

- a) Re-use on site or locally to the extent possible, including consideration of use in future planning or construction projects;
- b) Provide for appropriate sites for excess storage in areas close to where development is concentrated or areas of potential soil re-use;
- c) The fill quality does not adversely affect the current or proposed use of the property, adjacent land uses or the natural environment;
- d) Temporary storage of fill is properly contained against the effect of blowing onto adjacent lands and run off; and,
- e) Be in compliance with the Township's Fill Control By-law.

D GENERAL DEVELOPMENT POLICIES

D.1 WATER AND SEWAGE SERVICING

D.1.1 Introduction

D.1.1.1 The *Township* does not have full municipal services. The *Township* hosts 16 water systems throughout the *Township*, including in the *Settlement Areas* of Perkinsfield, Wyevale and Lafontaine. There are also water systems within the Shoreline areas of the *Township*. The *Provincial* and *County* of Simcoe policies permit *private services* outside of *Settlement Areas* where no municipal or communal services are provided. The existing servicing system is the same both within and outside the *Township's Settlement Areas*, that being either *individual on-site sewage services and individual on-site water services* or municipal water with *individual on-site sewage systems*.

D.1.1.2 The *Province* and the *County* of Simcoe Official Plan provide policies that state that the preferred method of servicing for *Settlement Areas* is full municipal services. However, when directing development to *rural Settlement Areas* (like those in the *Township*), consideration is to be given to the provision of appropriate service levels and that *infrastructure* delivery be provided in a cost effective manner. As such, *partial services* or *individual on-site sewage services and individual on-site water services* are permitted in some circumstances.

D.1.2 Objectives

- a) To ensure that public health is protected;
- b) To plan for *sewage and water services* in a fiscally responsible manner for the *Township*;
- c) To protect the natural environment as per the Natural Heritage policies of this Plan, which are found in Sections B.1 (Environmental Protection) and B.2 (Greenlands) of this Plan;
- d) To protect the municipal drinking water supply as per the Source Water Protection policies of this Plan;
- e) To identify the preferred means of servicing in the *Township*;
- f) To ensure that all servicing options are considered when major new development is proposed;

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- g) To ensure that appropriate agreements are in place before development on communal or municipal services occurs; and,
- h) To support sewage and water systems, which are financially supported by their users, to enable their effective operation and maintenance.

D.1.3 Preferred Means of Servicing

- D.1.3.1 The preferred means of servicing each Settlement Area is by full municipal water and sewage services. However, given the existing form of servicing in Perkinsfield, Lafontaine, Wyebidge, Wyevale and Toanche, the provision of full municipal services in these areas is not feasible. On this basis, the preferred means of servicing in Perkinsfield, Wyevale and Lafontaine is by municipal water systems and *individual on-site sewage services*, and the preferred means of servicing in Wyebidge and Toanche is by *individual on-site sewage services and individual on-site water services*.
- D.1.3.2 Should municipal sewage servicing become available in any area of the *Township*, the *Township* will enact a by-law that mandates connecting to the municipal sewage system in vulnerable areas where an *individual on-site sewage services is a significant drinking water threat*.
- D.1.3.3 The preferred means of servicing in the Shoreline area is by *individual on-site sewage services and individual on-site water services*. It is recognized that a number of municipal water systems already exist in the Shoreline area. Many of these systems were required to be developed by the *Province* as a condition of approval. The expansion of these systems to service new development may be permitted, provided the expansion is feasible and financially viable for the *Township*. All new development shall be serviced by *individual on-site sewage services*. The development of new 'stand-alone' *private communal water services* is generally not permitted.
- D.1.3.4 All new development on lands outside of the *Settlement Area* and Shoreline designations shall be serviced by *individual on-site sewage services and individual on-site water services*.
- D.1.3.5 New *partial services* shall only be permitted when necessary to address a failed water or sewage system(s) in existing development, or for infilling or minor rounding out of existing development, provided site conditions are suitable for such services.

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D.1.4 **Planning for Water and Sewage Services**

D.1.4.1 *Sewage and water services* shall be planned to the satisfaction of the *Township* and applicable authority in a manner that:

- a) Existing services are effectively used;
- b) The means of servicing is feasible and financially viable;
- c) Complies with all regulatory requirements;
- d) Protects human health;
- e) Conforms to the environmental policies of this Plan;
- f) Promotes water conservation; and,
- g) Implements the recommendations of any required and approved hydrogeological study and/or functional servicing study.

D.1.4.2 Lot creation on municipal or *private communal water services and private communal sewage services* are only permitted if there is demonstrated sufficient reserve capacity in the system. If a review of the reserve capacity is required to be completed by the *Township*, the cost associated with the review shall be borne by the applicant.

D.1.4.3 Development of Garden Suites, residential Second Units, accessory units, or multi-unit residential developments may also be required to demonstrate sufficient reserve capacity.

D.1.5 **New Water and Sewage Systems or Expansions**

D.1.5.1 Where this Plan permits new or expanded municipal or communal *sewage and water services*, they will only be considered by the *Township* as follows:

- a) The system is financially viable to the *Township* or its users over the long term;
- b) Strategies for water conservation are considered;
- c) A comprehensive Master Plan or similar Plan undertaken on a watershed basis has been prepared, which demonstrates that any effluent discharge or water taking will not negatively impact water quality or quantity; and,

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- d) In a *Settlement Area* serviced by rivers, inland lakes or groundwater, extension of services from Georgian Bay is not permitted unless it is required for public health and safety reasons within the existing settlement boundary.

D.1.5.2 The *Township* may plan for *sewage* and *water* systems beyond the year 2031.

D.1.5.3 Expansion of municipal water systems in *Settlement Areas* beyond the *Settlement Area* boundary shall not be permitted except as directed by the *Province* to remedy a health hazard.

D.1.6 **Communal Services and Responsibility Agreements**

D.1.6.1 The proponent of *private communal water services* and *private communal wastewater services* shall enter into a Responsibility Agreement with the *Township* before development occurs. Such an agreement is a legal agreement between the proponent and the *Township* that stipulates the conditions under which the *private communal water services* and *private communal wastewater services* will be constructed, operated and maintained, as well as the actions to be undertaken by the *Township* in the event of default. The agreement shall also specify the amount of up-front security deposits required for any remedial measures that may be necessary in the event of default.

D.1.7 **New Development in Proximity to Existing Water Supply Sources**

D.1.7.1 All new development shall be located in such a manner to ensure that it will not have an impact on the *quality and quantity of water* on municipal and *private communal water services*. In this regard, proponents of new development, excluding construction of a single residential unit on an existing lot of record, will be required to assess the impacts of their proposed development on these wells to the satisfaction of the *Township*.

D.1.7.2 In the area where a future *individual on-site sewage services* would be a significant drinking water threat, new development may be permitted only where the lot size for the proposed development is based on the most current version of Ministry of the Environment, Conservation and Parks guidelines for individual on-site servicing. Lots of record that existed prior to July 1, 2015 are exempted.

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D.1.7.3 Where possible, new *private communal sewage services* or *municipal sewage services* should be located outside of vulnerable areas where it would be a significant drinking water threat. Where a development proposal includes new *private communal sewage services* or *municipal sewage services*, a Master Environmental Servicing Plan shall be required as part of a complete application.

D.1.7.4 The *Township* shall prohibit new *individual on-site sewage services* within WHPA-A in the Georgian Sands Issues Contributing Area. In areas in the Georgian Sands Issues Contributing Area outside of the WHPA-A, where a future *individual on-site sewage services* would be a significant drinking water threat, new development may be permitted only where the lot size for any proposed development that would include *individual on-site sewage services* is based on the most current version of MOECC's guidelines for individual on-site *water services* and *individual on-site sewage services*. Lots of record that existed prior to July 1, 2015 are exempted.

D.1.7.5 Proponents of large scale development, which include but are not limited to settlement expansions, golf courses, airports and new *waste disposal sites*, shall also be required to provide to the satisfaction of the *Township* the following:

- a) Characterization of groundwater and surface water flows;
- b) The quantity and quality of the water source;
- c) Water use profile and forecast;
- d) A water budget;
- e) Identification of water conservation measures; and,
- f) Master Environmental Servicing Plan.

D.2 STORMWATER MANAGEMENT

D.2.1 Stormwater Management Policies

D.2.1.1 All major commercial, industrial, institutional and residential development proposals shall be supported by a Stormwater Management (SWM) Report. The content and depth of the SWM Report shall be determined when the development is proposed.

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D.2.1.2 The SWM Report shall be prepared by a qualified professional to the satisfaction of the *Township* and the appropriate agencies. The Report shall:

- a) Provide recommendations on a stormwater quantity system, which ensures that post-development run-off rates will not be greater than the pre-development run-off rates for storms up to and including the Timmins storm event;
- b) Document the possible impacts of development on watershed flow regimes, including their interconnection with groundwater resources;
- c) Provide recommendations on how to maintain pre-development water quality and improve run-off where appropriate;
- d) Document the means by which stormwater volume control will be provided; and,
- e) Determine and describe the necessary measures required to be undertaken during construction to mitigate the potential negative impacts of development.

D.2.1.3 All stormwater management facilities in a Plan of Subdivision shall be placed in the Environmental Protection Zone in the implementing Zoning By-law to reflect the potential for these lands to be flooded and to ensure that their intended use is recognized. Stormwater management facilities for condominium developments and other large single uses may be privately owned and maintained. Agreements with the *Township* may be required as a condition of approval, to provide for their continued maintenance.

D.2.1.4 Any stormwater management facility should be designed to conserve the landscape and natural features as much as possible, and shall be naturalized using native species.

D.3 TRANSPORTATION

D.3.1 Introduction

D.3.1.1 The Transportation Network within the *Township* is widespread and varied. It includes a hierarchy of roads, including a *Provincial* Highway, *County* Roads, *Township* Roads and private roads. The *Township* also hosts the Tiny Trail, which is a major trail network that traverses a significant length of the *Township*. Various other trails and opportunities for active transportation are included within the *Township*. The Huronia Airport is also located within the *Township*. The Airport serves an economic and

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transportation function. The *County* of Simcoe provides a regional transit system, which includes the Township of Tiny.

D.3.1.2 The policies of this Plan provide protection for these transportation systems, as well as opportunities to enhance and diversify the existing Transportation Network.

D.3.1.3 The Transportation Network is mapped on Schedule C to this Plan.

D.3.2 **Objectives**

- a) To facilitate the movement of both people and goods to and from various communities within the *Township* and to and from adjacent municipalities;
- b) To ensure that new development does not create a traffic hazard;
- c) To ensure appropriate right-of-way widths for all existing and proposed roads;
- d) To restrict development on unassumed roads;
- e) To restrict development on private roads and individual rights-of-way, unless an agreement on services is registered on title;
- f) To encourage active transportation, such as cycling and walking, within *Settlement Areas*, as well as other appropriate areas;
- g) To support the County of Simcoe's multimodal transportation system initiatives; and,
- h) To support the long-term operation and economic viability of the Huronia Airport.

D.3.3 **Roads**

D.3.3.1 Land Use abutting the *Township's* road network, including but not limited to entrances, is the jurisdiction of the applicable road authority, as well as the *Township*. Each class of road hosts differing requirements.

D.3.3.2 When designing and reconstructing the public road network, consideration will be given to the means in which to balance the needs of all road users, including pedestrians, cyclists, transit and vehicles. Pedestrian laneways within road allowances are to be encouraged whenever feasible.

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D.3.4 Highway 93

D.3.4.1 Highway 93 is a *Provincial* road that carries large volumes of traffic between northwestern Simcoe County and southern Ontario. It is anticipated that traffic flows on Highway 93 will increase in the future as the population of southern Ontario grows.

D.3.4.2 A small portion of Highway 93 is located in the *Township* and traverses through the *Settlement Area* of Wyebridge. Development and access to Highway 93 is restricted in accordance with *Provincial* Policy.

D.3.4.3 Provision shall be made for highway routing and expansion when considering applications for *development* adjacent to or in the vicinity of the Highway, as determined by the *Province*. The *Province* shall also be consulted on any stormwater management plans or proposals associated with any development application in the vicinity of the Highway.

D.3.5 County Roads

D.3.5.1 *County* of Simcoe Roads function as roads that serve a regional role by carrying traffic through the *Township* or from the *Township* to neighbouring municipalities.

D.3.5.2 *County* Roads traverse through Perkinsfield, Wyevale and Lafontaine. Access to *County* Roads outside of these Settlements will be restricted in accordance with *County* of Simcoe Policy, by-laws and guidelines.

D.3.5.3 Outside of *Settlement Areas*, *County* of Simcoe entrance permits may generally be obtained for approved uses on existing lots if no entrance currently exists and if safety and drainage can be adequately addressed to the satisfaction of the *County*. New entrances shall generally not be permitted to individual residential lots on *County* Roads if the lot was created after June 30, 1996, unless otherwise approved by the *County*. New municipal roads may be permitted in accordance with *County* policies.

D.3.5.4 Within *Settlement Areas*, *County* entrance permits to individual lots may be permitted, subject to safety and drainage being adequately addressed to the satisfaction of the *County*. New municipal roads may be permitted in accordance with *County* policies.

D.3.5.5 When considering development within *Settlement Areas*, the *Township* shall promote transit and active transportation routes along *County* Roads.

D.3.5.6 Reverse lotting along *County* Roads is discouraged. Where multi-lot development backing onto *County* Roads is considered and is necessary, landscaping features along the *County* Road will be required.

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D.3.5.7 Notwithstanding the entrance permissions provided for in this Plan or in the policies, by-laws and guidelines of the *County*, access to development shall be provided from a *Township* municipal road where feasible and not from a *County* Road. Exceptions for *mineral aggregate operations* will be provided.

D.3.5.8 When considering new entrances or new roads onto *County* Roads, or development in the vicinity of *County* Roads, the *County* of Simcoe may require, to their satisfaction, the following:

- a) Land dedication for applications on lands abutting *County* Roads for matters which may include but not be limited to expansions for active transportation routes or transit, extra lanes, sight triangles, sidewalks, engineering works, *infrastructure* and/or landscaping;
- b) A traffic impact analysis;
- c) Noise attenuation; and/or,
- d) Stormwater management analysis.

D.3.6 **Township Transportation Routes**

D.3.6.1 From a planning policy perspective, the *Township* has jurisdiction over a hierarchy of roads and other transportation routes, which include:

- a) Arterial Roads;
- b) Local Roads;
- c) Unassumed Roads;
- d) Condominium Roads;
- e) Private Roads; and,
- f) Trails.

D.3.6.2 Various land use approaches are applicable to each of these road/transportation route categories.

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D.3.7 Arterial Roads

D.3.7.1 These are roads that collect traffic from local roads and carry that traffic to *County* Roads and the *Provincial* Highway system.

D.3.7.2 Development proposed adjacent to Arterial Roads shall be evaluated to determine if the proposed land use is compatible with the planned function of the Arterial Road, as well as safety, other traffic impacts and drainage considerations. Buffering of development from Arterial Roads may be required.

D.3.7.3 Direct access to abutting properties will generally not be permitted unless there is no other alternative.

D.3.8 Local Roads

D.3.8.1 Local roads are those roads that carry traffic from the *Provincial* and *County* Road system and from the Arterial Roads to individual properties.

D.3.8.2 Proposals for development on Local Roads will be evaluated for safety and drainage and may be evaluated for other traffic impacts and buffering.

D.3.9 Unassumed Roads

D.3.9.1 Unassumed Roads are *Township*-owned rights-of-way that are neither opened nor assumed by the *Township*.

D.3.9.2 No development is permitted on Unassumed Roads unless otherwise permitted through an existing agreement.

D.3.9.3 It is not a policy of this Plan that Unassumed Roads be upgraded by the *Township*.

D.3.9.4 All lots that front on an Unassumed Road shall be subject to a Holding provision in the implementing Zoning By-law. The lifting of a Holding provision permitting any new development shall require the assumption of the Unassumed Road in compliance with Section D.3.12.

D.3.10 Private Roads

D.3.10.1 Private roads are lanes or roads maintained by private individuals or Condominium Corporations, which service more than one property. It is the policy of the *Township* to restrict new lot creation on private roads or individual rights-of way, unless the private road is in a Plan of Condominium.

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D.3.10.2 For the purpose of this Plan, the local road policies shall apply to Condominium Roads. A reduced right of way width may be permitted on a Condominium Road.

D.3.10.3 The construction or expansion of a permitted structure on an existing lot of record that is accessed only by a Private Road may be permitted, subject to Section D.3.11 (Development on Private Roads).

D.3.11 **Development on Private Roads**

D.3.11.1 The creation of a new lot on Private Roads is not permitted.

D.3.11.2 All lots that front on a Private Road shall be placed in a Limited Service Residential Zone in the implementing Zoning By-law. These lots shall also be subject to a Holding provision in the implementing Zoning By-law. The lifting of a Holding provision permitting any new development shall require the entering into of a Site Plan (Private Street Means of Access) Agreement. The construction of a principal structure or the enlargement, renovation or addition to an existing principal structure shall not be permitted until the Agreement is entered into between the landowner and the *Township*.

D.3.11.3 Prior to considering a Site Plan (Private Street Means of Access) Agreement, the Township shall be satisfied that:

- a) The use of the lot is permitted by the implementing Zoning By-law;
- b) The lot is an existing lot of record as of the date of adoption of this Official Plan; and
- c) Any other matter deemed appropriate by the *Township*.

D.3.11.4 The Site Plan (Private Street Means of Access) Agreement shall contain wording that generally identifies that the *Township* and *County* services are not provided to the properties and the *Township* is not responsible or liable in any way for the issuance of the building permits, among other matters as deemed appropriate by the Township.

D.3.11.5 This policy does not apply to Condominium Roads.

D.3.12 **Assumption of Unassumed Roads**

D.3.12.1 Subject to the applicable sections of the *Municipal Act*, in situations where landowners on an unassumed road request that the *Township* assume the unassumed road, the following criteria shall be met before the *Township* considers the assumption of the road:

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- a) The road to be assumed has direct access to, a public road maintained year-round;
- b) The unassumed road shall be brought up to an appropriate standard, acceptable to the *Township* and at no cost to the *Township*;
- c) A road construction agreement between the owner(s) and the Township shall be required at no cost to the Township; and
- d) The lot(s) adjacent to the unassumed road be properly rezoned.

D.3.12.2 The classification of an upgraded Unassumed Road may be modified on Schedule C, without the requirement for an Official Plan Amendment.

D.3.13 **Assumption of Private Roads**

D.3.13.1 Subject to the applicable sections of the *Municipal Act*, in situations where all landowners on a Private Road request that the *Township* assume the Private Road, the following criteria shall be met before the *Township* considers the assumption of the road:

- a) The road to be assumed has direct access to, a public road maintained year-round;
- b) The Private Road shall be brought up to an appropriate standard, acceptable to the *Township* and at no cost to the *Township*;
- c) A road construction agreement between all landowners and the Township shall be required at no cost to the Township; and
- d) The lots adjacent to the Private Road be properly rezoned.

D.3.13.2 The classification of an upgraded Private Road may be modified on Schedule C, without the requirement for an Official Plan Amendment.

D.3.14 **Active Transportation and Transit**

D.3.14.1 Active transportation is encouraged in the *Township*. Development applications will be evaluated for opportunities to incorporate active transportation, including but not limited to land dedication, connectivity to other routes and linking of neighbourhoods and *Settlement Areas*.

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- D.3.14.2 The Tiny Trail is the largest active transportation route that traverses the *Township*. The Trail forms part of the Trans Canada Trail System. Development applications that have the opportunity to connect active transportation routes to the Tiny Trail will be encouraged. Applications adjacent to the Trail will be evaluated with respect to compatibility with the Trail and its various uses, and mitigation may be required. Opportunities for trail heads may be required when evaluating development applications in proximity to the Tiny Trail.
- D.3.14.3 Active transportation routes from the Tiny Trail to the *Township's* five beach parks will be encouraged.
- D.3.14.4 Multi-lot or multi-unit development proposals by plan of subdivision or condominium should, unless otherwise provided in this Official Plan, include active transportation routes both internally and linkage to external routes and, where feasible and applicable, public areas. These elements may include but not be limited to sidewalks, trails and bicycle paths. Dedication for land for trails will be in accordance with the *Planning Act*.
- D.3.14.5 An off road multi-use trail is planned adjacent to *County Road 25* (Balm Beach Road East) linking Perkinsfield to Midland. Development applications shall be evaluated in association with this planned transportation route and land dedication or other means may be required by the *Township* and/or *County* in order to ensure that the development of this transportation route is accommodated.
- D.3.14.6 The *Township* will work with the *County* and its neighbouring municipalities to consider the feasibility of improved transit links between Midland, Penetanguishene, Tay and the *Township*.
- D.3.15 **Right-Of-Way Widths**
- D.3.15.1 Determining the appropriate right-of-way widths for *Provincial* Highways and *County* Roads is the responsibility of either the *Province* or the *County*.
- D.3.15.2 The minimum right-of-way width for all Arterial and Concession Roads is 26 metres. The minimum right-of-way width for all new *Township* local roads shall generally be 20 metres.

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D.3.16 **Traffic Impact Studies**

D.3.16.1 Traffic Impact Studies may be required by the *Province, County* or *Township* to support a development application. The intent of such a Study is to ensure that the proposed development can be designed and sited to ensure that the impacts of the development on the adjacent road network are minimized, and safety and drainage concerns are appropriately addressed.

D.3.16.2 The *Township* shall require information contained within Traffic Impact Studies to be consistent with the *County's* General Guidelines for Traffic Impact Studies.

D.3.17 **Airport**

D.3.17.1 The Huronia Airport is located within the *Township*. The Airport is owned by the *Township*, as well as the Town of Midland and Town of Penetangushine. The Airport is an economic catalyst in North Simcoe, and provides recreational and emergency service functions. From a land use perspective it is a policy of this Plan to protect the role of the Airport and any future expansions or associated area businesses. Development on and around the Airport are also contained within the Employment policies of this Plan.

D.3.17.2 The Airport shall be protected from incompatible land uses by:

- a) Appropriately buffering or separating residential or other sensitive land uses from the Airport and associated Employment lands that surround the Airport;
- b) Prohibiting new residential and other sensitive land uses in areas near the 30 NEF/NEP contour and redevelopment of existing sensitive land uses shall only be permitted if there is no negative impact on the long term function of the Airport; and
- c) Discouraging uses that may cause a potential aviation safety hazard, which include but are not limited to development of ponds that attract birds or other habitat, and which would attract animals and provide access to the runways.

D.4 WASTE DISPOSAL SITES

D.4.1 Introduction

D.4.1.1 There are thirteen *Waste Disposal Sites* within the *Township* as mapped on Schedule D to this Plan. *Township Site 39* is owned by the County of Simcoe and operates as a waste transfer and processing station. The *County* is the *Township's* service provider for solid waste disposal.

D.4.1.2 *Waste Disposal Sites*, and land uses within their vicinity, shall be located and designed in accordance with the *Environmental Assessment Act* and the *Planning Act* and the policies of this Plan. The *Province's D-4 Guideline* forms the basis of the *Township's Waste Disposal Site Policies* of this Plan.

D.4.2 Objectives

- a) To encourage reduction, reuse, and recycling of household and construction waste; and,
- b) To protect the health and safety of residents and the community from the potential adverse effects of *Waste Disposal Site* activities by restricting or controlling development in proximity to *Waste Disposal Sites*.

D.4.3 Policies

D.4.3.1 The *County* is responsible for the development, operation, monitoring, maintenance and rehabilitation of *County* owned and operated *waste disposal sites*. Policies with respect to the *County* sites are contained within the *County* of Simcoe Official Plan.

D.4.3.2 The Township and private owners are responsible for the development, operation, monitoring, maintenance and rehabilitation of their respectively owned waste disposal sites in accordance with applicable legislation.

D.4.3.3 Only *waste disposal sites* and approved accessory uses as per the Environmental Compliance Approval issued by the *Province* are permitted on sites hosting *waste disposal sites*.

D.4.3.4 The *D-4 Assessment areas* are where *waste disposal site* related impacts may be present. They are approximately 500 metres from the property line of an open site or 500 metres from the *fill area* of a closed site.

D.4.3.5 Sensitive land uses are not normally permitted within the *D-4 Assessment area* of an active *waste disposal site*. Sensitive land uses generally include,

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but are not limited to, permanent structures where people sleep or are present on a full time basis or where animals are housed or pastured; however, the precise definition is as defined by the *Province's D-4 Guideline*. The *D-4 Guideline* shall provide guidance as to any exceptions permitted.

- D.4.3.6 Through an assessment, if it is determined that the D-4 assessment influence area is more or less than the prescribed 500 metres, the *D-4 Assessment Area* may be reduced, or required to be expanded, to coincide with the actual influence area. The area of influence related to *County* owned sites shall be determined by the *County* in consultation with the *Province* or in the case of private sites, the *Township* shall consult with the *Province* directly.
- D.4.3.7 Where *development* is proposed within a *D-4 Assessment Area* of a *County* owned *waste disposal site*, the policies of the *County* shall apply.
- D.4.3.8 Where *development* is proposed within a *D-4 assessment area* of a *Township* or private *waste disposal site*, the *Township* will require a D-4 Study in accordance with the *D-4 Guidelines* from the *Province*. Such a Study may address matters including but not limited to:
- a) The impact of any potential methane gas migration;
 - b) Whether the proposed use will be adversely affected by noise, odor, dust or other nuisance factors from the *waste disposal site*;
 - c) Potential traffic impacts;
 - d) Whether the proposed use will be adversely affected by ground and surface water contamination by leachate migrating from the *waste disposal site*; and,
 - e) Any mitigation or monitoring required.
- D.4.3.9 The D-4 Study is intended to address these matters and other items outlined in the *Province's D-4 Guideline*, or its successor as required to ensure that the proposed land uses are compatible in nature and do not adversely impact upon each other.
- D.4.3.10 The D-4 Study required to support a development application within the *D-4 Assessment Area* shall be based on the type and/or scale of the development proposed.
- D.4.3.11 All lands within the *D-4 Assessment Area* shall be subject to a Holding provision in the implementing Zoning By-law. The lifting of a Holding

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provision permitting the development of any new use or new or enlarged buildings or structures within the assessment area shall not occur until the *D-4 Approval Authority* has confirmed that:

- a) The applicant has submitted of D-4 Study prepared by a qualified professional;
- b) The D-4 Study has been peer reviewed, at the expense of the applicant, by a qualified consultant in consultation with the *Province*; and,
- c) Any recommendations made in the D-4 Study, and any other applicable study, are implemented.

D.4.3.12 In cases where an amendment to the Official Plan and/or Zoning By-law is required to permit a proposed use in a *D-4 Assessment Area* or for a new or expanded *waste disposal site*, appropriate studies dealing with the matters set out above shall be submitted with the application.

D.4.3.13 An amendment to this Plan will be required for a new or expanded *waste disposal site*.

D.4.3.14 Deletion of a *waste disposal site* by the *Province* does not require an amendment to this Plan. A modification to the fill area of a closed waste disposal site or reduction to the assessment area by the Province also does not require an amendment to this Plan.

D.4.3.15 All new septage spreading proposals shall require an amendment to this Plan and the implementing Zoning By-law.

D.5 CULTURAL HERITAGE RESOURCES

D.5.1 Introduction

D.5.1.1 *Cultural heritage resources* may consist of buildings, structures, structural remains, archeology sites, artifacts, shipwrecks and submerged structures, cemeteries, burial grounds and other built and landscape features that are of cultural heritage significance. *Cultural heritage resources* are valued for the important contribution they make to our understanding of the history of a place, an event or a people.

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D.5.2 Objectives

- a) To recognize that the maintenance of the *Township's cultural heritage resources* will contribute to the preservation of the *Township's* character;
- b) To ensure that the nature and location of *cultural heritage resources* are known and considered before land use decisions are made;
- c) To prevent the demolition, destruction, inappropriate alteration or use of *cultural heritage resources* and encourage *development* that is adjacent to significant *cultural heritage resources* be of an appropriate scale and character;
- d) To consult and seek the advice of the Beausoleil First Nation, Huron-Wendat Nation, Metis Nation of Ontario, the *Province*, the Township Heritage Advisory Committee or other established heritage organizations when making decisions regarding the conservation of *cultural heritage resources* in the *Township*.

D.5.3 Policies

- D.5.3.1 It is the intent of this Plan that the *Township's cultural heritage resources* be identified, inventoried, and shall be conserved and will be enhanced whenever practical, and that all new *development* should occur in a manner which respects the *Township's* physical heritage.
- D.5.3.2 The *Township* shall consider the interests of Indigenous communities in conserving cultural heritage and archeology resources.
- D.5.3.3 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.
- D.5.3.4 Conservation may be addressed through a Conservation Plan, Heritage Impact Assessment, stewardship, or through the provisions of the *Ontario Heritage Act*. For the purposes of this policy, “conservation” or “conserve” means the identification, protection, use and/or management of Cultural Heritage and *Archaeological Resources* in such a way that their heritage values, attributes and integrity are retained.
- D.5.3.5 *Development* proposed contiguous to a property that is designated under the *Ontario Heritage Act* is not permitted, unless it has been demonstrated through the completion of a Heritage Impact Assessment that the *Heritage Attributes* of the protected property will be conserved.

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D.5.3.6 The *Township* shall apply the provisions of the *Funeral, Burial & Cremation Services Act* and its regulations when marked and unmarked cemeteries or burial places are encountered during *development*, assessment or excavation.

D.5.3.7 The *Township* may require that significant *cultural heritage resources* and/or significant *cultural heritage landscapes* be zoned to provide appropriate protection of the resource. Other tools of protection may also be considered by the *Township*, including Site Plan Control and Conservation Easements.

D.5.3.8 The *Township* recognizes the duty to consult with Indigenous communities when considering *Planning Act* applications and will carry out consultation with these communities. The *Township* also recognizes that consultation requirements may vary and may be increased where there is the potential for Indigenous rights or claims to be impacted.

D.5.4 **Heritage Impact Assessments**

D.5.4.1 The *Township* may require a Heritage Impact Assessment where a proposed *development* or redevelopment:

- a) Is on or adjacent to a significant heritage resource or *cultural heritage landscape*;
- b) Is on, adjacent to, or in the immediate vicinity of a property designated under the *Ontario Heritage Act*;
- c) Is within or adjacent to the boundaries of a heritage conservation district; or,
- d) Proposes the removal, alteration or relocation of heritage resources.

D.5.4.2 The *Township* may scope or waive the requirement for a Heritage Impact Assessment where the scale and nature of the proposed *development* would not warrant the completion of the study.

D.5.4.3 A Heritage Impact Assessment shall be prepared by a qualified professional and include the following:

- a) Identification and evaluation of the heritage resources;
- b) A written and pictorial or photographic inventory of the heritage resource;

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- c) Assessment of the *development* proposal's impact on the heritage resources;
- d) The manner in which to mitigate any negative impacts; and,
- e) Any additional information, which may be required by the *Township* or applicable agency.

D.5.5 Designation of Heritage Properties

D.5.5.1 Pursuant to the *Ontario Heritage Act*, Council may, by by-law:

- a) Designate properties to be of historic and/or architectural value or interest;
- b) Define an area within the *Township* as an area to be examined for designation as a heritage conservation district; and/or,
- c) Designate any area within the *Township* as a heritage conservation district.

D.5.6 Archaeological Resources

D.5.6.1 The *Township* recognizes that there may be archaeological remnants of prehistoric and early historic habitation, as well as archaeological potential areas within the *Township*. Archaeological sites and resources contained within these areas can be adversely affected by *development*.

D.5.6.2 *Development* and *site alteration* is only permitted on lands containing *Significant Archeological Resources* or *Areas of Archaeological Potential* if the resource has been *conserved* through removal and documentation, or by preservation on the site. If removal and documentation is undertaken, it shall only be done by licensed archeologists. If preservation is undertaken, *development* and *site alteration* that maintains the heritage integrity may be permitted.

D.5.6.3 The *Township* will require an Archaeological Assessment by an archeologist licensed by the *Province* for *development* applications where identified *Archeological Resources* exist or where the potential for such resources exist and will require it prior to approval of a Plan of Subdivision or Plan of Condominium proposing multi lot development.

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D.5.6.4 The *Township* shall consult appropriate *Provincial* government agencies, where an identified human cemetery, marked or unmarked human burial is affected by land *development*. The provisions under the *Ontario Heritage Act* and the *Funeral, Burial & Cremation Services Act* shall apply.

D.5.6.5 Indigenous communities and appropriate Provincial Ministries and Authorities will be notified, should Indigenous *archaeological resources* or burial places be found through an archaeological assessment. The Beausoleil First Nation and Huron-Wendat Nation shall be the first point of contact when resources are found. These Nations shall be provided with all archaeological assessments, even when evidence is not found.

D.6 LAND DIVISION

D.6.1 Introduction

D.6.1.1 The general lot creation policies are located within this Section of this Plan. Lot creation policies that are specific to particular land use designations are also found in their specific Sections of this Plan.

D.6.1.2 Lot or unit creations may proceed by the following methods:

- a) Consent;
- b) Registered Plan of Subdivision and/or the lifting of Part Lot Control within a Registered Plan of Subdivision; or,
- c) Registered Plan of Condominium.

D.6.1.3 The creation of lots and condominium units shall comply with the policies of this Plan and the implementing Zoning By-law.

D.6.1.4 Parkland dedication in accordance with the policies of this Plan, including Section E.9 (Parkland Dedication), shall be required for lot creation.

D.6.2 Preferred Means of Land Division

D.6.2.1 Land division by Plan of Subdivision, rather than by consent, shall generally be deemed necessary if:

- a) More than five new lots are being created;

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- b) The extension of an existing public road or the development of a new public road (or condominium road) is required to access the proposed lots;
- c) The extension of municipal or communal water or sewage services are required to service the proposed lots;
- d) The area that is proposed to be developed is not considered to be infilling;
- e) A Plan of Subdivision is required to ensure that the entire land holding or area is developed in an orderly and efficient manner;
- f) Detailed implementation mechanisms including but not limited to municipal agreements are required; or,
- g) The property is a large tract of land and requires a Plan of Subdivision or Condominium to establish an appropriate lot and/or road layout.

D.7 CONSENTS

D.7.1 General Consent Policies

D.7.1.1 This Section is intended to contain general consent policies that are to be considered with every application for consent.

D.7.1.2 Lot creation by consent shall only be considered in the limited circumstances permitted by the lot creation policies of the applicable land use designation and where it is determined that a Plan of Subdivision is not required.

D.7.2 General Criteria for New Lots Created by Consent

D.7.2.1 Prior to considering an application to create a new lot, the *Township* shall consider and/or be satisfied with the following:

- a) The proposed lot fronts on an open public road;
- b) The proposed lot does not front on a *Provincial Highway* or a *County Road* (outside of the *Settlement Area* designation);
- c) The proposed lot will not cause a traffic hazard;

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- d) The proposed lot can be serviced with appropriate *sewage and water services*;
- e) The proposed lot will not have a negative impact on the drainage patterns in the area;
- f) The proposed lot will not affect the orderly development of the remainder of the lands, if they are designated for development by this Plan;
- g) The proposed lot and use for the lot is compatible with the surrounding land uses;
- h) The proposed lot size and frontage is appropriate;
- i) The natural heritage policies of this Plan, which are included in the Environmental Protection and Greenlands Designations and found in Sections B.1 (Environmental Protection) and B.2 (Greenlands), and any applicable *County* and *Provincial* policies and regulations are adhered to;
- j) Whether the proposed lot(s) will inhibit or limit the potential for future planned development in the area;
- k) Whether the proposed lot will not preclude or hinder the establishment of new *mineral aggregate operations* within the Mineral Aggregate Resources One and Two designations; and,
- l) Other matters, as deemed appropriate by the *Township*.

D.7.3 **Other Consents**

- D.7.3.1 Consent may also be permitted for a technical or legal reason such as a boundary adjustments, lot additions, easements, right-of ways, validation of titles, or other similar purposes that do not result in the creation of a new lot.

D.7.4 **Boundary Adjustments**

- D.7.4.1 Boundary adjustments may be considered where the effect of the boundary adjustment is to consolidate or rationalize a property boundary. In reviewing an application for a boundary adjustment, the *Township* shall be satisfied that:
 - a) No new lot will be created; and,

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- b) The boundary adjustment will not affect the viability of the use of the subject properties intended by this Plan.

D.7.5 Technical Severances

D.7.5.1 A technical severance to divide lands which have inadvertently merged in title may be granted, provided the *Township* is satisfied that:

- a) The merging of the land subject to the application was unintentional;
- b) The land subject to the application was not merged as a requirement of a previous planning approval;
- c) The subject lands, if re-divided, generally conform with any applicable minimum lot area standard within this Plan and generally conform with the requirements of the *Township's* Zoning By-law; and,
- d) There is no public interest served by maintaining the subject property as a single conveyable parcel.

D.7.6 Lots for Utilities

D.7.6.1 The creation of new lots for public *utilities*, communication *utilities* and water and sewer *infrastructure* may be permitted, provided:

- a) The area of the proposed lot is minimized and reflects what is required for the use; and,
- b) An amendment to the implementing Zoning By-law is required as a condition of Provisional Consent, whereby the permitted uses are related to the utility on the lot.

D.7.6.2 A new lot for a utility is not to be counted as part of the maximum number of lots permitted for a severance or whether a severance is permitted in the applicable land use designation.

D.7.6.3 Lots for *utilities* are discouraged in the Agricultural designation.

D.8 SUBDIVISION AND CONDOMINIUM

- D.8.1 This Section is intended to contain general Plan of Subdivision policies that are to be considered with every application for Plan of Subdivision.
- D.8.2 Prior to the consideration of approval of a Plan of Subdivision, the *Township* shall be satisfied that:
- a) Each of the proposed lots will front on an assumed public road;
 - b) The proposal conforms with the servicing policies of this Plan, including Section D.1 (Water and Sewage Servicing);
 - c) The proposal conforms with the Natural Heritage policies of this Plan including Sections B.1 (Environmental Protection) and B.2 (Greenlands);
 - d) Any proposed phasing shall be coordinated with abutting development, requirement for external works, and/or future phases, including the use of holding by-laws for future phases, if deemed necessary;
 - e) Any proposal shall be integrated with the adjacent plans with respect to matters including but not limited to parkland dedication, trails, roads and *infrastructure*;
 - f) Any proposal conforms to the growth management policies of this Plan; and,
 - g) Other matters as deemed appropriate by the *Township*, are addressed.
- D.8.3 Prior to the registration of any Plan of Subdivision, a Subdivision Agreement between the landowner and the *Township* will be required. Matters to be addressed in the Agreement may include but not be limited to financial considerations, provision of services, drainage, landscaping, land dedication, construction mitigation, and *County* requirements. The Agreement shall be registered against the title to the lands.
- D.8.4 Plans of Subdivision and Condominium shall be designed to minimize impacts on the transportation system, the *natural heritage features and areas*, or adjacent land uses.

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- D.8.5 Road design in Plans of Subdivision and Condominium shall consider means in which to balance the needs of all road users including pedestrians, cyclists, transit and vehicles.
- D.8.6 Plans of Subdivision or Condominium shall be integrated with adjacent lands, subdivisions, trails and roads.
- D.8.7 The policies in Section D.8 (Subdivision and Condominium) shall apply to plans of condominium, where applicable.

D.9 PART LOT CONTROL

- D.9.1 Council may, by by-law, exempt all or parts of a registered plan of subdivision from part lot control to permit the conveyance of portions of lots or blocks. By-laws to exempt lands from part lot control shall be limited to a period of not more than three (3) years.

D.10 GARDEN SUITES AND SECOND UNITS

D.10.1 Introduction

- D.10.1.1 Garden Suites and Second Units allow for affordable housing opportunities and are permitted in accordance with the policies of this Plan.
- D.10.1.2 Garden Suites are intended to provide for temporary and affordable accommodation on properties that host existing residential dwelling units. A Garden Suite is intended to be accommodated within the same general area of the lot as the existing dwelling. Garden Suites may be permitted through the passing of a Temporary Use By-law, as outlined below.
- D.10.1.3 Second Units provide for the opportunity to develop affordable housing units within the *Township*. Development of these units will assist in supporting the *County’s* target of providing 10 percent affordable housing units to be created each year throughout the *County*.
- D.10.1.4 Garden Suites and Second Units may be subject to a *Township* licensing program as well as other *Township* criteria such as applicable Fire Code regulations.

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D.10.2 **Garden Suites**

D.10.2.1 Garden Suites may be permitted in the Shoreline, *Settlement Area*, Rural, Agricultural, Country Residential and Greenlands designations, where residential dwelling units are permitted.

D.10.2.2 Prior to passing a temporary use by-law for the establishment of a Garden Suite, the *Township* shall be satisfied that:

- a) The Garden Suite is secondary and incidental to the existing dwelling on the same lot;
- b) Appropriate on-site parking, sewage, water and drainage is provided for both the existing unit and the proposed Garden Suite;
- c) Appropriate buffering is provided, if deemed necessary, to any adjacent use;
- d) If serviced by a municipal or communal water supply, sufficient reserve capacity is available in the system; and,
- e) Not more than one Garden Suite is permitted per lot.

D.10.2.3 The maximum duration of the Garden Suite may be up to twenty (20) years with the option of applying for an extension of three (3) years thereafter until the use is no longer necessary.

D.10.2.4 The *Township* may require various studies to be undertaken in order to determine whether the Garden Suite is appropriate to be located on the lands as proposed.

D.10.2.5 Garden Suites may be subject to Site Plan Control and will be subject to all other applicable policies of this Plan.

D.10.2.6 The *Township* will require the Owner of the Lands on which the Garden Suite is located to enter into an agreement with the *Township* to deal with the following:

- a) The installation, maintenance and removal of the Garden Suite;
- b) The form of security that the *Township* may require for actual or potential costs to the *Township* related to the Garden Suite including removal of the Garden Suite upon the expiration of the agreement;
- c) That the Garden Suite will not be used for short term accommodations; and,

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- d) Any other matter deemed appropriate by Council, which is not limited to the size, location, or buffering of the Garden Suite.

D.10.3 **Second Units**

D.10.3.1 Second Units are permitted within a legally existing or permitted detached dwelling, semi-detached dwelling, or townhouse within the Rural, Agricultural, Greenlands, Country Residential and *Settlement Area* designations.

D.10.3.2 Second Units are permitted within a legally existing or permitted accessory structure, within the Rural, Agricultural, Greenlands, Country Residential and *Settlement Area* designations, where a residential use is also a permitted use.

D.10.3.3 Where a second unit is permitted up to two second units are permitted per lot. However, only one second unit is permitted in an accessory structure.

D.10.3.4 Second Units are subject to the following criteria:

- a) Appropriate on-site parking, sewage, water and drainage is provided for the existing and additional unit(s);
- b) If serviced by a municipal or communal water supply, confirmation that sufficient reserve capacity is available in the system;
- c) The Second Unit is secondary and incidental to the existing dwelling on the same lot;
- d) The conversion of existing dwelling units to accommodate a Second Unit(s) shall form an integral part of the primary dwelling unit and be designed to maintain the character of the dwelling;
- e) The lot fronts onto an open public road or condominium road; and
- f) The number of bedrooms is limited to ensure that the Second Unit is subordinate to the primary dwelling unit.

D.10.3.5 The *Township* may require site plan approval and/or municipal registration of Second Units.

D.11 HOUSING FOR OLDER PERSONS

D.11.1 Introduction

D.11.1.1 As with many communities in Ontario, the Township hosts an aging population. The Township is desirous to provide appropriate opportunity to allow its aging population to have suitable housing options.

D.11.2 Permitted Uses

D.11.2.1 Housing for older persons may include nursing homes, retirement homes, a building hosting independent living units including communal dining with other communal facilities such as on-site facility scale commercial uses and recreational uses. Independent living units are required to be collectively owned and managed by an operator.

D.11.2.2 Garden Suites and Second Units are also considered an appropriate form of housing for older persons. Policies for the development of Garden Suites and Second Units are contained in Section D.10 (Garden Suites and Second Units) of this Plan.

D.11.3 General Policies

D.11.3.1 Housing for older persons is permitted in the *Settlement Area* designation subject to a Zoning By-law Amendment.

D.11.3.2 Small scale proposals for housing for older persons may be permitted in other appropriate land use designation subject to an Official Plan Amendment and Zoning By-law Amendment excluding the Environmental Protection, Greenlands, Agricultural, and *Employment Area* designations.

D.11.3.3 Proposals may be considered for housing for older persons within appropriate designations subject to addressing issues of neighbourhood and community character, transportation issues, as well as the other applicable policies of this Plan.

D.11.3.4 Housing for older persons is encouraged to locate in close proximity to commercial uses, *public service facilities*, and recreational uses and amenities as well as near existing or planned transit corridors where available.

D.11.3.5 Reduced parking standards may be considered for housing for older persons and may be subject to a parking analysis.

D.11.3.6 The Township shall encourage the use of universal design features in site, building and suite design.

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D.11.3.7 Development of housing for older persons are required to be appropriately designed for the site and context in which they are proposed including but not limited to scale, massing, and buffering to adjacent uses

D.11.3.8 Housing for older persons may be subject to Site Plan Control.

D.11.3.9 Appropriate on-site infrastructure shall be addressed, which includes but is not limited to sewage, water, drainage, access and parking.

D.12 BED AND BREAKFAST ESTABLISHMENTS

D.12.1 Introduction

D.12.1.1 Where bed and breakfast establishments are permitted in this Plan, an amendment to the implementing Zoning By-law is required. Prior to considering such an amendment, the Township shall be satisfied that:

- a) The use shall not have a negative impact on the enjoyment and privacy of neighbouring properties;
- b) Adequate on-site parking facilities are available on the lot for the proposed use;
- c) The proposed use will not cause a traffic hazard as a result of its location on a curve or a hill;
- d) The proposed use can be serviced with an appropriate water supply and an appropriate means of sewage disposal;
- e) The owner resides in the dwelling during the operation of the bed and breakfast; and,
- f) The proposed use may be subject to Site Plan Control.

D.13 CONTAMINATED SITES

D.13.1 If the site of a proposed use is known or suspected to be contaminated, the *Township* shall require the proponent to complete a study prepared in accordance with the Ministry of the Environment, Conservation and Parks guidelines which determines the nature and extent of the contamination and the identification of a remedial plan if required. Where the need for remediation is identified, the site shall be restored in accordance with the

remediation plan before development occurs to ensure that there will be no adverse effects on the proposed uses or adjacent land uses. The *Township* may require a Record of Site Condition to be filed with the Ministry of the Environment, Conservation and Parks as proof of a remediated site.

D.14 RENEWABLE ENERGY

D.14.1 The *Township* is not a willing host for industrial wind turbines.

D.14.2 Ground Mounted Solar Facilities are permitted within the Agricultural designation only as on-farm diversified uses.

D.14.3 Ground Mounted Solar Facilities are permitted within the Rural designation subject to a Zoning By-law Amendment. The Zoning By-law Amendment shall:

- a) Demonstrate that the size and scale will be compatible with existing development in the area;
- b) Identify how any potential adverse effects will be mitigated; and
- c) Demonstrate how any visual impacts will be mitigated.

D.14.4 Ground Mounted Solar Facilities shall be subject to Site Plan Control. Site Plan Control Agreements may detail the extent, mass and location of ground mounted solar facilities and transmission and distribution systems as well as appropriate protocols for their ultimate decommissioning.

D.14.5 Small scale Ground Mounted Solar Facilities used exclusively for personal use and not for commercial gain may be considered accessory to a residential use and the system location must comply with all Zoning By-law regulations and be sited in a manner in order to limit the visual impact.

D.15 PUBLIC USES AND MUNICIPAL AND PUBLIC FACILITIES

D.15.1 All uses operated by a public authority including a Department of the Government of Canada, Province of Ontario, the *County* of Simcoe, the *Township*, any hydro generation or other utility company and the Severn Sound Environmental Association are permitted in any land use designation for the purpose of public service use including municipal *infrastructure* and *public service facilities*.

PART E PLAN IMPLEMENTATION & ADMINISTRATION

- D.15.2 All existing electric power facilities and the development of any new electric power facilities, including all works as defined in the *Power Corporation Act*, by Hydro One or Ontario Power Generation or its subsidiaries, such as transmission lines, transformer stations and distributing stations, shall be permitted within all land use designations throughout the *Township*, provided that such development satisfies the provisions of the *Environmental Assessment Act*, including regulations made under the Act, and any other relevant statutes.
- D.15.3 *Township* and other government or *public service facilities*, including but not limited to fire stations, work garages, ambulance stations, municipal buildings, libraries, schools, public recreation facilities and major parks, should be located in community hubs.
- D.15.4 Preference for location for *Township* and *public service facilities* should be provided for within or adjacent to the *Settlement Area* designation and secondarily within the Shoreline designation, where appropriate, to facilitate cost-effective service delivery and access to the *Township's* population concentration.
- D.15.5 Schools and major institutions are encouraged to be located within the *Settlement Area* designation.
- D.15.6 Prior to development of new *Township* and public service facilities, consideration of adaptive re-use of existing facilities should be considered wherever feasible.

OPA No. 1

D.16 CANNABIS PRODUCTION

D.16.1 Agricultural Cannabis Production Facility

- D.16.1.1 A Federally licensed agricultural cannabis cultivation facility may be permitted in the Agricultural, Rural and in the Greenlands designations on existing agricultural lands subject to the requirements of the Zoning By-law.
- D.16.1.2 Before considering an amendment to the Zoning By-law, the *Township* shall be satisfied that:
- a) The growing of cannabis will occur solely outdoors or within a greenhouse or building on the subject property. The growing of cannabis shall not be permitted in a hoop house.
 - b) The facility has been sited and designed in such a way as to address and/or mitigate any nuisance effects, as regulated by the Province.

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- c) The facility has been sited and designed in such a way as to address and/or mitigate any nuisance effects, as regulated by the Province.
- d) Appropriate water, sewage and fire protection services can be provided.
- e) The agricultural and rural character of the area will be preserved and may require the use of buffering and screening.
- f) The facility will not create a traffic hazard and can be appropriately serviced by transportation infrastructure.
- g) Drainage is appropriately addressed.
- h) Regard for adjacent sensitive land uses and that the impacts of odour, light, noise, dust, disposal of plant waste, and security are appropriately addressed.
- i) The lot size is appropriate for the proposed size of the operation.
- j) The facility shall be subject to Site Plan Control.

D.16.2 Industrial Cannabis Production Facility

D.16.2.1 A Federally licenced industrial cannabis production facility may be permitted in the Employment Area designation subject to the requirements of the Zoning By-law.

D.16.2.2 Before considering an amendment to the Zoning By-law, the Township shall be satisfied that:

- a) The growing of cannabis occurs solely indoors.
- b) The facility has been sited and designed in such a way as to address and/or mitigate any nuisance effects, as regulated by the Province.
- c) Mitigation measures are implemented to reduce impacts on settlement areas and sensitive land uses, and, to determine the appropriate separation distance of the proposed facility to these areas. An appropriate separation distance shall generally be 300 metres from a settlement area or to the nearest lot line of a sensitive land use unless a closer distance can be supported on the basis of an air treatment control system and the submitted technical studies.
- d) Appropriate water, sewage and fire protection services can be provided.

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- e) The agricultural and rural character of the area will be preserved and may require the use of buffering and screening.
- f) The facility will not create a traffic hazard and can be appropriately serviced by transportation infrastructure.
- g) Drainage is appropriately addressed.
- h) Regard for adjacent sensitive land uses and that the impacts of odour, light, noise, dust, disposal of plant waste, and security are appropriately addressed.
- i) The lot size is appropriate for the proposed size of the operation.
- j) The facility shall be subject to Site Plan Control.

OPA No. 2

D.17 SHORT-TERM RENTAL ACCOMMODATIONS

- D.17.1 The Township recognizes that dwelling units (including cottages) have been rented for years for various timeframes.
- D.17.2 The recent phenomenon of dwelling units being used as dedicated short-term accommodations has precipitated the need for management and regulation of short-term rental accommodations to protect the planned function of residential areas.
- D.17.3 The Township shall enact both Zoning By-law regulations and a Licensing By-law to regulate short-term rental accommodations which together shall:
 - a) Establish a definition of short-term rental accommodations;
 - b) Permit short-term rental accommodations within zones that permit a dwelling unit; and
 - c) Establish regulations to ensure the planned function of residential areas is maintained.
 - d) Establish regulations to ensure the character of residential areas and residential uses are maintained.
 - e) Establish regulations to minimize the potential negative impacts of short-term rental accommodations.

E PLAN IMPLEMENTATION & ADMINISTRATION

E.1 INTRODUCTION

E.1.1 This Section identifies the key means that will be used by the *Township* to implement the policies of this Official Plan. However, the methods of implementing *Township* Official Plan policies as identified in this Section are not all-encompassing and are not intended to limit municipal authority. These policies must be read in conjunction with the other policies of this Plan.

E.1.2 The goals, objectives, and policies of this Plan will be implemented through the implementing Zoning By-law as well as through other means such as municipal by-laws, Site Plan Control, municipal agreements and design guidelines. Supporting or technical information may be required to ensure that the goals, objectives, and policies are properly implemented.

E.2 OFFICIAL PLAN REVIEW PROCESS

E.2.1 The *Township* shall initiate a review of this Official Plan no less than every ten (10) years after approval of this Plan and no less than five (5) years thereafter, unless this Plan has been replaced by a new Official Plan.

E.2.2 The *Township* may initiate a review of this Official Plan, as deemed necessary by Council to ensure that this Plan:

- a) Has regard for matters of *Provincial* interest;
- b) Conforms with *Provincial Plans* or does not conflict with them as the case may be;
- c) Is consistent with the PPS;
- d) Conforms with the *County of Simcoe* Official Plan; and,
- e) Conforms to the vision that forms the basis of the policies of this Plan.

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E.2.3 Amendments to the Plan

E.2.3.1 It is the intent of this Plan to serve as the basis for managing change in the *Township* to the year 2031.

E.2.3.2 It is, therefore, a policy of this Plan that the Official Plan should only be amended when the policies of this Plan have been found to not address issues or alternatively, issues have been raised with respect to site specific proposals that must be addressed in a comprehensive manner or there are required changes as a result of *County* or *Provincial* policy.

E.2.3.3 Applications for amendments to this Plan shall be subject to the submission of supporting information demonstrating the following to the satisfaction of the *Township*:

- a) That the proposed amendment conforms to the vision and goals of this Official Plan;
- b) That the proposed amendment conforms to the general policies of this Official Plan;
- c) That the proposed amendment conforms to the land use designations as applicable of this Official Plan;
- d) That the proposed amendment conforms to the applicable policies of the *County* of Simcoe Official Plan and of the *Province*; and,
- e) Other matters as deemed applicable.

E.2.4 Minor Changes to the Official Plan

E.2.4.1 Changes to the text or Schedules of this Official Plan may be made without public notice and without an Official Plan amendment provided the general intent of the Official Plan is maintained and only for the following reasons:

- a) Changes to the numbers of sections or the order of sections in the Plan, but does not add or delete sections;
- b) Consolidation of previously approved Official Plan Amendments in a new document without altering any approved policies or schedules;
- c) Corrections to grammatical or typographical errors in the Plan which do not affect the intent or affect the policies or schedules;

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- d) To reword policies or re-illustrate mapping to clarify the intent and purpose of the Plan or makes it easier to understand, without affecting the intent or purpose of the policies or schedules; and,
- e) Translation of measurements to different units of measure, or changes in reference to legislation or changes to legislation where the legislation has changed.

E.2.4.2 In all other instances, notification to the residents of the *Township* of public meetings held by Council shall be given in accordance with the policies of this Official Plan and the *Planning Act*.

E.3 INTERPRETATION OF LAND USE BOUNDARIES

E.3.1 The boundaries between land uses designated on the Schedules to this Plan are approximate, except where they meet with roads, rivers, pipeline routes, transmission lines, lot lines or other clearly defined physical features and in these cases are not open to flexible interpretation. Where the general intent of the document is maintained, minor adjustments to boundaries will not require an amendment to this Plan.

E.3.2 It is recognized that the boundaries of the Mineral Aggregate Resources Two overlay designation, Environmental Protection designation and Greenlands designation (and more specifically, the natural heritage features and areas mapped on Schedule B to this Plan) may be imprecise and subject to change. Based on studies undertaken by a proponent and comments from applicable agencies, the *Township* shall determine the extent of the environmental areas and Mineral Aggregate Resources Two designation on a site by site basis when considering *development* proposals, in consultation with the appropriate agencies. Any minor refinement to either the Mineral Aggregate Resources Two overlay designation, Environmental Protection or Greenlands designation shall not require an Amendment to this Plan.

E.3.3 Where a lot is within more than one designation on the Schedules to this Plan, each portion of the lot shall be used in accordance with the applicable policies of that designation.

E.3.4 Where numbers or values are specified in this text, such quantities are intended as guidelines, unless otherwise specified by the policies of this Plan. Deviations from numbers or values, which are minor and restricted, may be permitted without an amendment to this Plan, provided that the principles and intent of this Plan are maintained.

E.4 BY-LAWS

E.4.1 Introduction

E.4.1.1 There are various types of by-laws which the *Township* utilizes to implement the policies of the Official Plan. These by-laws and their various forms are outlined herein.

E.4.2 Zoning By-laws

E.4.2.1 The *Township's* Zoning By-law implements the Official Plan. The implementing Zoning By-law will, amongst other matters, set standards and regulations and define more precisely the uses and limits of areas to be permitted for specific land uses, as generally and specifically provided for within this Plan.

E.4.2.2 For an application for an amendment to the *Township's* implementing Zoning By-law to be considered complete in accordance with the *Planning Act*, the *Township* may require the submission of reports or studies listed in Section E.10.2.1.

E.4.2.3 A review of the *Township's* implementing Zoning By-law shall be undertaken within three (3) years of the adoption of this Official Plan, in order to ensure that the Zoning By-law properly implements the policies of this Plan.

E.4.3 Temporary Use By-Laws

E.4.3.1 The *Township* may pass a Temporary Use By-law to authorize the temporary use of land, buildings or structures for any purpose as set out in the By-law that might otherwise be prohibited.

E.4.3.2 The *Township* may pass Temporary Use By-laws permitting the following uses:

- a) Temporary housing;
- b) Temporary accommodation facilities;
- c) Temporary commercial uses and facilities;
- d) Garden Suites;
- e) Parking lots for a specific one-time event;

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- f) Industrial uses related to the resource base of the area and other similar uses; and,
- g) Other uses as deemed appropriate by the *Township*.

E.4.3.3 Such a use must maintain the intent of the Official Plan.

E.4.3.4 These temporary uses may be authorized for a specific time period up to three (3) years, except for Garden Suites as per the policies of this Plan and should be applied where it is considered inappropriate by the *Township* to permit the proposed use on a permanent or continuing basis and where alternatives such as relocation are not practical. Subsequent by-laws granting extensions of up to three (3) years may be considered by the *Township*. However, once the By-law has lapsed, the use must cease or otherwise will be viewed as contravening the *Township's* implementing Zoning By-law.

E.4.3.5 Prior to the approval of a Temporary Use Zoning By-law, the *Township* shall be satisfied that the following principles and criteria are met:

- a) The proposed use shall be of a temporary nature and shall not entail any major construction or investment on the part of the owner, so that the owner will not experience undue hardship in reverting to the original use upon the termination of the temporary use;
- b) The proposed use shall be compatible with adjacent land uses and the character of the surrounding neighbourhood;
- c) The proposed use shall comply with the Natural Heritage policies of this Plan, which are included in the Environmental Protection and Greenlands Designations and found in Sections B.1 and B.2;
- d) The proposed use shall not require the extension or expansion of existing municipal services;
- e) The proposed use shall not create any traffic hazards within the area, nor shall it adversely affect the volume and/or type of traffic serviced by the area's roads; and,
- f) Parking facilities required by the proposed use shall be provided entirely on-site.

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E.4.4 Holding Provisions

E.4.4.1 The *Township* may pass a Zoning By-law that identifies a use of land, but prohibits the actual development of the land until a later date when identified conditions have been met. These conditions are set out in the implementing Zoning By-law applying to the lands subject to the Holding Provision. The objective of utilizing a Holding Provision is to ensure that:

- a) The appropriate phasing of development or redevelopment occurs;
- b) Development does not proceed until services and *utilities* are available to service the development;
- c) A subdivision agreement or other applicable agreement has been entered into;
- d) The policies related to development on a private road or unassumed road are addressed; and,
- e) Other matters deemed appropriate by the *Township* are addressed.

E.4.4.2 Council, at any time, may designate any Zone or part of a Zone as a Holding Zone by placing an “H” in conjunction with the Zone symbol in order to meet one of the above-mentioned objectives. During the interim period, when the Holding Zone is in place, uses permitted on the affected lands are limited to existing uses only.

E.4.4.3 Permitted uses on lands subject to a Holding provision shall be limited to those uses and structures that existed at the time of passing of the Holding By-law.

E.4.4.4 Exceptions may be considered within the implementing Zoning By-law for minor structures.

E.4.5 Inclusionary Zoning By-Laws

E.4.5.1 The *Township* may pass an Inclusionary Zoning By-law to encourage and promote the inclusion of affordable housing units.

E.4.6 Interim Control By-laws

E.4.6.1 The *Township* may pass an Interim Control By-law in accordance with the *Planning Act*, to prohibit the use of land, buildings or structures within the *Township* or within a defined area or areas thereof.

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E.4.6.2 The purpose of the Interim Control By-law is to prevent development or redevelopment until a review or study is undertaken in respect to land use planning policies in the *Township* or in the defined area or areas as established in the By-law.

E.4.6.3 The Interim Control By-law shall have an expiry date of no more than one (1) year from the date of the passing thereof or as provided for in the *Planning Act*. The By-law may be amended to increase the time period up to one (1) additional year or as provided for in the *Planning Act*.

E.4.7 **Minor Variances**

E.4.7.1 The *Township* may grant minor variances to the implementing Zoning By-law, pursuant to the *Planning Act* and subject to information demonstrating that the *Planning Act* criteria is met.

E.4.7.2 The Committee of Adjustment may impose conditions to the approval of minor variances to ensure the development is in-keeping with the policies of this Official Plan. The conditions may include, but are not limited to, the requirement for a development agreement in accordance with the policies of this Plan.

E.4.8 **Lot Deeming By-laws**

E.4.8.1 The *Township* may, by by-law, in accordance with the *Planning Act*, deem a lot or lots in an existing registered Plan of Subdivision not to be a lot in a Plan of Subdivision. Lot Deeming By-laws may be used:

- a) To ensure that lot sizes are appropriate for the proposed use from a servicing perspective;
- b) Where access is limited;
- c) Where the lands contain an environmental feature which should be conserved as per the policies of this Plan;
- d) In other circumstances that assist in achieving the goals and objectives of this Plan; or,
- e) In other circumstances as deemed appropriate by the *Township*.

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E.4.9 **Tree Cutting By-law**

E.4.9.1 The *Township* may consider enacting a Tree Cutting By-law, in accordance with the *Municipal Act*, to limit the removal of trees and/or vegetation in specific areas of the *Township* on lots that are not subject to the County of Simcoe Forest Conservation By-law.

E.4.9.2 The Township may alternatively consider an education and outreach initiative aimed at informing the public of the benefit of tree retention.

E.4.10 **Site Alteration By-law**

E.4.10.1 The *Township* may consider enacting a Site Alteration By-law, in accordance with the *Municipal Act*, to limit the site alteration of lots in specific areas of the *Township*.

E.4.11 **Minimum Standards of Maintenance and Occupancy By-law**

E.4.11.1 Council may enact a by-law in regard to minimum standards of maintenance and occupancy to help maintain a reasonable standard of building and property maintenance within the planning area.

E.4.12 **Community Benefits By-law**

E.4.12.1 The Township may pass a Community Benefits By-law in accordance with the *Planning Act*. The Community Benefits By-law may establish fees to pay for the capital costs associated with facilities, services and matters required to support new development and redevelopment as set out in the By-law.

E.4.12.2 Prior to passing a Community Benefits By-law, the Township shall prepare a community benefits strategy in consultation with the public that:

- a) identifies the facilities, services and matters that will be funded with community benefits charges; and
- b) complies with any prescribed requirements.

E.4.12.3 Notwithstanding the policies contained herein, the Township may allow an owner of land to provide an in-kind contribution in lieu of the prescribed cash payment as provided in the Community Benefits By-law.

E.4.12.4 The Community Benefits By-law shall prescribe that development or redevelopment shall not occur on land subject to a Community Benefits By-law prior to the Township having received the prescribed cash payment or

in-kind contribution, or prior to arrangements for their provision having been made to the satisfaction of the Township.

E.5 NON-CONFORMING AND NON-COMPLYING

E.5.1 Introduction

E.5.1.1 The following policies relate to non-conforming uses and non-complying structures, be they legal or not.

E.5.2 Non-Conforming Uses and Non-Complying Structures

E.5.2.1 As a general rule, existing uses that do not conform to the policies of this Plan should be phased out.

E.5.2.2 A non-conforming use is a use that does not conform to the uses in the *Township's* implementing Zoning By-law.

E.5.2.3 A non-complying structure is a structure that does not conform to the zone standards in the *Township's* implementing Zoning By-law.

E.5.2.4 If the use or structure legally existed prior to the date of the passage of the *Township's* implementing Zoning By-law they are deemed to be either legal non-conforming or legal non-complying respectively.

E.5.3 Legal Non-Conforming Uses

E.5.3.1 Existing uses that do not conform to the policies of this Plan may be zoned in the implementing Zoning By-law in accordance with their present use, provided that:

- a) The zoning will not permit any change of use or performance standard that may negatively impact adjoining uses;
- b) The use does not constitute a danger to surrounding land uses, humans or animals by virtue of their hazardous nature;
- c) The use does not interfere with the appropriate development of the surrounding lands; and,
- d) When the use is discontinued, a Zoning By-law Amendment to reinstate the use may only take place in accordance with the policies and intent of this Plan.

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E.5.3.2 In some instances, it may be necessary and practical to allow for the extension or enlargement of legal non-conforming uses through the granting of a minor variance.

E.5.3.3 When considering a minor variance for an extension or enlargement of a legal non-conforming use, the *Township* may consider the following:

- a) The size of the enlargement in relation to the existing operation or use;
- b) Whether the proposed enlargement is compatible with the character of the surrounding area;
- c) The characteristics of the existing use in relation to noise, vibration, fumes, dust, smoke, odours, lighting and traffic generation, and the degree to which any of these factors may be increased or decreased by the enlargement; and,
- d) The possibilities of reducing nuisances through buffering, building setbacks, landscaping, Site Plan Control and other means to improve the existing situation, as well as minimize potential impacts from the enlargement.

E.5.3.4 New lots that are created as a result of the merging of two or more lots in an existing Plan of Subdivision or lots that are made larger as a result of a lot addition shall be deemed to comply with the lot frontage and lot area requirements of the *Township's* implementing Zoning By-law.

E.5.4 **Legal Non-Complying Buildings and Structures**

E.5.4.1 A legal non-complying building or structure may be enlarged, repaired, renovated, or replaced, provided that the enlargement, repair, renovation, or replacement:

- a) Does not further increase a situation of non-compliance;
- b) Complies with all other applicable provisions of this Official Plan and the implementing Zoning By-law;
- c) Does not increase the amount of floor area or volume in a required yard or setback area; and,
- d) Will not pose a threat to public health or safety.

E.6 SITE PLAN CONTROL

- E.6.1 In accordance with the provisions of the *Planning Act*, the total area within the corporate limits of the *Township* of Tiny is described as a Site Plan Control area, and may be designated as such in a Site Plan Control By-law enacted by the *Township*.
- E.6.2 The Site Plan Control By-law may exempt the following uses from the requirement to obtain Site Plan Approval:
- a) Single detached residential development;
 - b) Agricultural and farm related buildings or structures that are utilized in farming operations and do not directly serve the public and/or do not charge public use fees;
 - c) A *Mineral Aggregate Operation* licensed under the *Aggregate Resources Act*, and,
 - d) Minor renovations and extensions.
- E.6.3 Site Plan Control will be implemented, as detailed within the policies of this Plan.
- E.6.4 Site Plan Control considerations include the following:
- a) Ensure that the massing, location and exterior design of development is of high quality and compatible with adjacent uses and the *natural heritage features and areas*;
 - b) Promote compatibility with adjacent and neighbourhood land uses;
 - c) Ensure maintenance or restoration of vegetation or natural vegetative buffers, or provision of landscaping;
 - d) Address exterior design elements of buildings including, but not limited to, character, scale, appearance, massing, design features, roof pitch, materials, and screening of rooftop mechanical and electrical equipment;
 - e) Provide for safe, efficient and appropriate movement of vehicular, vessel and pedestrian access;
 - f) Ensure the conveyance of road widening and easements required by the *Township, County, Province* or a public utility;

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- g) Ensure that facilities are designed for persons with disabilities and older persons;
- h) Ensure proper grading, stormwater management, sewage disposal including the proper disposal of grey water, where applicable and construction mitigation measures are provided and shown on the plans;
- i) Ensure storage facilities, loading facilities, garbage disposal areas, parking areas and driveways are provided in an appropriate manner so as not to impede traffic flow or endanger pedestrians, and to facilitate a positive visual effect;
- j) Ensure the appropriate use of lighting, walls, fences, hedges, trees, shrubs or other ground cover or facilities for the landscaping of areas to enhance land use compatibility and facilitate a safe and visually pleasing environment;
- k) Ensure the safe storage of hazardous materials or equipment where applicable;
- l) Address matters related to any report or drawing which was required as part of the application; and,
- m) Other items as permitted under the *Planning Act*.

E.6.5 An application for Site Plan Approval shall provide a Plan that demonstrates the form of development and may require:

- a) The location of all buildings and structures to be erected including future phases;
- b) The location of all facilities and works to be provided;
- c) The location of all facilities and works for road widenings, access ramps, driveways, parking, curbs, directional signs, loading spaces, surface materials, facilities for accessibility for persons with disabilities, walkways and pedestrian access, lighting, fire routes, and garbage storage;
- d) Easements and grading; and,
- e) Landscaping.

E.6.6 In exercising Site Plan Control, consideration shall be given to minimizing the potential impact of the application of road salt within vulnerable areas

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and where possible, should:

- a) Minimize the amount of impervious surface area requiring the application of salt during winter;
- b) Design site grading and drainage to reduce ponding;
- c) Direct run-off outside of vulnerable areas or to storm sewers; and,
- d) Provide for quality control measures to limit migration of sodium chlorides in storm run-off.

E.6.7 The *Township* may require the entering into a Site Plan Agreement as a condition of development of the lands. Such agreements shall be required prior to the issuance of a building permit and shall be registered on the title to the lands.

E.6.8 Information may be required to be submitted to support a Site Plan Control application as per Section E.10 of this Plan.

E.6.9 Site Plan Agreements entered into prior to the date of adoption of this Plan will remain valid and binding.

E.7 MUNICIPAL AGREEMENTS

E.7.1 The Township may require a proponent to enter into municipal agreements, as may be required in this Plan and in accordance with the *Planning Act*, *Municipal Act* or any other relevant statute.

E.7.2 All municipal agreements will conform to this Plan and will be used to implement the policies of this Plan.

E.8 DARK SKY LIGHTING

E.8.1 New and existing development are encouraged to provide exterior lighting that avoids trespass and glare on neighbouring properties, and lighting should be directed downwards rather than outwards.

E.8.2 Full cut off Dark Sky compliant lighting shall be required for all Site Plan Control applications where appropriate and where not required for safety and security reasons.

E.8.3 Exterior lighting shall not interfere with water navigation.

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E.8.4 The *Township* may require a detailed lighting plan for any *Planning Act* application.

E.8.5 The *Township* may consider enacting an Outdoor Lighting By-law, in accordance with the *Planning Act* and *Municipal Act*, to address Dark Sky lighting and/or light trespass in specific areas or classes of development in the *Township*.

E.9 PARKLAND DEDICATION

E.9.1 As a condition of any division of land, the *Township* shall require that land be dedicated to the *Township* for park or recreational purposes, as prescribed in the *Planning Act* (generally five percent for residential and two percent for commercial or industrial development). The *Township* shall only require parkland dedication where there is a net increase in the potential number of residential dwelling units on the lot or lots.

E.9.2 Lands dedicated for park purposes under the *Planning Act* shall be acceptable as parkland only if the topography, shape, location and phase of the dedicated lands are considered acceptable by the *Township*.

E.9.3 The *Township* may reject lands proposed for park dedication under the *Planning Act* and will accept in lieu thereof a cash payment equal to the value as prescribed by the *Planning Act*. Such monies shall be placed in a special parkland fund to be used solely for purposes permitted in accordance with the *Planning Act*.

E.9.4 Notwithstanding the policies contained herein, the *Township* may choose a combination of land, cash and/or the equivalent park upgrades in lieu of a cash payment.

E.9.5 Parkland dedication is not required when the *Township* considers consent applications for the severing of surplus farm dwelling units as part of a farm consolidation.

E.10 PRE-CONSULTATION AND COMPLETE APPLICATION

E.10.1 Pre-Consultation

E.10.1.1 Prior to the submission of an application for an Official Plan Amendment, Zoning By-law Amendment, a Site Plan Control application and/or an

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application for Subdivision/Condominium approval, the person or public body requesting the amendment or approval shall pre-consult with the *Township*. Pre-consultation may also be required prior to the submission of other planning applications to the *Township*.

E.10.2 **Complete Application**

E.10.2.1 For a development application to be considered complete, the *Township* may require that the following information or technical reports be submitted at the time of application:

- a) Planning Justification Report;
- b) Environmental Impact Study;
- c) Master Servicing Study/Servicing Options Report;
- d) Traffic Impact Study;
- e) D-4 Landfill Study;
- f) Settlement Capability Study;
- g) Agricultural Impact Assessment and/or MDS calculation;
- h) Affordable Housing Report;
- i) Fisheries Impact Study;
- j) Marina Impact Study;
- k) Environmental Site Assessment;
- l) Wave Uprush Study/Coastal Engineering Study;
- m) Hydrogeological Study/Hydrology Study;
- n) Stormwater Management Report;
- o) Growth Management Report;
- p) Wellhead Protection – Risk Assessment Report;
- q) Spray Analysis – Golf Courses;
- r) Flooding, Erosion, Slope Stability Reports;

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- s) Noise and Vibration Impact Analysis;
- t) Odour, Dust and Nuisance Impact Analysis;
- u) Geotechnical/Soils Stability Report;
- v) Wind Study;
- w) Archaeological Assessment;
- x) Cultural Heritage Report and/or Heritage Impact Study;
- y) Scoped Water Budget;
- z) Parking Report/Analysis;
- aa) Shadow Analysis;
- bb) Tree Preservation Plan;
- cc) Urban Design Report;
- dd) Streetscape Study;
- ee) Functional Servicing Report;
- ff) Illumination Study;
- gg) Servicing Feasibility Study;
- hh) Market or Financial Impact Study;
- ii) Affordable Housing Report;
- jj) Water Resource Management (WRM) Report;
- kk) Any additional information identified by the Township during pre-consultation; and/or,
- ll) Digital Plans, as applicable, including Draft Plans, Condominium Plans, Consent Plans, Site Plans and/or plans which visually depict the application, or as required under the *Planning Act*.

E.10.2.2 The need for any or all of these studies shall be determined by the *Township* following pre-consultation between the *Township* and the applicant.

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E.10.2.3 The cost associated with all the required studies shall be the sole responsibility of the applicant. Costs incurred for the *Township* to peer review the studies, as required, shall also be the responsibility of the applicant.

E.10.2.4 The *Township* may establish a terms of reference for Technical Reports.

E.11 PLANS OF SURVEY

E.11.1 A Plan of Survey, prepared and certified by an Ontario Land Surveyor, may be required by the *Township* prior to consideration of a development application.

E.12 ENVIRONMENTAL IMPACT STUDIES

E.12.1 Where the need for an Environmental Impact Study (EIS) has been identified, the EIS shall be prepared by a qualified professional and in accordance with the requirements of this Section.

E.12.2 The *Township* will require an independent peer review of an EIS, at the applicant's cost.

E.12.3 Purpose of an EIS

E.12.3.1 The purpose of an EIS is to:

- a) Collect and evaluate all the appropriate information in order to have a complete understanding of the boundaries, attributes and functions of relevant natural heritage feature(s); and
- b) Make an informed decision as to whether or not a proposed use will have a negative impact on the natural heritage features and ecological functions, and key hydrological features within the *Township*.

E.12.3.2 An EIS must describe the natural heritage features, key hydrological features and ecological functions, identify their significance and sensitivities and describe how they could be affected by a proposed use. The EIS should give consideration to the relevant aspects and inter-relationships of various components of the *natural heritage system* on and off the site. In addition, the EIS must address how the proposed *development* will protect, maintain or restore the critical natural features and ecological functions of the *natural heritage system*.

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E.12.4 **Contents of an EIS**

E.12.4.1 The contents and scope of an EIS shall be determined through pre-consultation and shall be based on the natural heritage feature(s) and the proposed use.

E.13 PUBLIC NOTICE, PUBLIC MEETINGS AND OPEN HOUSES

E.13.1 At least one Open House shall be held if the Official Plan is being updated on a municipal wide basis, as prescribed by the *Planning Act*, or in the case of an update of the implementing Zoning By-law, or if it is related to a Community Planning Permit System. At least one public meeting shall also be held prior to consideration by Council of adoption of the *Township's* Official Plan and/or approval of the implementing Zoning By-law.

E.13.2 Where the *Township* is considering an Amendment to the Official Plan which is not a municipal wide Official Plan review, the *Township* shall ensure that at least one public meeting is held. Adequate information and material, including a copy of the proposed Amendment, shall be made available to the public in the manner prescribed under the *Planning Act*.

E.13.3 Notification to the residents of the *Township* of public meetings held by Council shall be given in accordance with the regulations of the *Planning Act*.

E.13.4 **Special Notification Requirements for Commercial Uses**

E.13.4.1 Where a Zoning By-law amendment affects lands in any commercial zone, or proposes to place lands in any commercial zone, notice of the public meeting shall be provided to all landowners within 750 metres of the lot lines of the lands subject to the rezoning. The additional notification requirement is only to apply to lands in the *Township* and therefore only the minimum requirements under the *Planning Act* shall apply to landowners in adjacent municipalities. In all other respects the applicable *Planning Act* requirements shall apply for notification purposes.

E.14 COMMUNITY IMPROVEMENT PLANS

E.14.1 Community Improvement means the planning or replanning, design or redesign, resubdivision, clearance, development or redevelopment, construction, reconstruction and rehabilitation, improvement of energy efficiency, or any of them, of a Community Improvement Project Area, and

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the provision of such residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses, building, structures, works, improvements or facilities, or spaces therefore as may be appropriate or necessary. Community Improvement also includes the provision of Affordable Housing.

E.14.2 Community Improvement Project Areas are designated by by-law in compliance with the provisions of the *Planning Act* and are intended to identify areas in which Community Improvement Plans may be undertaken.

E.14.3 **Criteria for Designating Community Improvement Project Areas**

E.14.3.1 Community Improvement Project Areas may be designated by By-law based on one or more of the following criteria:

- a) The area contains areas of incompatible land uses, which may prejudice the functional or economic role of the area;
- b) The area has been identified as being deficient in terms of the level of municipal services (either soft or hard) because it no longer meets current development standards, is characterized as inefficient from a service delivery perspective or for a desired use, has inappropriate uses in a particular area or exhibits signs of aging;
- c) The area has been identified as being deficient or in need of enhancement in terms of neighbourhood and/or community parkland, recreational or community facilities (i.e. athletic fields, community centres, arenas, libraries, schools, senior citizen facilities, etc.);
- d) The area contains man-made hazards, such as poor street and intersection design, or flood control issues, which should be eliminated in order to ensure a greater degree of public safety;
- e) The area has been identified as one where the buildings are approaching the end of their functional life and should either be rehabilitated and restored for sequential uses in keeping with the nature of the area or demolished so as to allow for redevelopment of the site for a use more compatible with adjacent uses;
- f) The area contains vacant and underutilized lands, buildings or structures, which could be developed or redeveloped in a manner that reinforces the functional role of the area, provides opportunities for energy conservation and, at the same time, provides for the enhancement of the municipal tax base;

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- g) The area has commercial uses, which require upgrading, streetscape improvement and/or improved off-street parking and loading facilities to aid the area's economic viability;
- h) The area has buildings of cultural significance;
- i) The area has an inadequate mix of housing;
- j) The area has vistas and visual amenities, such as waterfront, which would benefit from protection and enhancement and which provide opportunities for tourism, leisure and recreation;
- k) The area has transportation deficiencies, including inaccessible or deteriorated sidewalks, walkways, bike paths/lanes, and trails;
- l) The area has soil or water contamination because of chemicals or other pollutants; or,
- m) The area has opportunities for improvements to increase energy efficiency, reduce water demand and overall sustainability.

E.14.4 **Site and Locational Policies**

E.14.4.1 An amendment to this Official Plan will be required to designate areas as Community Improvement Project Areas.

E.14.4.2 The *Township*, may by by-law, designate lands in the *Township* as a "Community Improvement Project Area" and shall undertake the preparation of a Community Improvement Plan for such an area. Community Improvement Plans may provide direction, guidelines, and a strategy for any or all of the following:

- a) The basis for selection of the Community Improvement Project Area;
- b) The boundary of the area, the land use designations and the intent of the Official Plan;
- c) The nature of existing land uses, the physical condition of the buildings and structures, and the socioeconomic fabric of the community setting;
- d) The existing level of services and the nature of improvements proposed to the municipal *infrastructure* (that is, roads, water supply, storm sewers, public *utilities*, and other community and recreational facilities);

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- e) The identification of properties proposed for acquisition and/or rehabilitation;
- f) The estimated costs, means of financing, and the staging and administration of the project;
- g) The provision for a range of financial assistance and incentive programs in the form of tax relief, loans, grants, development charges, and application fees to eligible parties or for eligible projects;
- h) The allocation of public funds, such as grants, loans, tax assistance or other financial instruments, for the physical rehabilitation, redevelopment or improvement of lands and building, to registered owners, assessed owners, tenants and assignees of lands or buildings;
- i) The permission of sufficient flexibility, as circumstances warrant, where projects and costing revisions are necessary;
- j) The phasing improvements and the means of implementation in order to permit a logical sequence of events to occur without creating unnecessary hardship for area residents and/or businesses;
- k) The provision of involvement of citizens, property owners, tenants, public bodies and agencies, and other interested parties during the preparation of a Community Improvement Plan;
- l) The potential for stimulating private sector investment and an improved municipal assessment base; and,
- m) The potential for public/private partnerships, joint ventures, and cost-sharing arrangements.

E.14.4.3 Priority shall be given to those improvements relating to municipal services, public roads, street lighting, stormwater drainage, sidewalks, streetscape, and community and recreational facilities.

E.14.5 **Implementation of Community Improvement**

E.14.5.1 When a by-law has been passed to designate lands as a Community Improvement Project Area, the *Township* may implement the Community Improvement Policies in the following manner:

- a) Identify specific Community Improvement projects and prepare Community Improvement Plans;

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- b) Participate in programs with senior levels of government;
- c) Acquire or rehabilitate land, if necessary, to implement adopted Community Improvement Plans;
- d) Encourage the orderly development of lands as a logical and progressive extension of development;
- e) Encourage the private sector to utilize available government programs and subsidies;
- f) Encourage rehabilitation of existing buildings and structures, which may adapt to an alternative, sequential use, compatible with surrounding community and the intent of the Official Plan;
- g) Review and, possibly enact specific Regulations in the implementing Zoning By-law, which provides for a range of appropriate uses according to permitted standards and encourages an efficient and integrated land use pattern;
- h) Review and, where appropriate, apply to the *Ontario Heritage Act*, to recognize, designate and protect heritage buildings and districts;
- i) Enforce the *Township's* Property Standards By-law;
- j) Co-operate with and support constructive activities and programs undertaken by special interest groups within the designated Community Improvement Project Area; and,
- k) Co-operate with and support local activities and programs undertaken by local service organizations, particularly those which provide for improvements to recreational and community facilities where identified deficiencies exist.

E.14.5.2 In order to ensure the proper coordination and development of public works, notification of proposed improvements shall be provided to the appropriate public agency and any required approvals secured prior to affected works proceeding.

E.15 PARKS AND RECREATION MASTER PLAN

E.15.1 The Township will develop a Parks and Recreation Master Plan and will consider implementing the recommendations of the Plan in the Official Plan.

E.16 TRANSITION

- E.16.1 Any application or matter that was commenced before this Plan comes into force shall be continued and finally disposed of under the former Township of Tiny Official Plan as it read on the day the application or matter was commenced.
- E.16.2 Commenced as referenced in Section E16.1 shall be determined as follows:
- a) An application for an official plan amendment - the day the application was deemed to be complete, in those instances where the official plan amendment is not adopted prior to the adoption of this Plan;
 - b) An application for a zoning by-law amendment - the day the application was deemed to be complete, in those instances where the zoning by-law amendment is not approved prior to the adoption of this Plan.
 - c) An application for a plan of subdivision – the day the application was deemed to be complete, in those instances where the subdivision is not approved prior to the approval of this Plan.

F GLOSSARY

OPA No. 1

Agricultural Cannabis Production Facility: means the growing and harvesting of cannabis in an open-air setting and/or within a wholly enclosed building or structure which is authorized by a licence issued by Health Canada and located outside of an Employment Area. An Agricultural Cannabis Production Facility may include limited packaging and/or shipping as an accessory use which is necessary to make the product available to Cannabis licence holders including but not limited to cultivators, processors, wholesalers, retailers, analytical testers, researchers, and nurseries in accordance with all applicable federal licences. This definition does not include on-site sales as a principal use.

Agricultural System: the system mapped and issued by the *Township* in accordance with this Plan and is comprised of the Agricultural Designation.

Agriculture-related Uses: means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

Agri-tourism Uses: means those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation.

Alternative Energy Systems: means a system that uses sources of energy or energy conversion processes that significantly reduce the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems. *Alternative energy systems* undertakings do not include renewable energy undertakings as defined in the *Green Energy and Green Economy Act*.

Archaeological Resources: includes artifacts, archaeological sites, marine archaeological sites, as defined under the *Ontario Heritage Act*. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the *Ontario Heritage Act*.

Areas of Archaeological Potential: means areas with the likelihood to contain *archaeological resources*. Methods to identify archaeological potential are established by the *Province*, but municipal approaches which achieve the same objectives may also be used. *The Ontario Heritage Act* requires archaeological potential to be confirmed through archaeological fieldwork.

Areas of Mineral Potential: means areas favourable to the discovery of mineral deposits due to geology, the presence of known mineral deposits or other technical evidence.

Areas of Natural and Scientific Interest (ANSI): means areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.

Built Heritage Resource: means a building, structure, monument, installation or any manufactured remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an indigenous community. Built heritage resources are generally located on property that has been designated under Parts IV or V of the *Ontario Heritage Act*, or included on local, provincial and/or federal registers.

OPA No. 1

Cannabis: means cannabis as defined in the *Cannabis Act* or its successor.

Complete Community: Places such as mixed-use neighbourhoods or other areas within cities, towns, and *Settlement Areas* that offer and support opportunities for people of all ages and abilities to conveniently access most of the necessities for daily living, including an appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and *public service facilities*. Complete communities are age-friendly and may take different shapes and forms appropriate to their contexts.

County: refers to the Corporation of the County of Simcoe unless otherwise specified. The County is a municipality for the purposes of *Provincial* legislation.

Cultural Heritage Landscape: means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an indigenous community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Examples may include, but are not limited to, heritage conservation districts designated under the Ontario Heritage Act; villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways, viewsheds, natural areas and industrial complexes of heritage significance; and areas recognized by federal or international designation authorities (e.g. a National Historic Site or District designation, or a UNESCO World Heritage Site).

D-4 Approval Authority: for all *County* owned or operated *waste disposal sites* the *County* is the *D-4 Approval Authority*. For all private and local municipality owned or operated *waste disposal sites*, the *Township* is the *D-4 Approval Authority*.

D-4 Assessment Area: refers to the lands generally within 500 metres of the *waste disposal site*, or more specifically, the area shown on Schedule D of this Plan. The *D-4 Assessment Area* may vary according to the actual waste cell location, depth and type of waste and existing conditions.

D-4 Guideline: means the MECP *Guideline D-4*, as amended and any successor guideline or legislation.

Deposits of Mineral Aggregate Resources: means an area of identified *mineral aggregate resources*, as delineated in Aggregate Resource Inventory Papers or comprehensive studies prepared using evaluation procedures established by the *Province* for surficial and bedrock resources, as amended from time to time, that has a sufficient quantity and quality to warrant present or future extraction.

Development: means the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the *Planning Act*, but does not include:

- a) Activities that create or maintain *infrastructure* authorized under an environmental assessment process;
- b) Works subject to the Drainage Act; or
- c) For the purposes of Sections B.8 (Rural) and B.9 (Mineral Aggregate Resources One) concerning *Mineral Aggregate Resources*, underground or surface mining of *minerals* or advanced exploration on mining lands in significant *areas of mineral potential* in Ecoregion 5E, where advanced exploration has the same meaning as under the *Mining Act*. Instead, those matters shall be subject to *Provincial Policy*.

Employment Area: means those areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.

Endangered Species: means a species that is listed or categorized as an “Endangered Species” on the Ontario Ministry of Natural Resources’ official Species at Risk list, as updated and amended from time to time.

Environmental Protection Act: means the *Environmental Protection Act*, R.S.O. 1990, c. E.19, as amended or any subsequent legislation.

Fill Area: means the area of a *Waste Disposal Site* set aside for landfilling.

Fish Habitat: means as defined in the Fisheries Act, c. F-14, the 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.

OPA No. 1

Industrial Cannabis Production Facility: means any building or structure in an Employment Designation that is licenced and authorized by Health Canada to ship, deliver, transport, destroy, grow, dry, export and/or import cannabis, including related research as may be permitted in the license authorized by Health Canada. This definition does not include on-site sales as a principal use.

Individual On-site Sewage Services: means sewage systems, as defined in O. Reg. 332/12 under the *Building Code Act*, that are owned, operated and managed by the owner of the property upon which the system is located.

Individual On-site Water Services: means individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

Infrastructure: means physical structures (facilities and corridors) that form the foundation for *development*. *Infrastructure* includes: sewage and water systems, septage treatment systems, waste management systems, electric power generation and transmission, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.

Key Hydrologic Areas: *Significant groundwater recharge areas, highly vulnerable aquifers, and significant surface water contribution areas* that are necessary for the ecological and hydrologic integrity of a *watershed*.

Key Hydrologic Features: Permanent streams, *intermittent streams*, inland lakes and their littoral zones, *seepage areas and springs*, and *wetlands*.

Key Natural Heritage Features: Habitat of *endangered species and threatened species; fish habitat; wetlands; life science areas of natural and scientific interest (ANSIs), significant valleylands, significant woodlands; significant wildlife habitat (including habitat of special concern species); sand barrens, savannahs, and tallgrass prairies; and alvars.*

Minerals: means metallic minerals and nonmetallic minerals as herein defined, but does not include *mineral aggregate resources or petroleum resources*.

Metallic *minerals* means those *minerals* from which metals (e.g. copper, nickel, gold) are derived.

Non-metallic *minerals* means those *minerals* that are of value for intrinsic properties of the *minerals* themselves and not as a source of metal. They are generally synonymous with industrial *minerals* (e.g. asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, and wollastonite).

Mineral Aggregate Operation: means

- a) Lands under license or permit, other than for *wayside pits and quarries*, issued in accordance with the *Aggregate Resources Act*;
- b) For lands not designated under the *Aggregate Resources Act*, established pits and quarries that are not in contravention of municipal Zoning By-laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and,

- c) Associated facilities used in extraction, transport, beneficiation, processing or recycling of *mineral aggregate resources* and derived products such as asphalt and concrete, or the production of secondary related products.

Mineral Aggregate Resources: means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the *Aggregate Resources Act* suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the *Mining Act*.

Minimum Distance Separation Formulae (MDS): means formulae and guidelines developed by the *Province*, as amended from time to time, to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

Municipal Comprehensive Review: A new Official Plan, or an Official Plan Amendment, initiated by an upper- or single-tier municipality under Section 26 of the *Planning Act* that comprehensively applies the policies and schedules of the Growth Plan for the Greater Golden Horseshoe.

Municipal Sewage Services: means a sewage works within the meaning of Section 1 of the Ontario Water Resources Act that is owned or operated by a municipality.

Natural Heritage Features and Areas (Natural Heritage): means features and areas, including significant wetlands, significant and other coastal wetlands, habitat of *endangered species* and *threatened species*, *fish habitat*, significant woodlands, significant wildlife habitat, significant valleylands, and significant areas of natural and scientific interest, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

Natural Heritage System: The system mapped by the Township as part of this Plan that is comprised of the Greenlands Designation and Environmental Protection Designation. .

On-farm Diversified Uses: means uses that are secondary to the principal *agricultural use* of the property, and are limited in area. *On-farm diversified uses* include, but are not limited to, home occupations, home industries, *agri-tourism uses*, ground mounted solar and uses that produce value-added agricultural products.

Partial Services: means

- a) *Municipal sewage services* or *private communal sewage services* and *individual onsite water services*; or
- b) *Municipal water services* or *private communal water services* and *individual on-site sewage services*

Petroleum Resources: means oil, gas, and salt (extracted by solution mining method) and formation water resources which have been identified through exploration and verified by preliminary drilling or other forms of investigation. This may include sites of former operations where resources are still present or former sites that may be converted to underground storage for natural gas or other hydrocarbons.

Portable Asphalt Plant: means a facility

- a) With equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and,
- b) Which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

Prime Agricultural Area: means areas where *prime agricultural lands* predominate. This includes areas of *prime agricultural lands* and associated Canada Land Inventory Class 4 through 7 lands, and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. Prime agricultural areas are to be identified by the Ontario Ministry of Agriculture, Food and Rural Affairs using guidelines developed by the *Province* as amended from time to time. A prime agricultural area may also be identified through an alternative agricultural land evaluation system approved by the *Province*.

Prime Agricultural Land: means specialty crop areas and/or Canada Land Inventory Class 1, 2, and 3 lands, as amended from time to time, in this order of priority for protection.

Private Services: means *individual on-site sewage services* and *individual on-site water services*.

Private Communal Sewage Services: means a sewage works within the meaning of section 1 of the *Ontario Water Resources Act* that serves six more lots or private residences and is not owned by a municipality.

Private Communal Water Services: means a non municipal drinking-water system within the meaning of section 2 of the *Safe Drinking Water Act* that serves six or more lots or private residences.

Provincial Plan: means a provincial plan within the meaning of Section 1 of the *Planning Act*.

Provincial Policy Statement (PPS): refers to the Provincial Policy Statement, issued under Section 3 of the *Planning Act*.

Province or Provincial: refers to the Province of Ontario and its Ministries.

Provincially Significant Coastal Wetlands: means a coastal Wetland identified as provincially significant by the Ontario Ministry of Natural Resources and Forestry using evaluation procedures established by the *Province*, as amended from time to time.

Provincially Significant Wetland: means a Wetland identified as provincially significant by the Ontario Ministry of Natural Resources and Forestry using evaluation procedures established by the *Province*, as amended from time to time.

Public Service Facilities: means land, buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and educational programs, long-term care services, and cultural services. *Public service facilities* do not include *infrastructure*.

Quality and Quantity of Water: is measured by indicators associated with hydrologic function such as minimum base flow, depth to water table, aquifer pressure, oxygen levels, suspended solids, temperature, bacteria, nutrients and hazardous contaminants, and hydrologic regime.

Rural Settlements: Existing hamlets or similar existing small *Settlement Areas* that are long established and identified in official plans. These communities are serviced by individual private on-site water and/or private wastewater systems, contain a limited amount of undeveloped lands that are designated for development and are subject to official plan policies that limit growth.

Sensitive land uses: means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities

Settlement Area: means:

- a) Built up areas where *development* is concentrated and which have a mix of land uses; and,
- b) Lands which have been designated in an official plan for *development* over the long-term planning horizon provided for in policy 1.1.2 of the PPS. In cases where land in designated growth areas is not available, the *Settlement Area* may be no larger than the area where *development* is concentrated.

Sewage and Water Services: includes *municipal sewage services* and *municipal water services*, *private communal sewage services* and *private communal water services*, *individual on-site sewage services* and *individual on-site water services*, and *partial services*.

Significant Archaeological Resources: means the remains of any building, structure, activity, place or *cultural feature*, which because of the passage of time is on or below the surface of the land or water, and which has been identified and evaluated and determined to be significant to the understanding of the history of people or place. The identification and evaluation of this resource is based upon an archaeological assessment.

Site Alteration: means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

Strip Development: is lot creation in the Rural Designation which is arranged in linear configurations of more than three non-farm lots within 200 metres of the proposed lot line as measured along the frontage of one side of the road.

Threatened Species: means a species that is listed or categorized as a “Threatened Species” on the Ontario Ministry of Natural Resources’ official Species at Risk list, as updated and amended from time to time.

Township: means the Corporation of the Township of Tiny.

Utilities: include power, communications/telecommunications and other cable services, as well as gas and district energy services.

Vegetation Protection Zone: A vegetated *buffer area* surrounding a key natural heritage feature or *key hydrologic feature*.

Waste Disposal Site: includes the *Fill Area* and the *Buffer Area* of property which has been or is suspected to have been used as a landfill as well as property under *development* for landfilling, and means:

- a) Any land upon, into or through which, or building or structure in which, waste is deposited, disposed of, handled, stored, transferred, treated or processed; and,
- b) Any operation carried out or machinery or equipment used in connection with the depositing, disposal, handling, storage, transfer, treatment, or processing referred to in clause a).

Water Resource System: A system consisting of *ground water features* and areas and surface water features (including shoreline areas), and hydrologic functions, which provide the water resources necessary to sustain healthy aquatic and terrestrial ecosystems and human water consumption. The water resource system will comprise *key hydrologic features* and *key hydrologic areas*.

Wayside Pit or Quarry: means a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.