

[New Tecumseth Official Plan – June 2019](#)

# **OFFICIAL PLAN**

## **FOR THE TOWN OF NEW TECUMSETH**

July 2018

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## [New Tecumseth Official Plan – June 2019](#)

# 1.0 [Introduction](#)

## 1.1 [BACKGROUND](#)

- a) This Official Plan is a policy document that is intended to serve as the basis for making land use decisions and managing change in New Tecumseth. According to the *Planning Act*, an Official Plan “shall contain goals, objectives and policies established primarily to manage and direct physical change and the effects on the social, economic and natural environment of the municipality”. In preparing this Official Plan, the Town has had regard to matters of Provincial interest as set out in Section 2 of the *Planning Act*.
- b) Matters of Provincial interest are further articulated in the Provincial Policy Statement, the Lake Simcoe Protection Plan and the Growth Plan for the Greater Golden Horseshoe. This Official Plan implements applicable Provincial plans through more detailed policies that appropriately reflect the Town’s unique *character*.
- c) This Official Plan has also been prepared in accordance with the Greenbelt Plan. However, all of the lands subject to the Greenbelt Plan are also subject to the Oak Ridges Moraine Conservation Plan, for which policies approved by the Province have already been prepared and which are included in this Official Plan.
- d) The Simcoe County Official Plan sets out how growth and *development*, natural resources and the natural environment are to be managed throughout Simcoe County. The intent of the Town of New Tecumseth Official Plan is to refine and expand upon the policy direction contained within the County Official Plan in a manner that reflects the ~~Town’s~~Town’s *character*, role and location within the County of Simcoe and the Greater ~~Toronto~~  
[Area-Golden Horseshoe \(GGH\)](#). Upon approval by the County, the Town of New Tecumseth Official Plan shall be deemed to conform to the Simcoe County Official Plan. In the event of a conflict between the provisions of the Town of New Tecumseth Official Plan and the Simcoe County Official Plan, the more restrictive policy shall apply.

## 1.2 [PURPOSE](#)

- a) The purpose of this Official Plan is to establish the goals and objectives for *development* in the Town, and to set out policies for achieving them. The Official Plan establishes the framework within which sustainable growth and community improvement can take place.
- b) This Official Plan acts as a guide for assisting the Town in:
  - i-) Preparing Zoning By-Laws;
  - ii-) Assessing and making decisions about *development* applications;
  - iii-) Undertaking public works;
  - iv-) Undertaking community improvements;
  - v-) Participating in Provincial programs; and,

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- vi-) Promoting economic growth.
- c) The Plan assists the public in:
- i-) Assessing and determining its private investments;
  - ii-) Formulating positions on *development* options within the Town; and,
  - iii-) Participating in the planning process.
- d) The Official Plan is based upon a detailed analysis of the social, economic and environmental attributes of New Tecumseth and will to be amended and modified over time to reflect the changing needs and characteristics of the Town, as well as to conform with changing policy directions of the County and the Province.

## 1.3 ORGANIZATION

- a) This Official Plan is organized as follows:
- i-) Section 1.0 INTRODUCTION provides information to the reader with respect to the Background, Purpose and Organization of this Official Plan.
  - ii-) Section 2.0 VISION, GOALS AND OBJECTIVES clarifies the goals and objectives of the Town in managing new *development* within New Tecumseth to the year 2031.
  - iii-) Section 3.0 GROWTH MANAGEMENT articulates the policy framework through which population and employment growth will be managed within the Town to the year 2031, in conformity with County and Provincial policy frameworks.
  - iv-) Section 4.0 NATURAL HERITAGE SYSTEM identifies the *natural heritage features* and functions to be protected for the long term in the Town and provides the policy framework for the Environmental Protection One designation, the Environmental Protection Two Overlay designation and the Oak Ridges Moraine Area.
  - v-) Section 5.0 THE ~~URBAN~~ SETTLEMENT AREAS outlines the land use designations and policy framework applicable to New Tecumseth's ~~urban~~ Settlement Areas.
  - vi-) Section 6.0 THE RURAL/AGRICULTURAL AREA outlines the land use designations and policy framework applicable to New Tecumseth's non-urban lands, outside of the ~~urban~~ Settlement Areas.
  - vii-) Section 7.0 DESIGN, HERITAGE AND PARKLAND articulates policies which guide the design of communities, heritage conservation and parkland provision, which apply Town-wide.
  - viii-) Section 8.0 EXCEPTIONS outlines site and area-specific policies that apply within the Town.

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ix-) Section 9.0 INFRASTRUCTURE addresses the design and provision of municipal services, transportation *infrastructure* and energy transmission, which applies Town-wide.

x-) Section 10.0 IMPLEMENTATION AND INTERPRETATION addresses the tools the Town has to implement the goals, objectives and policies of this Plan.

[xi\) Section 11.0 DEFINITIONS outlines the definitions for italicized words to facilitate the interpretation of the policies of this Official Plan.](#)

b) The Plan includes the following Schedules:

i-) Schedule A – Land Use (Town-wide)

ii-) Schedule B1 – Land Use (Alliston)

iii-) Schedule B2 – Land Use (Beeton)

iv-) Schedule B3 – Land Use (Tottenham)

v-) Schedule C – Exceptions

vi-) Schedule D1 – Road Classifications

vii-) Schedule D2 – Road Widening

c) For greater certainty, Schedules B1, B2 and B3 show the most accurate Environmental Protection designations within the Settlement Areas. These schedules should be referred to for all urban land uses.

[d\) The Plan includes the following Appendices:](#)

[i\) Appendix A1 - Existing Conditions](#)

[ii\) Appendix A2 - NVCA/LSRCA Regulated Features](#)

[iii\) Appendix A3 - Natural Heritage System and Adjacent Hazard Land Features](#)

[iv\) Appendix A4 - Natural Heritage System and Adjacent Significant Wildlife Habitat Features](#)

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### 2.0 [Vision, Goals and Objectives](#)

- a) The following Vision was developed through a public process, to articulate the future aspirations for the Town of New Tecumseth and to help guide its future growth and change:

*The Town of New Tecumseth is a beautiful and dynamic municipality, which will continue to attract new residents with its small town character, complete communities and affordable housing options. While retaining the three physically distinct settlements of Alliston, Beeton and Tottenham, New Tecumseth will grow as a unified community where residents have a proud sense of collective identity, rooted in the balance between evolving and diversifying urban areas and the protection and celebration of its agricultural and rural heritage.*

*New Tecumseth's downtowns will continue to play an important role in the Town, supporting an expanding economic base, embracing new residential options and acting as cultural centres. The Town will prioritize stronger multimodal connections between the downtowns and to surrounding municipalities, providing residents with more options for getting around. To remain successful, New Tecumseth will push itself to improve and innovate while balancing its priorities of fiscal responsibility, environmental stewardship and growth management, continuing to provide a high quality of life for all residents.*

- b) The goals and objectives contained in this Official Plan are intended to guide the decisions of public authorities and private interests until 2031. All new public works and the passage of any implementing zoning by-law must conform to this Official Plan. This Official Plan applies to all lands within the Town of New Tecumseth.

### 2.1 [GROWTH AND SETTLEMENT](#)

#### GOAL

- a) It is the goal of this Official Plan to direct the majority of *development* to the identified ~~Urban~~ Settlement Areas of Alliston, Tottenham and Beeton, where full wastewater and water services are available and to support the efficient use of land and municipal investment in *infrastructure*. As a Primary Settlement Area, it is expected that Alliston will accommodate a significant portion of the Town's growth.

#### OBJECTIVES

- b) The objectives for growth and settlement are to:
- i-) Reinforce the role of Alliston as a Primary Settlement Area within New Tecumseth;
  - ii-) Reinforce the role of Alliston as the primary commercial and industrial centre for the Town;
  - iii-) Reinforce the role of the ~~settlements~~ Settlement Areas of Beeton and Tottenham as residential communities, and as secondary commercial and industrial centres in the Town;
  - iv-) Reinforce the function of the three downtown areas as cultural, administrative, entertainment, retail and social focal points of the community;

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- v-1) Encourage the further *intensification* and use of the lands within the Downtown Areas, as appropriate;
- vi-1) Encourage the establishment of an optimum balance between residential and non-residential assessment in the Town; and,
- vii-1) Ensure that all urban *development* is appropriately phased in conjunction with required *infrastructure* improvements.

## 2.2 DESIGN AND LIVABILITY OF URBAN AREA

### GOAL

- a) It is the goal of this Official Plan to:
  - i-1) Protect and *enhance* the *character* of the identified Settlement Areas and to maintain them as diverse, livable, safe, thriving and attractive communities;
  - ii-1) Promote quality urban design that *enhances* sense of place and respects the history and special *character* of the Town and its identified Settlement Areas;
  - iii-1) Provide for more live-work opportunities by promoting residential uses in proximity to *compatible* forms of *development*, employment uses, *institutional uses*, recreational facilities, parks and future transit linkages; and,
  - iv-1) Promote growth, densities and design that will support a future transit network.

### OBJECTIVES

- b) The objectives for design and livability within the identified Settlement Areas are to:
  - i-1) Ensure that the *character* and stability of existing and well established residential neighbourhoods are maintained and *enhanced* by ensuring that *development* and *redevelopment* is *compatible*, in terms of built form, *character*, scale and density;
  - ii-1) Encourage a high quality of site and building design, including accessibility for all forms of *development*;
  - iii-1) Encourage and promote *development* in the Downtown Areas that combines commercial, residential and other land uses to facilitate the more efficient use of urban land and the establishment of a human scale pedestrian environment;
  - iv-1) Encourage the identification, protection, management and use of *built heritage resources* wherever possible to provide continuity between the past and the present;
  - v-1) Ensure that neighbourhoods are compact and pedestrian-friendly, with a mix of housing types, community facilities and open spaces.

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- vi-) Foster a sense of civic identity and pride through a high standard of urban design in all future developments that considers:
  - The appropriate integration of the design of public and private spaces;
  - A high degree of visual diversity, interest and aesthetic quality;
  - A well-defined public realm, including an interconnected open space network;
  - A transit supportive and pedestrian oriented development pattern; and,
  - The sensitive integration of new *development* with existing *development*.
- vii-) Ensure that new *development* is appropriately integrated into the fabric of the existing communities;
- viii-) Exercise appropriate municipal development control to achieve a consistently high standard of site, building and landscape design; and,
- ix-) Continually make improvements to the public realm to *enhance* the *character* and attractiveness of the Town.

## 2.3 ROLE AND FUNCTION OF THE RURAL/AGRICULTURAL AREAS

### GOAL

- a) It is the goal of this Official Plan to preserve areas demonstrating high capability for agricultural production for that purpose and to protect, maintain and *enhance* the rural *character* of lands outside of the identified Settlement Areas.

### OBJECTIVES

- b) The objectives for role and function of non-urban areas are to:
  - i-) Ensure that agriculture remains an integral part of the economy of the Town;
  - ii-) Support the protection of lands that have the potential of being used for agricultural purposes from incompatible *development* where possible, to ensure that farming operations can operate with the maximum degree of flexibility and efficiency;
  - iii-) Encourage the establishment of agricultural-related uses and other *on-farm diversified uses* on farm properties to improve the economic livelihood of area farmers;
  - iv-) Encourage the maintenance of the *character* of the Rural/Agricultural Area by maintaining farm buildings and other elements of the built and natural landscapes that contribute to that *character*;
  - v-) Prohibit the further fragmentation of *prime agricultural lands* and encourage consolidation of farming parcels to improve efficiencies and productivity where possible;
  - vi-) Restrict *development* that requires the expansion of municipal services into the Rural/Agricultural Area;

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- vii-) Discourage the intrusion of land uses that are incompatible with the rural *character* and/or resource activities of the Rural/Agricultural Area;
- viii-) Direct urban land uses to the identified Settlement Areas;
- ix-) Encourage the protection and identification of public roads which are necessary for the transportation of slow-moving farm-related equipment;
- x-) Encourage the participation of the agricultural industry and the broader community in dealing with concerns of an agricultural nature; and,
- xi-) Promote environmentally sensitive and sustainable farm practices throughout the Rural/Agricultural Area.

## 2.4 ECONOMIC DEVELOPMENT

### GOAL

- a) It is the goal of this Official Plan to provide opportunities for economic development in a manner that fosters local competitiveness and a positive business environment.

### OBJECTIVES

- b) The objectives for economic development are to:
  - i-) Facilitate opportunities to provide a range of goods and services to the public within the Town through the use of a flexible planning policy regime;
  - ii-) Protect and *enhance* designated *Employment Areas* that provide a range of job opportunities and a broad range of commercial and service facilities geared specifically to meet the needs of residents of the Town and the wider area;
  - iii-) Maintain a range and choice of suitable sites for all employment uses and take into account the needs of existing and future businesses;
  - iv-) Encourage, wherever possible, the retention and expansion of existing businesses in the Town;
  - v-) Ensure sufficient *infrastructure* is available to support employment needs at all times;
  - vi-) Encourage the development of *compatible* home-based businesses and home industries;
  - vii-) Encourage the protection of the Town's natural attributes, such as its rural *character* and its natural features, to ensure that the recreational and tourism uses that rely upon these attributes continue to thrive;
  - viii-) Encourage the continued revitalization of the Downtown Core Commercial Districts within Alliston, Tottenham and Beeton, which reflects their heritage significance and promotes a mix of uses and attractions for commercial and community activities;

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- ix-) Improve the aesthetic quality of the retail corridors throughout the Town to ensure that they function as attractive destinations for shoppers from the Town and the surrounding area;
- x-) Support growth in the *new economy* and consider creative partnerships toward the creation of innovative work spaces;
- xi-) Support a diversified agricultural economy, including opportunities for younger farmers and new agri-businesses; and,
- xii-) Ensure there is a broad and affordable choice of housing and *public service facilities* (parks, open space, libraries, community centres, [schools](#), recreation facilities and health care facilities) that make communities attractive places to live and work, and allow residents to remain in the community.

## 2.5 HOUSING

### GOAL

- a) It is the goal of this Official Plan to ensure that an adequate supply of land for housing and housing choices are available for present and future residents.

### OBJECTIVES

- b) The objectives for housing are to:
  - i-) Ensure that there is a ten year supply of land *designated and available* for residential *development* and a three year supply of residential lots in registered and draft plan approved subdivisions at all times, provided that there is sufficient water and wastewater capacity available to service *development*;
  - ii-) Encourage and support opportunities for mixed-use *development* in appropriate locations that assist in the achievement of appropriate *intensification* and opportunities for affordable housing;
  - iii-) Encourage the use of surplus public lands for affordable housing only if the site is appropriate for such a use and located where the use would be *compatible* with adjacent uses;
  - iv-) Monitor the conversion of rental housing to ownership housing to ensure that a viable amount of rental housing continues to be available;
  - v-) Permit *second units* in appropriate locations throughout the Town;
  - vi-) Protect residential neighbourhoods from incompatible land use impacts such as traffic and noise;
  - vii-) Create opportunities for an adequate supply of housing with a mix of densities, unit types, affordability and tenures that are appropriate for diverse consumers, including different age groups, household sizes and affordability levels;

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- viii-] Incorporate in the design of subdivisions measures intended to achieve healthy communities that encourage walking, energy conservation, accessibility and protection of *significant* natural features; and,
- ix-] Encourage the establishment of medium and high density areas through pre-zoning activities.

## 2.6 RECREATION, PARKS, OPEN SPACES AND CULTURAL FACILITIES

### GOAL

- a) It is the goal of this Official Plan to provide opportunities for the provision of a broad range of community and *institutional uses* and facilities to serve the needs of the Town.

### OBJECTIVES

- b) The objectives for recreation, parks, open spaces and cultural facilities are to:
  - i-] Encourage the establishment of a healthy community that is made up of an interconnected system of open spaces, walking trails, bicycle routes and *natural heritage features*;
  - ii-] Promote the development of a strong arts and cultural community that builds upon local knowledge, history and experience;
  - iii-] Encourage the consolidation of community and recreational uses, such as schools, cultural facilities, libraries, day nurseries and recreational facilities;
  - iv-] Ensure provision of essential community services including schools, parks, recreation facilities and other *institutional uses* in residential neighbourhoods;
  - v-] Encourage the establishment of public facilities and open spaces that are designed to be safe and which provide for appropriate emergency support services and/or equipment, lighting, visibility and for public surveillance/open sight lines;
  - vi-] Encourage the incorporation of *natural heritage features* into the design of new parkland;
  - vii-] Encourage the integration of the parks and open space system with the *Natural Heritage System* wherever possible; and,
  - viii-] ~~Encourage)~~ Ensure, through proper planning, that *natural heritage features* and related *ecological functions* are not negatively impacted by public use.

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## 2.7 INFRASTRUCTURE

### GOAL

- a) It is the goal of this Official Plan to ensure that all *infrastructure*, including sanitary sewers, water distribution and stormwater management facilities and roads meet the needs of present and future residents and businesses in an efficient, environmentally-sensitive, cost effective and timely manner.

### OBJECTIVES

- b) The objectives for *infrastructure* are to:
- i-) Ensure that consideration is given to the economics of providing services to the people of the Town as part of the review of any development proposal to ensure that the development pattern is efficient and does not lead to inefficiencies or a decline in the level of municipal service;
  - ii-) Ensure that hard and soft service needs are identified early in the planning process and then appropriately prioritized and delivered either before or at the same time as new *development*;
  - iii-) Encourage the development of public facilities in appropriate locations at the right time to meet the needs of present and future residents;
  - iv-) Ensure the efficient use of sanitary sewage capacity and services by monitoring flows generated by *development*;
  - v-) Establish monitoring programs to ensure that municipal *infrastructure* and services are functioning in an environmentally sensitive manner;
  - vi-) Ensure that appropriate financial plans and *infrastructure* strategies are in place before *development* occurs;
  - vii-) Provide a system of stormwater management for both surface and groundwater quality and quantity, designed to protect lands and receiving waters from the detrimental effects from erosion, contamination, flooding and sedimentation from increased levels of runoff;
  - viii-) Establish an integrated transportation system that safely and efficiently accommodates various modes of transportation including trains, automobiles, trucks, agricultural equipment, public transit, cycling and walking;
  - ix-) Carefully plan a street pattern within new development areas that is based on a permeable grid pattern of arterial, collector and local roads;
  - x-) Encourage and facilitate active transportation through the development of complete streets and promote the use of trails/paths/lanes; and,

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- xi-) Minimize the disruption and *negative impact* associated with the movement of commercial goods (rail, truck etc.).

## 2.8 NATURAL HERITAGE FEATURES

### GOAL

- a) It is the goal of this Official Plan to protect and *enhance significant natural heritage features* and their associated ecological and *hydrological functions* from incompatible *development*.

### OBJECTIVES

- b) The objectives for natural heritage are to:

- i-) Protect, preserve, and *enhance* through land use designations and establishment of policies, the *significant natural heritage features* that support *ecosystem* integrity and their associated *ecological functions*, processes, attributes and values including:
  - Nottawasaga, Boyne and Holland Rivers, Bailey, Beeton, Innisfil and Spring Creeks and their tributaries;
  - *Valleylands*;
  - *Wetlands*;
  - *Hazardous lands* and sites including *floodplain*, steep slopes, and unstable soils;
  - Headwaters;
  - *Wildlife habitat* and linkages;
  - *Fish habitat*;
  - *Areas of natural and scientific interest*;
  - *Woodlands*;
  - Environmentally *significant* areas;
  - Key hydrologic features including seepage areas and springs; and,
  - *Significant* habitat of endangered and *threatened species*;
- ii-) Preserve existing open space lands;
- iii-) Ensure that the protection of *key natural heritage features* and their associated ecological and key *hydrological functions* takes precedence over the *development* of such lands;
- iv-) Maintain, restore and where possible, *enhance* or improve the diversity and *connectivity of natural heritage features* and *ecological functions* recognizing linkages between and among *natural heritage features* and areas, *surface water features* and ground water features;
- v-) Protect, improve or restore the quality and quantity of *vulnerable* surface water and ground water resources, including *sensitive surface water features* and *sensitive* groundwater features and their hydrologic functions;



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- vi-) Ensure that all *development* is appropriately set back and/or buffered from *natural heritage features* and changes in land use adjacent to *natural heritage features* do not negatively impact the features including their biological, hydrological and *ecological functions* and attributes;
- vii-) Ensure that growth and *development* within the Town occurs in a manner that will minimize public health and safety issues, including the protection of human life and property from water related hazards such as flooding and erosion;
- viii-) Develop partnerships between the Town, the County of Simcoe, the Conservation Authorities, Provincial ministries and other agencies and organizations to coordinate environmental programs, policies and information in planning for the conservation, protection and where possible enhancement of the environmental functions of environmental resources;
- ix-) Ensure that a series of inter-connected natural features and open spaces is maintained for the benefit of a healthy community and to serve as a legacy of the community's desire to protect their role and function for present and future generations;
- x-) Develop a comprehensive strategy with stakeholders and the Conservation Authorities to preserve and acquire sensitive lands, particularly in the Settlement Areas;
- xi-) Provide for the integration of passive uses and trails on both private and public lands in a manner that respects private property rights, protects *agricultural uses* and *natural heritage features* and functions;
- xii-) Protect and *enhance* the environmental functions of the Oak Ridges Moraine, and its *key natural heritage features* and key hydrologic features and landforms;
- xiii-) Maintain natural stream form and flow characteristics and manage the water quality of streams and *watercourses* using best management practices to ensure that no further degradation occurs;
- xiv-) Protect ground water quality and quantity, now and for the future, and to employ best management practices for *sensitive* ground water zones;
- xv-) Maintain and where possible *enhance* the baseflow component in the *watercourses* throughout New Tecumseth particularly in coldwater and headwater streams or those identified as coldwater fisheries;
- xvi-) Ensure that new *development* is integrated with and sensitive to significant landscape features, vistas and panoramic views;
- xvii-) Identify and protect linkages which provide opportunities for the movement of flora and fauna between environmental features such as, *woodlands, wetlands, valley and stream corridors, and areas of natural and scientific interest* (ANSI);
- xviii-) Protect *natural heritage features* and hydrologic features and their minimum *vegetation protection zones* for lands within the Lake Simcoe Watershed; and,

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- xix-) Encourage agricultural operations to use best management practices to protect and mitigate impacts on *natural heritage features* and hydrologic functions.

## 2.9 CULTURAL HERITAGE RESOURCES

### GOAL

- a) It is the goal of this Official Plan that the Town's *significant cultural heritage resources* ~~and, including built heritage resources, cultural heritage landscapes and archaeological resources~~ be promoted, identified, conserved and enhanced whenever practical and that all new *development* occur in a manner which respects the Town's cultural heritage, ~~including and the interests of~~ Indigenous communities.

### OBJECTIVES

- b) The objectives for cultural heritage are to:
- i-) Enhance the *character* of the Town by identifying, protecting and maintaining the Town's *cultural heritage resources* ~~landscapes, including built heritage resources, cultural landscapes and archaeological resources~~;
  - ii-) Encourage the retention of *cultural heritage resources* ~~including built heritage resources, cultural landscapes and archaeological resources~~ wherever possible to provide continuity between the past and the present;
  - iii-) Use *cultural heritage resources* ~~including built heritage resources, cultural landscapes and archaeological resources~~ to attract additional economic *development*, increase tourism opportunities and *enhance* the *character* and vitality of neighbourhoods and districts;
  - iv-) Ensure that the nature and location of *cultural heritage resources including built heritage resources, cultural landscapes* and archaeological resources ~~landscapes~~ are known and considered before land use decisions are made;
  - v-) Prevent the demolition, destruction, inappropriate alteration or use of *cultural heritage resources* ~~including built heritage resources, cultural landscapes and archaeological resources~~;
  - vi-) Encourage *development* that is adjacent to *significant cultural heritage resources* ~~including built heritage resources, cultural landscapes and archaeological resources~~ to be of an appropriate scale and *character*;
  - vii-) Continue to develop a comprehensive inventory of the Town's ~~built heritage and~~ *cultural heritage landscape resources*; and,
  - viii-) Encourage the protection of, or where appropriate, the excavation of *archaeological resources*.

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## 3.0 [Growth Management](#)

### 3.1 POPULATION AND EMPLOYMENT FORECASTS

- a) The Town is required to plan for population and employment growth to the year 2031, as identified in the County of Simcoe Official Plan. The Town is expected to grow to 56,000 residents and to accommodate 26,500 jobs to the year 2031.
- b) The urban structure of the Town includes a rural/agricultural context with three [Urban](#) Settlement Areas, as follows:
- i.) Alliston;
  - ii.) Tottenham; and,
  - iii.) Beeton;

Each [Urban](#) Settlement Area will contribute to the accommodation of growth over time. Alliston is recognized as a Primary Settlement Area within the Growth Plan for the Greater Golden Horseshoe (GGH), [and as such a significant portion of population and employment growth forecasted for New Tecumseth will be directed to Alliston.](#) Table 1 identifies how population growth will be allocated to the year 2031.

Table 1: Town of New Tecumseth Total Population by Community

COMMUNITY	2016	2031
ALLISTON	19,341	28,055
TOTTENHAM	5,377	12,335
BEETON	4,029	7,425
RURAL/AGRICULTURAL	6,558	8,185
NEW TECUMSETH	35,305	56,000

Source: Town's Growth Management Study report (March 2002), modified with the 2017 Simcoe County Land [Budget and the 2016 Census](#)

- c) While this Official Plan identifies growth projections to the year 2031, the Town is expected to continue to attract growth well beyond that time horizon. As such, this Plan does not represent an "end state", but rather a tool to manage its ongoing evolution.

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### 3.2 PLANNING FOR GROWTH IN AN URBAN STRUCTURE

- a) To promote a balanced approach to managing growth, it is important that this Official Plan recognizes and builds upon the Town's unique urban structure – an urban structure that begins with historical development patterns, and evolves into a logical, efficient and cost effective development pattern.
- b) In general, growth will be accommodated as follows:
- i-) Within the identified ~~Urban~~ Settlement Areas, residential growth will be accommodated through ~~Intensification~~*intensification* (the creation of new dwelling units within the *Delineated Built-up Area*) and through existing *development* within the *Designated Greenfield Areas* (DGA);
  - ii-) The Downtown Core Commercial, Corridor Commercial and Major Commercial designations within the ~~Urban~~ Settlement Areas of Alliston, Tottenham and Beeton shall be considered *Strategic Growth Areas* as defined in the definitions of this Official Plan; and,
  - iii-) Within the ~~rural/agricultural area~~*Rural/Agricultural Area*, residential growth will be modest, and accommodated on existing lots of record, or through new lot creation, in accordance with the policies of this Official Plan.
- c) Employment growth will be accommodated in a number of ways including through the *development* of existing *Employment Areas*, through the *intensification* of existing employment uses, through *redevelopment* in the downtowns and through the promotion of home ~~industry~~*industries* and home-based businesses. In addition, the Rural/Agricultural Area will continue to contribute to the employment growth within the Town, accommodating traditional *agricultural uses*, as well as through ~~Home Occupations, Home Industries, Agricultural-Related Uses and On-Farm Diversified Uses~~*home occupations, home industries, agricultural-related uses and on-farm diversified uses*.
- d) *Intensification* within the *Delineated Built-up Areas* – This Official Plan requires that a substantial amount of all future *development* be accommodated through *intensification* within the *Delineated Built-up Areas* of each of the defined ~~Urban~~ Settlement Areas. *Intensification* initiatives will be subject to the following policies:
- i-) A minimum of 40% of all new residential *development units* in the Town shall occur within the *Delineated Built-up Area* through *intensification*;
  - ii-) *Development of Employment Land* *Employment* opportunities through *intensification* within the *Employment Areas* *and* within the *Delineated Built-up Area* will be encouraged, where appropriate; and,
  - iii-) *Development* through *intensification* within the existing Urban Residential Neighbourhoods will be limited. That does not mean that existing Urban Residential Neighbourhoods will not evolve. Their contribution to the *intensification* target will include *compatible development* on vacant lots, minor *infill development* and the establishment of *second units*.
- e) Growth in the *Designated Greenfield Areas* – The *Designated Greenfield Areas* are also expected to accommodate significant growth over the time horizon of this Plan, and to develop with new residential neighbourhoods and new

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~~business parks~~ **Employment Areas**, contributing to a healthy and complete community and supporting a multi-modal transportation system. Greenfield *development* initiatives will be subject to the following:

i.) Neighbourhoods within the *Designated Greenfield Area*:

- Shall be planned to achieve an overall minimum density target of 50 residents and jobs combined per hectare of developable land area; and,
- Will include *Population-Related Employment* opportunities;

ii.) *Employment Areas* within the *Designated Greenfield Area*:

- Shall be planned to achieve an overall minimum density target of 20 jobs per hectare of developable land area; and,
- Will include primarily *Employment Land Employment* opportunities, along with limited *Population-Related Employment* opportunities; and,

iii.) Neighbourhoods and *Employment Areas* within the Greenfield Area may be planned to include higher density, mixed use centres and corridors to achieve the required associated density targets.

f) Future Urban Growth - The Town shall not consider any:

i.) ~~Urban~~ Settlement Area boundary expansions;

ii.) Adjustments to the ~~Intensification~~ *intensification* target, or designated greenfield density target;

iii.) *Employment Area* conversions; or,

iv.) Changes to the time horizon of 2031.

The Town may only consider an ~~Urban~~ Settlement Area boundary expansion, adjustments to the *intensification* target, or designated greenfield density target, *Employment Area* conversions, or changes to the time horizon of 2031, following completion of a County-wide *Municipal Comprehensive Review (MCR)* and the approval of a new County Official Plan that conforms to the growth forecasts identified in Schedule 3 of the 2019 ~~7~~ Growth Plan for the Greater Golden Horseshoe to the time horizon of 2041.

Notwithstanding the above, Settlement Area expansions amounting to no larger than 40 hectares of land, or Settlement Area boundary adjustments may be considered by the Town in advance of the MCR provided that the criteria identified in subsection 10.8 can be demonstrated. Similarly, Employment Area conversions may be considered by the Town in advance of the MCR provided that the criteria identified in subsection 5.4. can be demonstrated.

g) This Official Plan also incorporated a number of Official Plan Amendments and Secondary Plans that continue to have status and should be read in conjunction with this Plan to ensure that all relevant planning policies are considered.

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## 4.0 [Natural Heritage System](#)

### 4.1 INTRODUCTION

- a) The Town of New Tecumseth is committed to maintaining and promoting a healthy natural environment and protecting New Tecumseth's unique and special *natural heritage features* for the present generation and all successive generations. Therefore, an *ecosystem*-based planning and management approach is established to guide the land use decision-making process. This approach must emphasize that *development* not only protect and manage *ecosystems*, but also include the objective of enhancing and restoring *ecosystems* appropriately. The product of this approach is the *Natural Heritage System*, established by this Plan.
- b) The policies of this Section of this Official Plan shall apply to the entire Town of New Tecumseth unless otherwise identified. In addition, the *watershed* policies, guidelines, and programs of the Lake Simcoe Region Conservation Authority and the Nottawasaga Valley Conservation Authority will assist the Town in the implementation of the environmental policies of this Official Plan. In particular, the Generic Regulations shall apply to *development* and *site alteration* proposals in areas regulated by the conservation authority. These regulations are in force and in effect in the Town, pursuant to the *Conservation Authorities Act*.
- c) The Town in consultation with the County of Simcoe, the Conservation Authorities, Provincial ministries, and other interested groups and organizations will encourage the establishment of environmental monitoring programs in order to measure the effectiveness of the environmental policies within this Official Plan. A monitoring report should be prepared at such times as the Town, in consultation with other agencies, may determine as being appropriate in support of the environmental monitoring program.

### 4.2 PURPOSE AND DEFINITION

- a) The Town's *Natural Heritage System* represents a network of natural areas that support the *ecological functions* critical to the survival of the broader *ecosystem*. This Official Plan acknowledges that a healthy *Natural Heritage System* is an important part in the community's well-being and makes a positive contribution to the quality of life enjoyed by Town residents and the business community.
- b) To ensure that the tools are available to maintain, improve, *enhance* and restore the *key natural heritage features* and key hydrologic functions of the *ecosystem*, this Official Plan establishes a *Natural Heritage System* in accordance with the County of Simcoe Official Plan. The intent of the *Natural Heritage System* is to maintain, as a permanent feature, an interconnected system of environmental and open space areas that will preserve areas of *significant* natural heritage value and function.
- c) The *Natural Heritage System* in the Town of New Tecumseth includes the following designations:
  - i-) Environmental Protection One Designation;
  - ii-) Environmental Protection Two Overlay Designation; and,
  - iii-) Oak Ridges Moraine Natural Linkage Area Designation.

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- d) The Town shall view environmental protection and, where possible, enhancement and restoration of disturbed environmental areas as major considerations in determining the precise intensity and type of *development* to be permitted within and adjacent to the *Natural Heritage System*. All development shall be evaluated in accordance with the policies of this Plan, and in accordance with the appropriate policies of the relevant Conservation Authority, including with respect to phosphorus, ecological and WHPA-Q2 offsetting, low impact development and road ecology.

### 4.3 ENVIRONMENTAL PROTECTION ONE DESIGNATION

#### 4.3.1 DEFINITION

- a) The Environmental Protection One (EP1) designation includes the following *significant natural heritage features*:
- i-) *Significant Woodlands*;
  - ii-) *Provincially Significant Areas of Natural and Scientific Interest* (Life Science);
  - iii-) *Provincially Significant* habitat of endangered and *threatened species*;
  - iv-) *Provincially Significant wetlands* and all *wetlands* greater than 0.5 ha;
  - v-) Lands below top of bank of *watercourses* and *valleylands*, including associated natural hazards (flooding and erosion);
  - vi-) *Key natural heritage features* and key hydrologic features and their minimum *vegetation protection zones* within the Lake Simcoe watershed; and,
  - vii-) *Significant Key Natural Heritage Features* and Key Hydrologic Features as defined in the 2019~~7~~ Growth Plan.
- b) The Environmental Protection One designation is identified on Schedules A, B1, B2 and B3 of this Official Plan. The features within the Environmental Protection One designation are shown in Appendix A.

#### 4.3.2- PERMITTED USES

- a) In the EP1 designation, the following uses may be permitted except within lands below the top of bank of *watercourses* and considered to be *significant valleylands*.
- i-) Forest, fish and wildlife management;
  - ii-) Conservation and flood and erosion control projects, only if they have been demonstrated to be necessary and in the public interest after all alternatives have been considered;
  - iii-) Transportation, *infrastructure*, and utilities, only if the need for the project has been demonstrated and there is no reasonable alternative;
  - iv-) Low intensity recreational uses which shall include trails and nature appreciation and education activities;

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- v-) Legally existing *agricultural uses*;
- vi-) Legally existing residential uses on lots that existed when ~~OPA 42~~the Official Plan was approved;
- vii-) A single detached dwelling on an existing vacant lot of record, only where the zoning permitted the construction of a single detached dwelling when ~~OPA 42~~the Official Plan was approved and where the applicable Conservation Authority is satisfied that the risk is acceptable;
- viii-) Home occupations within a legal dwelling;
- ix-) *Conservation uses*; and,
- x-) Uses accessory to permitted uses and additions to legally existing residential and agricultural buildings.

#### 4.3.3 DEVELOPMENT POLICIES

- a) The EP1 designation shall be subject to a *no development or site alteration* policy. To achieve this objective, new *development or site alteration* within the EP1 designation is prohibited with the exception of the uses as specified in this Official Plan, and subject to the Town's site alteration by-law, as amended from time to time.

## 4.4 ENVIRONMENTAL PROTECTION TWO OVERLAY DESIGNATION

### 4.4.1 DEFINITION

- a) The Environmental Protection Two (EP2) Overlay designation applies to components of the *Natural Heritage System* that are not included within the EP1 designation or within the Oak Ridges Moraine *Conservation* Plan Area. The EP2 Overlay designation represents a complex network of natural areas and the lands that support the *ecological functions* critical to the survival of these areas. The EP2 Overlay designation also includes substantial land areas that are subject to flooding.
- b) The EP2 Overlay designation includes the following features:
  - i-) ~~Significant Wildlife Habitat~~;
  - ii-) *Fish Habitat*;
  - iii-) Regionally *Significant Areas of Natural and Scientific Interest* (Life Science); and,
  - iv-) Environmentally *Significant Areas*, as may be identified by public authorities and refined from time to time.
  - v-) *Valleylands* subject to flooding as regulated by the ~~e~~Conservation ~~a~~Authorities.



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- c) The EP2 Overlay designation is identified on Schedules A, B1, B2 and B3. The features that comprise the EP2 Overlay designation are shown in Appendix A.

#### 4.4.2 PERMITTED USES

- a) In the EP2 Overlay designation the following uses may be permitted:

- i-) Forest, fish and wildlife management;
- ii-) Conservation and flood and erosion control projects, but only if they have been demonstrated to be necessary and in the public interest after all alternatives have been considered;
- iii-) Transportation, *infrastructure*, and utilities, but only if the need for the project has been demonstrated through a Class Environmental Assessment, *Watershed Plan* or similar study and there is no reasonable alternative;
- iv-) Low intensity recreational uses which shall include trails and nature appreciation and education activities;
- v-) *Agricultural uses*;
- vi-) Legally existing residential uses;
- vii-) A single detached dwelling on an existing vacant lot of record, where the zoning permitted the construction of a single detached dwelling prior to the approval of this Plan and where the applicable Conservation Authority is satisfied that the risk is acceptable;
- viii-) Home occupations and home industries;
- ix-) *Conservation uses*; and,
- x-) Uses accessory to permitted uses and additions to legally existing residential and agricultural buildings.

#### 4.4.3 DEVELOPMENT POLICIES

- a) The EP2 Overlay designation provides a layer of planning policy over top of the underlying designation, and as such, all uses and forms of *development* remain subject to the policies of the underlying land use designation as identified on Schedules A, B1, B2 and B3 of this Official Plan. However, where new *development* or *redevelopment* is proposed, the Town shall review the application in consideration of the *natural heritage features* and functions that are identified within the EP2 Overlay designation, and shall only approve new *development* or *redevelopment* where it has been shown, to the satisfaction of the Town, in consultation with the appropriate Conservation Authority, that:

- i-) There are no negative impacts on any identified *significant natural heritage feature*, or associated *ecological function*;
- ii-) The delineation of natural hazards has been appropriately determined; and/or,
- iii-) Any potential flood hazard has been appropriately considered and adequately mitigated.

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**4.5 GENERAL POLICIES**

**4.5.1 BOUNDARIES**

- a) The boundaries of the EP1 designation and the EP2 Overlay designation shall be used as guides for the implementation of the policies contained within this Official Plan. Limits of the EP1 designation and the EP2 Overlay designation may be established and/or reviewed through studies and on-site investigations to the satisfaction of the Town, in consultation with the applicable Conservation Authority and other agencies having jurisdiction. Further refinement of the EP1 or EP2 Overlay designation boundaries will require an Environmental Impact Study, or equivalent, to be prepared to the satisfaction of the Town and applicable Conservation Authority.
- b) No amendments will be required to this Official Plan where the boundary of the EP1 designation or the EP2 Overlay designation is different than that shown in this Plan and the boundary change is based on studies carried out in accordance with this Official Plan or updated information is provided and the change is deemed to be minor, all to the satisfaction of the Town in consultation with the applicable Conservation Authority or other agency having jurisdiction.
- c) It is recognized that additional *natural heritage features* and/or *ecological functions* may be identified by the Province, County, Town and/or the applicable Conservation Authority. As new information regarding *key natural heritage features* and key hydrologic [features and their](#) functions becomes available through additional studies, additional *natural heritage features* may be incorporated into the EP1 designation or EP2 Overlay designation and the overall *Natural Heritage System* as part of the review and update of the Official Plan.

**4.5.2 REDESIGNATION OF ENVIRONMENTAL PROTECTION LANDS**

- a) Proposals to redesignate lands in the EP1 designation or EP2 Overlay designation, outside of [Urban-Settlement Areas](#), are required to demonstrate ~~if that no significant natural heritage feature, or associated ecological function, will be negatively impacted, in accordance with Provincial and County policy, as well as the lands are within a Prime Agricultural Area. Redesignation of lands determined to be within a Prime Agricultural Area shall only be permitted to the Agricultural designation, or another designation if the proposal demonstrates that criteria for removing land from a Prime Agricultural Area have been met~~[this Plan](#).

**4.5.3 ADJACENT LANDS**

- a) *Adjacent lands* are the lands adjacent to an identified *key natural heritage feature* or key hydrologic feature within which potential impacts of an application for *development* and/or *site alteration* must be considered. For the purposes of this Official Plan, *adjacent lands* are defined as all lands partially or wholly within:

Feature	Adjacent Lands
Provincially <i>significant wetlands</i>	All land within 120 metres of any part of the feature
All other <i>wetlands</i>	All land within 120 metres of any part of the feature

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Provincially or regionally <i>significant Area of Natural and Scientific Interest</i> (Life Science)	All land within 30 metres of any part of the feature
Habitat of an endangered or <i>threatened species</i>	All land within 30 metres of any part of the feature
Area of <i>significant wildlife habitat</i>	All land within 30 metres of any part of the feature
<i>Significant Woodlands</i>	All land within 30 metres of any part of the feature
Valley and <i>stream corridors</i>	All land within 50 metres of any part of a valley and within 15 metres of any part of a <i>stream corridor</i>
<i>Fish habitat</i>	All land within 30 metres of any part of the feature

- ~~b) The Town will promote the establishment of a 30 metre vegetation protection zone for all key natural heritage features and key hydrologic features within the Town, or as determined through a NHE or an Environmental Impact Study.~~
- c) Within the Lake Simcoe watershed, a Natural Heritage Evaluation (NHE) is required to support any application for development or site alteration within 120 metres of a key natural heritage feature or key hydrologic feature in accordance with the requirements of the Lake Simcoe Protection Plan. The minimum vegetation protection zone for all key natural heritage features and key hydrologic features shall be a minimum of 30 metres, or larger as determined through the NHE.
- ~~c) The Town will promote the establishment of a 30 metre vegetation protection zone for all key natural heritage features within the Town, or as determined through an Environmental Impact Study.~~

#### 4.5.4 ENVIRONMENTAL IMPACT STUDIES

- a) ~~The Town shall require that all~~ applications for development and/or site alteration on lands within the EP1 designation and EP2 Overlay designation and adjacent lands, ~~shall~~ be accompanied by an Environmental Impact Study (EIS) in accordance with the requirements of this Official Plan. The results of an EIS shall provide the opportunity to:
- ~~i.)~~ Determine the presence and extent of any *significant natural heritage feature or ecological function*;
  - ~~ii.)~~ Understand the sensitivity of any *significant natural heritage feature or ecological function* to withstand any development impacts;
  - ~~iii.)~~ Establish, where appropriate, an impact mitigation strategy that ensures no impact on *significant natural heritage features* and the *ecological functions*, including a *vegetation protection zone*; and/or,
  - ~~iv.)~~ Refine the boundaries of the EP1 designation and/or the EP2 Overlay designation.

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- b) The purpose of an EIS is to:
- i.) Collect and evaluate all appropriate information in order to have an understanding of the boundaries and attributes of all *natural heritage features* and *ecological functions*; and,
  - ii.) Assists in making an informed decision as to whether or not a proposed use will have a *negative impact* on the *natural heritage features* and *ecological functions* of the Town.
- c) Any EIS required by this Official Plan must describe the *natural heritage features* and *ecological functions* and related hydrological features, 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 *significant* natural features and *ecological functions* of the *Natural Heritage System*.
- d) Any EIS must be considered by the Town, in consultation with the appropriate Conservation Authority and any agency having jurisdiction, before a planning application that facilitates the *development* that is subject to the EIS is adopted or passed by *Council*.
- e) The determination of the scope and content of an EIS shall be ~~in general accordance with the guidelines of the County of Simcoe and are to be~~ agreed to by the Town in advance, in consultation with the appropriate Conservation Authority and any agency having jurisdiction and shall be scoped as required.

#### 4.5.5 USE OF NATURAL HERITAGE SYSTEM LANDS IN PRIVATE OWNERSHIP

- a) Where any land within the *Natural Heritage System* is held in private ownership, this Official Plan shall not be interpreted as implying that such lands are open and accessible to the general public.

#### 4.5.6 TRANSFER OF LANDS INTO PUBLIC OWNERSHIP

- a) The designation of lands in the *Natural Heritage System* does not imply that they will be purchased by the Town or other public authority. Lands within the EP1 designation and EP2 Overlay designation may remain in private ownership.
- b) *Council* shall work with all levels of government and the appropriate Conservation Authorities and other public agencies, such as the Province, to develop and implement a land securement strategy that would result in the transfer of *significant natural heritage features* into public ownership.
- c) *Council* shall consider every opportunity to obtain the dedication of lands within the *Natural Heritage System* through the development approval process in particular in urban areas or in expansions to urban areas. Such dedications will not be considered as part of the required parkland dedication as set out in the *Planning Act*, as amended.

#### 4.5.7 CONSERVATION EASEMENTS

- a) *Council* shall support efforts to register conservation easements that have the effect of promoting wise environmental management practices on private lands. These easements may be held by conservancy groups or

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may be registered by the Town pursuant to the *Conservation Land Act*, as amended. These groups shall be encouraged by *Council* to acquire such easements and obtain lands that would be managed wisely for future generations.

#### 4.5.8 FORESTRY OPERATIONS

- a) *Forestry* operations shall be carried out in accordance with accepted *forestry* management practices and in accordance with the County of Simcoe ~~Tree-Cutting~~Forest Conservation By-law. Further, the Town should consider establishing a Town Tree Cutting By-law.

#### 4.5.9 WATERSHED PLANNING

- a) It is the objective of this Official Plan to:
- i-) Support the preparation and implementation of *watershed* and/or sub-watershed plans within the Town;
  - ii-) Ensure that there is an appropriate balance between the objectives of water supply management, habitat protection, flood management and land use to protect and *enhance* water quality for future generations;
  - iii-) Protect and/or restore streams, *groundwater discharge* and recharge areas and *wetlands* for the benefit of fish, wildlife and human uses;
  - iv-) Ensure that any sub-watershed planning process is open and transparent;
  - v-) Ensure that necessary resources are provided for the implementation of *watershed* and sub-watershed plans; and,
  - vi-) Ensure that sub-watershed plans contain goals and objectives that are appropriate for the *watershed* and implementable by the Town and landowners; and,
  - vii-) Ensure that *watershed* and sub-watershed plans are designed to be continuously improved as new information and science becomes available.
- b) A *watershed* is an area of land that drains into a river, lake or other water body. Unlike municipal boundaries, *watershed* boundaries are defined by nature and, as a result, *watersheds* often overlap a number of jurisdictions. Within each of these *watersheds* are a number of sub-watersheds. It is the long-term intent of the Town that a sub-watershed plan be prepared for each sub-watershed. In this regard, a sub-watershed plan will be required in conjunction with the preparation of a Secondary Plan for new urban areas that are identified in accordance with the policies of this Official Plan.

#### 4.5.10 WATER RESOURCE AND STORMWATER MANAGEMENT REPORTS

- a) For the purposes of this Section, *major development* is defined as any *development* with buildings, structures, parking areas, and/or driveways that have a combined area of more than 500 square metres and/or *development* involving the creation of multiple lots and/or the *development* of extensive land uses such as golf courses and *mineral aggregate operations*.

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- b) The purpose of a Water Resource Management Report (WRMR) is to investigate the impacts of the proposed *development* on water quality and quantity and provide recommendations on:
- i-) How to maintain or *enhance* the natural hydrological characteristics of the water resource;
  - ii-) How to maintain or *enhance sensitive groundwater recharge/discharge* areas, aquifers and headwater areas;
  - iii-) Whether it is required to monitor water budgets for groundwater aquifers;
  - iv-) How to protect or *enhance* fish and *wildlife habitat*;
  - v-) Maintain, where possible existing drainage patterns;
  - vi-) How to ensure that the quality of the *watercourses* affected by the *development* are maintained; and,
  - vii-) How to ensure that there will be no *negative impacts* on the water quality of the Nottawasaga River or Lake Simcoe resulting from the *development*.

**Stormwater Management Reports**

- c) A Stormwater Management Report (SWMR) shall be prepared in accordance with The Stormwater Management Practices Planning and Design Manual (2003) or its successor as prepared by the Ministry of the Environment ~~and~~ [Climate Change](#), Fish Habitat Protection Guidelines for Developing Areas (1994), the MTO Drainage Management Manual (1997), the designated storm water policies of the Lake Simcoe Protection Plan within the Lake Simcoe watershed, if applicable, and the relevant guidelines for these facilities prepared by the County, Town and Conservation Authorities and shall:
- i-) Provide recommendations on a stormwater quantity system which ensures that post-development run-off rates will not be greater than the pre-development run-off rates for storms up to and including the 1:100 year event.
  - ii-) Review the need for centralized facilities.
  - iii-) Document the possible impacts of *development* on *watershed* flow regimes including their interconnection with groundwater resources.
  - iv-) Provide recommendations on how to ensure that the new *development* will have no *negative impacts* on the water quality of the *watercourses* within the *watershed*.
  - v-) Document the means by which stormwater volume control will be provided.
  - vi-) Incorporate design features that ensure that pre-development flows to County road allowances are not increased, and that existing drainage courses are not altered, unless specific approvals from the appropriate agencies are obtained.

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- d) All stormwater management facilities in a Plan of Subdivision shall be placed in the Environmental Protection Area 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. The siting of stormwater management facilities adjacent to County of Simcoe road allowances or the provincial highway is subject to the respective applicable set back requirements of the County of Simcoe and Ministry of Transportation.

#### 4.5.11 TREE PRESERVATION/PLANTING

- a) The following policies are intended to promote tree planting and the preservation of trees throughout the Town:
- i-) There are wooded areas within the Town that are not within the EP1 designation and EP2 Overlay designation, primarily because of their small size or their location within urban areas. However, these areas also contribute to the *character* of the community. It is a policy of this Official Plan that such areas be retained in their natural state, whenever possible and appropriate, as a condition of development approval;
  - ii-) The Town, in making public work decisions, shall have regard to the existence of trees and make every reasonable effort to protect them. If trees will be lost due to a public work, it is a policy of this Official Plan that replanting programs be initiated to compensate for the loss of trees;
  - iii-) The Town shall require the planting of trees of appropriate quality, size and species as a condition of development approvals wherever possible. Particular attention will be paid to ensure that adequate tree plantings are provided in boulevards of new streets in plans of subdivisions and in and adjacent to surface parking lots and new developments to soften their visual impact on adjacent lands and streets;
  - iv-) The Town may undertake a tree planting program along Town roads wherever possible to create, over time, a canopy of trees that will *enhance* the *character* of the community and contribute to the aesthetics of the area; and,
  - v-) The Town should be planned to achieve a tree cover of 30 percent of the total land area of the Town.

#### 4.5.12 GROUND WATER MANAGEMENT

- a) Given the reliance of the Town on groundwater resources for primarily human use, and the role water plays in sustaining the Town's *Natural Heritage System* and *agricultural uses*, it is the objective of this Official Plan to:
- i-) Manage water resources in a manner that ensures their continued availability while maximizing both environmental and economic benefits;
  - ii-) Support the preparation of *watershed* and sub-watershed plans, as required, to assist in the proper management of water as a key resource;
  - iii-) Protect existing surface and ground water quality from degradation and to improve and restore water quality where degraded;
  - iv-) Incorporate source protection objectives into the land use planning process to ensure that the sources of water are not compromised in the future as a result of land use decisions; and,

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- v-) Encourage the establishment of water conservation measures as a way to meet water supply needs in the same manner that alternatives to create new supplies are investigated.

b) The following policies apply to *major development* applications:

- i-) All permanent and intermittent streams, *wetlands*, recharge areas and discharge areas such as seepage areas and springs are considered to be key ~~hydrological~~ hydrologic features and their function shall be protected.

On this basis, all major applications for *development* within 120 metres of a key hydrologic feature shall be supported by a Hydrological Evaluation that:

- Demonstrates that the use or *development* will have no *negative impact* on the hydrologically *sensitive* feature or the function of the feature itself;
- Identifies planning, design and construction practices that will maintain and improve or restore, the health, diversity and size of the key hydrologic feature and its connections with nearby components of the *natural heritage system*; and,
- Identifies an area that should be retained or planned to be in a vegetated state adjacent to the feature to protect its function;
- ii-) It is a goal of this Plan to ensure that groundwater can be used in a sustainable manner without compromising ecological and hydrological integrity. On this basis, it is a long term goal of this Official Plan that *watershed* and appropriate sub-watershed plans be prepared;
- iii-) Until such plans are prepared, all *major development* applications shall be supported by studies that demonstrate that the ecological and hydrological integrity of identified *significant natural heritage features* or hydrologically *sensitive* features will not be compromised if the *development* is approved. In addition, the studies shall include a modeling component to characterize groundwater and surface water flow systems on the site and on nearby lands and identify what water conservation measures will be utilized. The studies shall indicate that:
  - The quality of groundwater and surface water in the area will be maintained and, where possible, improved or restored; and,
  - The quantity of water available for other uses in the area and which contribute to threshold flow in rivers and streams will not be affected.

#### 4.5.13 WATERCOURSES

a) All of the *watercourses* in the Town as shown in the Appendices to this Plan are considered to be key ~~hydrological~~ hydrologic features since they:

- i-) Store storm and melt waters;
- ii-) Contain fish and *wildlife habitat* areas;
- iii-) Function as corridors for migrating *wildlife habitat* movement and vegetation dispersal;



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- iv-) Serve to maintain the quality and quantity of surface and ground water resources; and,
  - v-) Assist in the improvement of air quality.
- b) It is the intent of this Official Plan to protect all *watercourses* from incompatible *development* to minimize the impacts of such *development* on their function.
- c) In order to implement the objectives of this Official Plan, the implementing Zoning By-law shall place all lands below the top of bank of any *watercourse* in a specific Environmental Protection Zone. Uses in this Environmental Protection Zone shall be limited to *conservation uses*, existing *agricultural uses* and public or private recreational uses. No buildings or structures, with the exception of structural works required for flood and/or erosion or sediment control, will be permitted in this Zone.
- d) The implementing Zoning By-law shall also specify that all *development* or *site alteration* be set back a minimum of 30 metres from the boundaries of the Environmental Protection Zone. The intent of requiring this setback is to encourage the maintenance and establishment of a vegetated buffer in this area.
- e) A reduction in the thirty (30) metre setback shall not require an Amendment to this Official Plan but will require either an Amendment to the implementing Zoning By-law or a minor variance, an EIS and a natural hazard assessment, if applicable, subject to the satisfaction of the Town, in consultation with the appropriate Conservation Authority and any agency having jurisdiction. The setback shall also be reduced in Settlement Areas as appropriate to recognize the pattern of existing *development* and its location. Matters to be considered in reviewing an application to reduce the setback include:
  - i-) The nature of the soils;
  - ii-) The nature of the vegetation and cover;
  - iii-) The slope of the land;
  - iv-) The nature of existing and proposed drainage patterns;
  - v-) The nature of the fish and wildlife that may be present;
  - vi-) The scale of the proposed *development*;
  - vii-) The location and nature of existing *development* on the lands and adjacent lands; and,
  - viii-) The stability of the slope.
- f) *Development* in an area regulated by a Conservation Authority or the straightening, changing, diverting or interfering in any way with the existing channel or a river, creek, stream, *watercourse* or changing or interfering with a *wetland* shall require permission from the applicable Conservation Authority.
- g) *Development* will generally be directed to areas outside of hazardous sites and hazard lands adjacent to river and stream systems that are impacted by *erosion hazards*. *Development* is not permitted in areas that would be rendered inaccessible to people and vehicles during times of *flooding hazards*, *erosion hazards* and/or dynamic

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beach hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the *development* and the natural hazard. The determination of the *erosion hazard* limit will be based on a combined influence of the:

- i-) Toe erosion allowance;
  - ii-) Stable slope allowance;
  - iii-) *Flooding hazard* limit or meander belt allowance;
  - iv-) Erosion access allowance.
- h) The *erosion hazard* limit will be defined on a site-by-site basis in consultation with the appropriate Conservation Authority. Provincial guidelines related to natural hazards will be used as a basis in determining the *erosion hazard* limit.
- i) ~~Land~~In general, a one zone concept of floodplain management is applied in the Town of New Tecumseth whereby the entire floodplain is considered a floodway. Notwithstanding this, land use planning and flood plain management within the floodplain of Spring Creek in the community of Alliston shall be consistent with the provisions of the Spring Creek Two Zone Policy dated February 1995, or its successor. Furthermore, the Spring Creek Flood Plain Delineation schedule included within this referenced policy has been incorporated within Schedule 'B1' whereby the Environmental Protection 1 designation along Spring Creek represents the "Floodway" and the Environmental Protection 2 designation overlay represents the "Flood Fringe".

These two-zone policies have been developed to help facilitate development and continued prosperity in the Community of Alliston where historical development in the Spring Creek floodplain has occurred. Despite additional flexibility for development within the flood fringe, in accordance with Section 3.1 of the Provincial Policy Statement, industrial uses involving the disposal, manufacture, treatment or storage of hazardous substances are not permitted within the floodplain. Furthermore, essential emergency services (e.g. fire, police, ambulance stations) and institutional uses such as hospitals, long term care homes, schools and day care facilities shall not be permitted to locate in the floodplain.

### Development in a Floodplain

- ~~j) All floodplains in the Town are subject to the 'one zone concept' established by the Conservation Authorities, which means that the entire floodplain is considered to be a floodway as defined by this Official Plan.~~
- k) Buildings and structures are not permitted within the flood plain, except where written permission is obtained from the appropriate Conservation Authority.
- l) The uses permitted within the *floodplains* identified within the EP2 Overlay designation are as set out in the underlying land use designation.
- 4.5.14 **ENDANGERED SPECIES ACT**
- a) All *development* and *site alteration* shall be subject to review under the *Endangered Species Act*, and shall be subject to appropriate mitigation, as required by the Province.

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### 4.5.15 ENHANCEMENT OPPORTUNITIES

- a) An objective of this Official Plan is to protect, restore and *enhance* the natural environment for the long-term. Enhancement opportunities within the Town include the application of 30 metre buffers to *key natural heritage features* and key hydrologic features such as *woodlands, wetlands, valleylands, and watercourses*. Hazard land features located outside of the *Natural Heritage System* such as *floodplains, valleys/slopes and meander belts* provide additional opportunities for enhancement of core natural areas and corridors. Potential enhancement opportunities for the Town's *Natural Heritage System* are illustrated in Appendix B.

## 4.6 OAK RIDGES MORaine AREA

### 4.6.1 GENERAL POLICIES

- a) The policies in Section 4.6 shall apply to all lands located within the area shown on Schedule A and B3 located on the Oak Ridges Moraine, unless otherwise noted in this Official Plan.
- b) All *development* on the Oak Ridges Moraine shall be in conformity with the policies contained in Section 4.6 of this Official Plan and policies of the applicable land use designation. Where there is conflict in the policies the more restrictive provisions shall apply.

### 4.6.2 KEY NATURAL HERITAGE FEATURES AND KEY HYDROLOGIC FEATURES

- a) *Key Natural Heritage Features* in the Oak Ridges Moraine Conservation Plan ([ORMCP](#)) Area include *wetlands*, habitat of endangered, rare and *threatened species, fish habitat, areas of natural and scientific interest* (life science), *significant valleylands, significant woodlands, significant wildlife habitat, sandbarrens/sand barrens*, savannahs and tallgrass prairies. Key Hydrologic Features in the [Oak Ridges Moraine Conservation Plan](#) ([ORMCP](#)) Area include permanent and intermittent streams, *wetlands* and kettle lakes and seepage areas and springs.
- b) *Wetlands, significant woodlands* and permanent and intermittent streams are identified in Appendix A.
- c) No amendments will be required to the schedules of this Official Plan, where changes to the boundary of the *key natural heritage feature* or hydrologically *sensitive* feature are based on studies carried out in accordance with this Plan or the [Oak Ridges Moraine Conservation Plan](#) ([ORMCP](#)), or updated information from the Province of Ontario, Department of Fisheries and Oceans or their delegate is provided to the satisfaction of the Town, in consultation with the appropriate Conservation Authority and any agency having jurisdiction.
- d) Any change to Appendix A which affects the boundary of a *wetland* or an *area of natural and scientific interest* (life science) or confirmation of the boundaries of a feature not included on the Schedules, including habitat of endangered, rare and *threatened species* or *fish habitat*, will only be made after consultation with the District office of the Ministry of Natural Resources and Forestry and in the case of *fish habitat*, with the Department of Fisheries and Oceans or their delegate.
- e) The presence or absence of significant portions of habitat of endangered, rare and *threatened species, fish habitat, significant valleylands, significant wildlife habitat*, and seepage areas and springs on the lands subject to a development or *site alteration* application and within 120 m of the application, shall be confirmed through environmental studies using criteria established by the Province of Ontario, to the satisfaction of the Town, in

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consultation with the appropriate Conservation Authority, the County of Simcoe, Provincial Ministries and any agency having jurisdiction. *Key natural heritage features* and key hydrologic features identified on the Oak Ridges Moraine but not shown on Schedules to this Official Plan shall be subject to the provisions of this Official Plan respecting *key natural heritage features* and hydrologically *sensitive* features and are to be included in the Official Plan as part of its review and update.

- f) No *development* or *site alteration* is permitted within *key natural heritage features* or key hydrologic features or the related minimum *vegetation protection zones* as specified on Table 1 below except for the following:
- i.) Forest, fish and wildlife management;
  - ii.) Conservation and flood or erosion control projects, but only if they have been demonstrated to be necessary and in the public interest after all alternatives have been considered;
  - iii.) Transportation, *infrastructure*, and utilities, but only if the need for the project has been demonstrated through a Class Environmental Assessment, *Watershed Plan* or similar process and there is no reasonable alternative; and,
  - iv.) Low-intensity recreational uses.
- g) The ~~Oak Ridges Moraine Conservation Plan~~ORMCP establishes minimum areas of influence and minimum *vegetation protection zones* that relate to *key natural heritage features* and hydrological *sensitive* features as shown in Table 1 below. The minimum areas of influence and minimum *vegetation protection zones* from *key natural heritage features* and hydrologically *sensitive* features as shown on Table 1, shall apply to lands designated “[Oak Ridges Moraine Natural Linkage Area](#)”, “[Oak Ridges Moraine Countryside Area](#)” and “Oak Ridges Moraine Tottenham Rural Settlement” on Appendix D1.

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Table 1

Feature	Minimum Area of Influence	Minimum Vegetation Protection Zone
<i>Wetlands</i>	All land within 120 metres of any part of the feature	All land within 30 metres of any part of feature, subject to subsection 4.5.2a)(iv) if a natural heritage evaluation is required
Significant portions of habitat of endangered, rare and <i>threatened species</i>	All land within 120 metres of any part of the feature	As determined by a natural heritage evaluation under subsection 4.5.2
<i>Fish Habitat</i>	All land within 120 metres of any part of the feature	All land within 30 metres of any part of feature, subject to subsection 4.5.2a)(iv) if a natural heritage evaluation is required
<i>Areas of Natural and Scientific Interest</i> (life science)	All land within 120 metres of any part of the feature	As determined by a natural heritage evaluation under subsection 4.5.2.
<i>Areas of Natural and Scientific Interest</i> (earth science)	All land within 50 metres of any part of feature	As determined by an earth science heritage evaluation carried out under subsection 30(12) of the <a href="#">Oak Ridges Moraine Conservation PlanORMCP</a>
Significant <i>valleylands</i>	All land within 120 metres of <i>stable top of bank</i>	All land within 30 metres of <i>stable top of bank</i> , subject to subsection 4.5.2a)(iv) if a natural heritage evaluation is required
Significant <i>woodlands</i>	All land within 120 metres of any part of the feature	All lands within 30 metres of the base of the outermost tree trunks within the <i>woodland</i> , subject to subsection 4.5.2a)(iv) if a natural heritage evaluation is required
Significant <i>wildlife habitat</i>	All land within 120 metres of any part of the feature	As determined by a natural heritage evaluation under subsection 4.5.2
Sand barrens, savannahs and tall grass prairies	All land within 120 metres of any part of the feature	All land within 30 metres of any part of feature, subject to subsection 4.5.2 a)(iv) if a natural heritage evaluation is required
Kettle lakes	All land within 120 metres of the surface catchment area	All land within the surface catchment area or within 30 metres of any part of feature, whichever is greater, subject to subsection 4.5.3 a) (iii) if a hydrological evaluation is required
Permanent and Intermittent streams	All land within 120 metres of meander belt	All land within 30 metres of meander belt, subject to subsection 4.5.3 a)(iii) and subsection 4.5.3)(iv) if a hydrological evaluation is required

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Seepage areas and Springs	All land within 120 metres of any part of the feature	All land within 30 metres of any part of feature, subject to subsection 4.5.3a)(iii) and subsection 4.5.3 a)(iv) if a hydrological evaluation is required
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Note: *Areas of Natural and Scientific Interest* (Earth Science) are not a *Key Natural Heritage Feature* or *Hydrologically Sensitive Feature*

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4.6.3 KEY NATURAL HERITAGE FEATURES NATURAL HERITAGE EVALUATION

a) Applications for *development* or *site alteration* with respect to land within the minimum area of influence that relates to a *key natural heritage feature*, shall be accompanied by a ~~Natural Heritage~~ Evaluation that shall:

- i-) Demonstrate that the *development* or *site alteration* applied for will have no *adverse effects* on the *key natural heritage feature* or on the related *ecological functions*;
- ii-) Identify planning, design and construction practices that will maintain and where possible, improve or restore the health, diversity and size of the *key natural heritage feature* and its *connectivity* with other *key natural heritage features*;
- iii-) In the case of an application relating to land in a Natural Core Area, Natural Linkage Area or Countryside Area, demonstrate how *connectivity* within and between *key natural heritage features* will be maintained and, where possible, improved or restored before, during and after construction;
- iv-) If Table 1 specifies the dimensions of a minimum *vegetation protection zone*, determine whether the specified dimension is sufficient, and if it is not sufficient, specify the dimensions of the required minimum *vegetation protection zone* and provide for the maintenance and, where possible, improvement or restoration of *natural self-sustaining vegetation* within it;
- v-) If Table 1 does not specify the dimensions of a minimum *vegetation protection zone*, determine whether one is required, and if one is required, specify the dimensions of the required minimum *vegetation protection zone* and provide for the maintenance and, where possible, improvement or restoration of *natural self-sustaining vegetation* within it; ~~and~~
- vi-) In the case of a *key natural heritage feature* that is *fish habitat*, ensure compliance with the requirements of the Department of Fisheries and Oceans (Canada); ~~and~~.
- vii-) In the case of an *Area of Natural and Scientific Interest* (Life Science) the basis on which the determination and specification of the minimum *vegetation protection zone* is done, as per the above policies, shall be in accordance with Section 23(2) of the ORMCP.

b) Notwithstanding the above, a ~~Natural Heritage~~ Evaluation is not required in the case of an application relating to the construction of a new building or structure in the minimum area of influence of a key natural heritage feature if the proposed building or structure is for agricultural uses, agriculture-related uses or on-farm diversified uses and is located a minimum of 30 metres from the key natural heritage feature.

4.6.4 HYDROLOGICAL FEATURE ~~Hydrological~~ EVALUATION

a) An application for *development* or *site alteration* with respect to land with the minimum area of influence that relates to a hydrological feature, shall be accompanied by a hydrological evaluation that shall:

- i-) Demonstrate that the *development* or *site alteration* will have no *adverse effects* on the hydrological feature or on the related *hydrological functions*;

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- ii-) Identify planning, design and construction practices that will maintain, and where possible improve or restore, the health, diversity and size of the hydrologically *sensitive* feature; ~~and~~
- iii-) Determine whether the minimum *vegetation protection zone* whose dimensions are specified in Table 1 is sufficient, and if it is not sufficient, specify the dimensions of the required minimum *vegetation protection zone* and provide for the maintenance and, where possible, improvement or restoration of *natural self-sustaining vegetation* within it; ~~and~~.
- iv-) In the case of permanent and intermittent streams and seepage areas and springs, the basis on which the determination and specification of the minimum *vegetation protection zone* is done, as per the above policy, shall include, without limitation, an analysis of land use, soil type and slope class, using criteria established by the Government of Ontario, as amended from time to time.

#### 4.6.5 CONNECTIVITY

- a) All applications for *development* and *site alteration* in the “Natural Linkage Area” and “Countryside Area” shall identify planning and design construction practices that ensure that no buildings or other site alterations impede the movement of plants and animals among *key natural heritage features*, hydrologically *sensitive* features and *adjacent land* within Natural Core Areas and Natural Linkage Areas.

#### 4.6.6 MAJOR DEVELOPMENT

- a) *Major development* in the Oak Ridges Moraine Area of this Official Plan means *development* consisting of:
  - i-) The creation of four or more lots;
  - ii-) The construction of a building or buildings with a ground floor area of 500 m<sup>2</sup> or more; or,
  - iii-) The establishment of a major recreational use as described in Section 6.0 of this Official Plan.
- b) For every application in the “Natural Linkage Area”, “Countryside Area” and “Rural Settlement Area”, commenced on or after April 23, 2007, *major development* as defined in Subsection ~~4.6.6 a) above~~ ~~10.8.1~~ is prohibited unless:
  - i-) The *watershed plan* for the relevant *watershed*, prepared by the County of Simcoe in accordance with subsection 24(3) of the ~~Oak Ridges Moraine Conservation Plan~~ ~~ORMCP~~, has been completed;
  - ii-) The *major development* conforms with the *watershed plan*; and,
  - iii-) A water budget and conservation plan, prepared by the County of Simcoe in accordance with Section 25 of the ~~Oak Ridges Moraine Conservation Plan~~ ~~ORMCP~~ and demonstrating that the water supply required for the *major development* is sustainable, has been completed.
- c) An application for *major development* commenced prior to April 23, 2007, shall not be approved unless:



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- i.) The County of Simcoe has completed a water budget and conservation plan, prepared in accordance with Section 25 of the [Oak Ridges Moraine Conservation PlanORMCP](#), demonstrating that the water supply required for the *major development* is sustainable;

OR

- ii.) The applicant,
  - Identifies any hydrological features and related *hydrological functions* on the site and how they will be protected,
  - Demonstrates that an adequate water supply is available for the *development* without compromising the ecological integrity of the [Oak Ridges Moraine Conservation PlanORMCP](#) Area, and
  - Provides, with respect to the site and such other land as the approval authority considers necessary, a water budget and water conservation plan that:
    1. Characterizes groundwater features and surface water flow systems by means of modeling;
    2. Identifies the availability, quantity and quality of water sources, and
    3. Identifies water conservation measures.

#### 4.6.7 SUBWATERSHEDS

- a) With respect to land in the “Natural Linkage Area” and “Countryside Area” designations, all *development* and *site alteration* with respect to land in a subwatershed are prohibited if they would cause the total percentage of the area of the subwatershed that has impervious surfaces to exceed:

- i.) 10 percent; or,
- ii.) Any lower percentage specified in the applicable *watershed plan*.

- b) With respect to land in the “Natural Linkage Area” and “Countryside Area” designations, in considering applications for *development* or *site alteration* with respect to land in a subwatershed the approval authority shall take into account the desirability of ensuring that at least 30 percent of the area of the subwatershed has self-sustaining vegetation.

#### 4.6.8 LANDFORM CONSERVATION AREAS

- a) Appendix D3 Landform Conservation Areas, is based on mapping provided by the Province of Ontario. An application for *development* or *site alteration* on lands in the “Natural Linkage Area”, “Countryside Area shall:

- i.) With the exception of applications for *mineral aggregate operations*, applications with respect to land in a landform conservation area Category 1 on Appendix D3, identify planning, design and construction practices that will keep disturbance to landform character to a minimum, including:

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- Maintaining *significant* landform features such as steep slopes, kames, kettles, ravines and ridges in their natural undisturbed form;
  - Limiting the portion of the net developable area of the site that is disturbed to not more than 25 percent of the total area of the site; and,
  - Limiting the portion of the net developable area of the site that has impervious surfaces to not more than 15 percent of the total area of the site;
- ii-) With the exception of applications for *mineral aggregate operations*, applications with respect to land in a landform conservation area Category 2 on Appendix D3, identify planning, design and construction practices that will keep disturbance to landform character to a minimum, including:
- Maintaining *significant* landform features such as steep slopes, kames, kettles, ravines and ridges in their natural undisturbed form;
  - Limiting the portion of the net developable area of the site that is disturbed to not more than 50 percent of the total area of the site; and,
  - Limiting the portion of the net developable area of the site that has impervious surfaces to not more than 20 percent of the total area of the site;
- iii-) With the exception of applications for *mineral aggregate operations*, and *major development* applications with respect to land in a landform conservation areas of either category shall be accompanied by a site plan that:
- Identifies the areas within which all building, grading, and related construction will occur; and,
  - Demonstrates that building and structures will be located within the areas referred to in clause (i) so as to minimize the amount of *site alteration* required;
- iv-) Where the application is for *major development*, as defined in Subsection 4.5.5, on land in a landform conservation area of either Category 1 or Category 2, on Appendix D3, the application shall be accompanied by a landform conservation plan that:
- Shows, on one or more maps:
    1. Elevation contours in sufficient detail to show the basic topographic character of the site, with an interval of not more than two metres;
    2. Analysis of the site by slope type (for example, moderate or steep);
    3. *Significant* landform features such as kames, kettles, ravines and ridges; and,
    4. All water bodies including intermittent streams and ponds;
  - Includes a development strategy that identifies appropriate planning, design and construction practices to minimize disruption to landform character, including:
    1. Retention of *significant* landform features in an open, undisturbed form;
    2. Road alignment and building placement to minimize grading requirements;

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3. Concentration of *development* on portions of the site that are not *significant*;
4. Use of innovative building design to minimize grading requirements; and,
5. Use of selective grading techniques;

v-) With respect to land in an *area of natural and scientific interest* (earth science) or the related minimum area of influence on Table 1 in this Section of this Official Plan, the application is subject to the requirements of Section 30(12) of the ORMCP.

#### 4.6.9 AREAS OF HIGH AQUIFER VULNERABILITY

- a) Appendix D4 Aquifer Vulnerability, is based on mapping provided by the Province of Ontario.
- b) Despite anything else in this Official Plan except section 8.10.6: Oak Ridges Moraine, the following uses are prohibited with respect to land in areas of high aquifer vulnerability, as shown on Appendix D4, Aquifer Vulnerability:
  - i-) Generation and storage of hazardous waste or liquid industrial waste;
  - ii-) Waste disposal sites and facilities, organic soil conditioning sites, and snow storage and disposal facilities;
  - iii-) Underground and above-ground storage tanks that are not equipped with an approved secondary containment device; and,
  - iv-) Storage of a contaminant listed in Schedule 3 (Severely Toxic Contaminants) to Regulation 347 of the Revised Regulations of Ontario, 1990.

#### 4.6.10 WELLHEAD PROTECTION AREAS

- a) *Wellhead Protection Areas* which include lands that contribute water to each municipal well (capture zone) shall be established by the County of Simcoe in the Oak Ridges Moraine Plan Area. Land use restrictions shall be applied within the *Wellhead Protection Areas* based on “time-of-travel” for groundwater to reach the municipal well and the relative threat posed by certain land use/activities in proximity to such wellheads.
- b) *Wellhead Protection Areas* and Time-of-Travel Zones are delineated on Appendix D5 to this Plan.
- c) Within *Wellhead Protection Areas* on the Oak Ridges Moraine the following uses are prohibited:
  - i-) Storage, except by an individual for personal or family use, of:
    - Petroleum fuels;
    - Petroleum solvents and chlorinated solvents;
    - Pesticides, herbicides and fungicides;
    - Construction equipment;
    - Inorganic fertilizers;
    - Road salt; and,

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- Contaminants listed in Schedule 3 (Severely Toxic Contaminants) to Regulation 347 of the Revised Regulations of Ontario, 1990;
  - ii-) Generation and storage of hazardous waste or liquid industrial waste; and,
  - iii-) Waste disposal sites and facilities, organic soil conditioning sites and snow storage from off-site sources and disposal facilities.
- d) Further, notwithstanding any other provisions of this Official Plan, new uses, which involve the following, are prohibited on lands in the zero to two year Time-of-Travel Zone, within the Oak Ridges Moraine Plan Area, except by an individual for personal or family use:
- i-) Storage of animal manure;
  - ii-) Animal agriculture; and,
  - iii-) Storage of agricultural equipment.
- e) Every person who carries on a use listed above, as an owner or operator, shall be required to prepare and maintain a site management and contingency plan that is aimed at reducing or eliminating the creation of the materials referred to above, and their release into the environment, which plan shall be reviewed and approved by the Town of New Tecumseth in consultation with the applicable Conservation Authorities, Provincial Ministries, County of Simcoe and any agency having jurisdiction.
- f) The Town of New Tecumseth shall consider and encourage restrictions on haulage routes for the transportation of chemicals and volatile materials through designated *Wellhead Protection Areas*.

#### 4.6.11 OAK RIDGES MORAINÉ NATURAL LINKAGE AREA

##### **Purpose and Definitions**

- a) Natural Linkage Areas form part of a central corridor system that support or have the potential to support the movement of plants and animals among the Natural Core Areas, Natural Linkage Areas, river valleys and *stream corridors* on the Oak Ridges Moraine.
- b) The purpose of the Natural Linkage Area is to maintain and where possible improve or restore, the ecological integrity of the [Oak Ridges Moraine Conservation Plan \(ORMCP\)](#) Area, and to maintain, and where possible improve or restore, regional-scale open space linkages between Natural Core Areas and along river valleys and *stream corridors*.
- c) Permitted uses accessory to *agricultural uses* include, but are not limited to the following:
- i-) Roadside sale of produce of the farm operation;
  - ii-) The manufacture of value-added products from produce of the farm operation; and,

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- iii-) A second dwelling that is a temporary, mobile or portable unit, if the applicant demonstrates that the dwelling:
  - Is required to house help that is needed on the farm operation on a seasonal or full time basis;
  - Does not require a consent under section 50 or 53 of the *Planning Act*, and,
  - Will not adversely affect the ecological integrity of the ~~Oak Ridges Moraine Conservation Plan~~ORMCP Area.
- d) Low-intensity recreational uses are recreational uses that have minimal impact on the natural environment, and require very little terrain or vegetation modification and few, if any, buildings or structures, including but not limited to the following:
  - i-) Non-motorized trail uses;
  - ii-) Natural heritage appreciation;
  - iii-) Unserviced camping on public land but not including lands in part of Lot 6, Concession 1, former Township of Tecumseth, managed by the County of Simcoe as a County Forest; and,
  - iv) *Accessory uses*.
- e) Small-scale structures accessory to low-intensity recreational uses, such as trails, boardwalks, footbridges, fences, docks and picnic facilities, are permitted only if the applicant demonstrates that the *adverse effects* on the ecological integrity of the ~~Oak Ridges Moraine Conservation Plan~~ORMCP Area will be kept to a minimum by:
  - i-) Keeping disturbed areas to a minimum; and,
  - ii-) Avoiding the most sensitive portions of the site, such as steep slopes, organic soils and significant portions of the habitat of endangered, rare or *threatened species*.

## General Policies

### 4.6.11.1- Transition and Further Approval Applications

- a) Within the Oak Ridges Moraine there are applications under the *Planning Act* and *Condominium Act*, which, due to their date of commencement, are subject to the transition provisions of Sections 15 and 17 of the *Oak Ridges Moraine Conservation Act, 2001*.
  - i-) All applications, as defined under the *Oak Ridges Moraine Conservation Act, 2001*, which commenced on or after November 17, 2001 are required to conform to the ~~Oak Ridges Moraine Conservation Plan~~ORMCP.
  - ii-) All applications, as defined under the *Oak Ridges Moraine Conservation Act, 2001*, in Natural Core Areas, Natural Linkage Areas and Countryside Areas/Rural Settlement Areas, which commenced prior to November 17, 2001, and on November 17, 2001, no decision had been made, shall conform to the prescribed provision under Section 48 of the ~~Oak Ridges Moraine Conservation Plan~~ORMCP.

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- iii.) Applications, as defined under the ~~Oak Ridges~~ *Oak Ridges Moraine Conservation Act, 2001*, which were commenced and decided upon before November 17, 2001 are not subject to the provisions of the ~~Oak Ridges Moraine Conservation Plan~~ *ORMCP* provided that the uses, buildings or structures for which the application was intended, is legally existing as of the date of the adoption of this Official Plan. If subsequent applications are still required in order to establish the intended uses, building or structures, these will be required to conform with the applicable provisions of the ~~Oak Ridges Moraine Conservation Plan~~ *ORMCP* based on the individual application commencement date, with the exception of those applications under this Section this Official Plan.
- iv.) In accordance with Section 17(1) of the *Oak Ridges Moraine Conservation Act, 2001* (as amended by Bill 27, *The Greenbelt Protection Act, 2004*), where an application for either a rezoning, site plan, minor variance or the lifting of a holding provision is required as a condition of approval for a plan of subdivision or condominium, or provisional consent, these applications shall be made in accordance with the same policy and legislative requirements as the plan of subdivision or condominium, or consent application. \_\_\_\_\_

#### ~~4.6.11.2 – Land Severances~~

~~a) New lots may be created in the “Natural Linkage Area” designated on Appendix D1, for only those circumstances listed in this Section below and subject to Sections 4.6 of this Official Plan~~

~~a) Lot creation is not permitted in the Natural Linkages Areas, as per the provisions of the ORMCP.~~

\*

~~i) New lots may be created for only the following circumstances:~~

~~Where the owner and operator of a farming operation acquires land to consolidate into the farming operation, a lot on which is situated a habitable residential dwelling that existed before July 1, 2017 and that after the consolidation has become surplus to the consolidated farming operation may be severed from the lot of the consolidated farming operation but only if,~~

~~1. The new lot will be limited to the minimum size that is needed to accommodate a residential use and the required sewage and water services; and,~~

~~2. No new residential dwellings will be constructed on a remnant parcel of farmland created by the severance.~~

~~Severance of two or more lots for agricultural uses where the lot size of the severed and retained lots is at least 100 acres;~~

~~Acquisition of land for the development of infrastructure in accordance with the Oak Ridges Moraine Conservation Plan, but only if the need for the project has been demonstrated through a Class Environmental Assessment, Watershed Plan or similar process and there is no reasonable alternative;~~

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~~The addition of adjacent land to an existing lot, but only if the adjustment does not result in the creation of a lot that is undersized for the purposes of which it is being or may be used;~~

~~Facilitating conveyances to public bodies or non-profit entities for natural heritage conservation; and,~~

~~Severances from each other parts of a lot that are devoted to different uses, but only if the uses are legally established at the time of the application for severance.~~

- b) ~~The above policy applies whether the transaction takes the form of a conveyance, a lease for twenty-one years or more, or a mortgage.~~
- c) ~~A lot may be created only if there is enough net developable area on both the severed lot and the remainder lot to accommodate proposed uses, buildings and structures and accessory uses without encroachment on key natural heritage features or hydrologically sensitive features.~~
- d) ~~As a condition of approval, the Town shall enter into a site plan agreement or other agreement with the applicant establishing conditions requiring that natural self-sustaining vegetation be maintained or restored in order to ensure the long-term protection of any key natural heritage features and hydrologically sensitive features on the lot.~~
- e) ~~The number of lots on the grid road system shall be restricted to maintain the rural character and road function. A lot shall not be created if it would extend or promote strip development.~~

#### 4.6.11.23 Permitted Uses

- a) It is the policy of this Plan to permit the following uses in all areas designated Oak Ridges Moraine Natural Linkage Area on Appendix D1, subject to Sections 4.6 of this Official Plan:
  - i.) ~~Fish, wildlife and forest management~~
  - ii.) ~~Conservation projects and flood and erosion control projects;~~
  - iii.) ~~Agricultural uses~~

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- iv.) Transportation, *infrastructure*, and utilities, subject to the policies of this Official Plan, but only if the need for the project has been demonstrated through a Class Environmental Assessment, *Watershed Plan* or similar process and there is no reasonable alternative
- v.) A single detached dwelling in accordance with the ~~Oak Ridges Moraine Conservation PlanORMCP~~ and the provisions of this Plan
- vi.) ~~Special needs housing in a single dwelling in accordance the policies of this Official Plan~~
- ~~vii.)~~ Home businesses and home industries in accordance with the ~~Oak Ridges Moraine Conservation PlanORMCP~~ and the policies of this Official Plan;
- ~~viii.)~~ ~~Garden suites in accordance with the policies of this Official Plan;~~
- ~~ix-vii.)~~ ~~Bed and breakfast establishments~~ in accordance with the ~~Oak Ridges Moraine Conservation PlanORMCP~~ and the policies of this Official Plan;
- ~~x.)~~ ~~Farm vacation homes in accordance with the Oak Ridges Moraine Conservation Plan and the policies of this Official Plan;~~
- ~~xi-viii.)~~ ~~On-farm diversified uses~~ in accordance with the ~~Oak Ridges Moraine Conservation PlanORMCP~~ and the policies of this Official Plan;
- ~~xii-x.)~~ Agricultural-related uses in accordance with the ~~Oak Ridges Moraine Conservation PlanORMCP~~ and the policies of this Official Plan;
- ~~xiii-x.)~~ Low-intensity recreational uses subject to the policies of this Section;
- ~~xiv-xi.)~~ Unserviced parks;
- ~~xv-xii.)~~ *Wayside pits* subject to the policies of this Official Plan;
- ~~xvi-xiii.)~~ *Mineral aggregate operations* subject to the policies of this Official Plan;
- ~~xvii-xiv.)~~ Uses accessory to *agricultural uses* subject to the policies of this Official Plan; and,
- ~~xviii-xv.)~~ Uses accessory to the permitted uses set out above.

#### 4.6.11.34 Water Supply and Sewage Treatment

- a) In addition to the provisions in Section 9.21: Interpretation the following provisions shall apply to the lands designated "Oak Ridges Moraine Natural Linkage Area", "Oak Ridges Moraine Countryside Area" and "Oak Ridges Moraine Tottenham Rural Settlement" on Appendix D1. Where there is a conflict between the provisions in Section 9.21 and those of this Section, the more restrictive provisions shall apply.



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- i-) An application for *major development* shall be accompanied by a sewage and water system plan that demonstrates:
  - That the quantity and quality of groundwater and surface water will be maintained; and,
  - That the applicable provisions of Section 43 of the ~~Oak Ridges Moraine Conservation Plan~~ORMCP have been satisfied;
- ii-) The construction or expansion of partial services are prohibited except where:
  - The construction or expansion of partial services is necessary to address a serious health concern or environmental concern; and,
  - The construction or expansion was approved under the *Environmental Assessment Act* before November 17, 2001 and the period of time during which the construction or expansion may begin has not expired; and,
- iii-) For purposes of clarity, the above policies do not apply to prevent the connection to communal services in the existing Tecumseth Pines development in Part of Lot, 7 Concession 1.

#### 4.6.11.45 Storm Water Management

- a) The following provisions shall apply to the lands designated “Oak Ridges Moraine Natural Linkage Area”, “Oak Ridges Moraine Countryside Area” and “Oak Ridges Moraine Tottenham Rural Settlement” on Appendix D1. The objectives of a stormwater management plan are to maintain, groundwater quantity, flow and stream baseflow, the protection of water quality, aquatic species and their habitat, and to prevent, increases in stream channel erosion and any increase in flood risk. Where there is a conflict in the provisions in this Section, the more restrictive provisions shall apply.
  - i-) An application for *major development* as defined in this Section of this Official Plan, shall be accompanied by a stormwater management plan as set out in Section 46 of the ~~Oak Ridges Moraine Conservation Plan~~ORMCP;
  - ii-) Every application for *development* or *site alteration* shall demonstrate that planning, design and construction practices that protect water resources as set out in Section 45 of the ~~Oak Ridges Moraine Conservation Plan~~ORMCP;
  - iii-) In considering an application for *development* or *site alteration*, the Town shall seek to reduce areas with impervious surfaces and increase areas retained in a natural undisturbed state, in order to minimize stormwater volumes and contaminant loads and ensure that the policies of this Section of this Plan are satisfied;
  - iv-) Municipal development standards shall incorporate planning, design and construction practices that will:
    - Reduce the portions of lots and sites that have impervious surfaces; and,

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- Provide the flexibility to use alternative stormwater management techniques such as directing roof discharge to rear yard ponding areas and using grassed swales;
- v-1) Section 4.5.10.6 above does not apply to applications for *mineral aggregate operations*;
- vi-1) For the purposes of stormwater management, the minimum standard for water quality is that 80 percent of suspended solids shall be removed from stormwater runoff as a long-term average;
- vii-1) Despite anything else in this Plan, disposal of stormwater into a kettle lake is prohibited;
- viii-1) Despite anything else in this Plan, new stormwater management ponds are prohibited with respect to land in *key natural heritage features* and ~~hydrologically sensitive hydrologic~~ hydrologic features and functions; and,
- ix-1) Despite anything else in this Plan and the ~~“Oak Ridges Moraine Conservation Plan,”~~ ORMCP, new rapid infiltration basins and new rapid infiltration columns are prohibited in the Natural Linkage, Countryside and Rural Settlement Areas in the ~~Oak Ridges Moraine Conservation Plan~~ ORMCP Area.

## 4.7 SOURCE PROTECTION

- a) Source Protection Plans have been developed to protect existing and future supplies of municipal drinking water. In accordance with Section 40 of the *Clean Water Act*, municipalities are required to include source protection policies in their official plans to ensure that they conform to the significant threat policies of the Source Protection Plans. In addition, Section 39 of the *Clean Water Act* requires that all decisions under the *Planning Act* and *Condominium Act*, made by *Council* must conform to the significant threat policies as set out in the Source Protection Plan.
- b) The Town of New Tecumseth is located within the South Georgian Bay Lake Simcoe Source Protection Plan (Source Protection Plan) which came into effect on July 1, 2015. The Source Protection Plan identifies *vulnerable* areas where a threat to municipal drinking water resources could impact the quality and quantity of those sources. *Vulnerable* areas within the Town include:
  - i-1) *Wellhead Protection Areas* (WHPA);
  - ii-1) *Highly Vulnerable Aquifers* (HVA); and,
  - iii-1) *Significant Groundwater Recharge Areas* (SGRA).
- c) The following policies apply only to those lands in the Town of New Tecumseth that are identified in the Source Protection Plan and are shown on Appendices C1, C2 and C3 respectively.

### Goal

- d) It is the goal of this Plan to support the protection of both drinking water quality and drinking water quantity for current and future residents.

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### Objectives

- e) The objectives of this Official Plan for source protection are to:
  - i.) To ensure the quality and quantity of municipal drinking water supplies are protected;
  - ii.) To encourage the development of education and community outreach programs in collaboration with the Source Protection Authority, the County of Simcoe and the Province to promote best management practices to protect surface water and groundwater resources; and,
  - iii.) To identify activities that are or will be a *significant drinking water threat*, based on the potential risk to groundwater resources, that should be prohibited or managed in *vulnerable* areas

### General Policies

- f) The policies of the Source Protection Plan apply to WHPAs within the Town of New Tecumseth. In accordance with Section 39 of the *Clean Water Act*, decisions under the *Planning Act* and *Condominium Act* are required to conform to policies as set out in the Source Protection Plan.
- g) The *Risk Management Official*, or another person duly qualified under the *Clean Water Act*, shall be responsible for determining when an existing or future land use or activity is, or may be, a *significant drinking water threat*.
- h) For those lands where *Wellhead Protection Areas* of adjacent municipalities extend into the Town, the Town shall ensure that comments are obtained from the appropriate municipality or Source Protection Authority when considering an application for *development* or *site alteration*.

### Wellhead Protection Areas

- i) In accordance with the Source Protection Plan, this Plan identifies WHPA-A to WHPA-D around each municipal drinking-water supply well. WHPAs are the surface and subsurface area surrounding a water well or well field that supplies a municipal residential system or other designated system through which contaminants are reasonably likely to move so as to eventually reach the water well, wells or cone of influence as related to quantity. The purpose of these WHPAs is to prevent land uses involving hazardous chemicals and/or substances, disease causing organisms and land uses and activities that increase the vulnerability of groundwater from becoming water quantity and/or quality threats to municipal drinking-water supply wells.
- j) Appendix C1 to this Plan identifies WHPAs for each municipal drinking-water supply well. These WHPAs reflect the length of time groundwater will take to reach the municipal drinking-water supply well. The size and shape of the WHPAs is influenced by many factors including the well pumping rate, the topography of the land, the nature of the subsurface geology, and the rate and direction of groundwater flow. WHPAs within the Town are outlined on Table 1:

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Table 1: WHPAs and Associated Time of Travel Zones and Vulnerability Scores

Water Quality Wellhead Protection Areas		
Wellhead Protection Area	Time of Travel	Aquifer Vulnerability Score
WHPA-A	100-metre radius surrounding well	10
WHPA-B	2-year travel time for water to enter well	6 to 10
WHPA-C	5-year travel time for water to enter well	4 to 8
WHPA-D	25-year travel time for water to enter well	2 to 6
Water Quality Wellhead Protection Areas		
WHPA-Q1	The cone of influence around a well. The cone of influence is estimated by calculating the level of drawdown in an aquifer under existing land use and future pumping rates.	
WHPA-Q2	The WHPA-Q1 area and any area where a future reduction in recharge would significantly impact that area.	

### Prohibited Land Uses

- k) Within WHPA-A to WHPA-D as identified in Appendix C1 or in the Source Protection Plans, the following future land uses, except residential, shall be prohibited where they would be a *significant drinking water threat*:
- i-) 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);
  - ii-) Large (more than 10,000L) on-site sewage system;
  - iii-) *Agricultural source material* storage facilities;
  - iv-) *Non-agricultural source material* storage facilities;
  - v-) Commercial fertilizer storage facilities;
  - vi-) Pesticide storage facilities;
  - vii-) Road salt storage facilities;
  - viii-) Snow storage facilities;

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- ix-) Fuel storage facilities;
  - x-) Dense Non-Aqueous Phase Liquid (DNAPL) storage facilities;
  - xi-) *Organic solvent* storage facilities; and,
  - xii-) Outdoor confinement or farm animal yard in WHPA-A.
- l) Where an existing significant *drinking water threat* (as defined in the Source Protection Plan) has been identified and confirmed by the *Risk Management Official*, or another person duly qualified under the *Clean Water Act*, a Risk Management Plan may be required. Risk Management Plans are a site-specific document to be negotiated with the *Risk Management Official*, that includes terms and conditions to address identified significant *drinking water threats* and account for risk management measures that are in place.
- m) Any planning application for non-residential uses that are submitted on lands within the WHPA-A to WHPA-D as shown in Appendix C1 or in the Source Protection Plan, must include a notice in accordance with Section 59 of the *Clean Water Act* from the *Risk Management Official*, or another person duly qualified under the *Clean Water Act* as part of a complete application.

### **Impervious Surfaces, Sewage Systems and Stormwater Management Facilities**

- n) The design of impervious surfaces in *vulnerable* areas will be subject to site plan control and best management practices to incorporate measures such as low impact design and appropriate site grading to minimize the application of road salt and to reduce ponding and run-off.
- o) New (private communal or municipal) sewage system *infrastructure* should be located outside of *vulnerable* areas where it would be a significant *drinking water threat*, as determined by the *Risk Management Official* or another person duly qualified under the *Clean Water Act*. Where a development proposal includes new (private communal or municipal) sewage system *infrastructure*, a Master Environmental Servicing Plan (MESP) shall be required as part of a complete application.
- p) Where a development proposal includes new stormwater management facilities in a *vulnerable* area, a MESP shall be required as part of a complete application to ensure the design minimizes the risk of contaminating drinking water and directs the discharge of stormwater to lands outside the *vulnerable* area, where it would be a low, moderate or significant *drinking water threat*. Site plan control is required to manage the design and discharge of stormwater management facilities in *vulnerable* areas.
- q) Where a future small on-site sewage system would be a significant *drinking water threat*, new *development* may be permitted only where the lot size for any proposed *development* that would include a small on-site sewage treatment system is based on the most current version of [MOECC's Ministry of the Environment's](#) guidelines for individual on-site servicing. Lots of record that exist on the effective date of the Source Protection Plan are exempted.
- r) The Town shall pass a by-law that mandates connecting to the municipal wastewater system in *vulnerable* areas where an on-site sewage system is a significant *drinking water threat* as determined by the *Risk Management Official* or another person duly qualified under the *Clean Water Act*.

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### Water Taking

- s) Where an application for an Official Plan Amendment is submitted to permit a land use that requires the removal of water from an aquifer without returning the water to the same aquifer in a WHPA-Q1 that has a moderate or significant risk level, the following must be demonstrated:
- i-) The taking of water would not cause drawdown impacts beyond a safe level and preclude the Town of New Tecumseth from maintaining its well(s) above a safe level of drawdown under the scenarios tested in the Tier 3 Risk Assessment as part of the Source Protection Plan; and,
  - ii-) That the increased water removal is sustainable as determined by the ~~MOECC~~ [Ministry of the Environment](#) in accordance with the Source Protection Plan and the *Ontario Water Resources Act*.

### Water Quality & Quantity

- t) The Town shall only permit new *major development* (excluding single detached residential, barns and non-commercial structures that are accessory to an agricultural operation) that may reduce the recharge of an aquifer in a WHPA-Q2 with a moderate or significant risk level, where:
- i-) It can be demonstrated through the submission of a hydrogeological study that the existing water balance can be maintained through the use of best management practices such as low impact development; and,
  - ii-) Where necessary, implementation and maximization of off-site recharge enhancement within the same WHPA-Q2 area (as identified in Appendix C1) is required to compensate for any predicted loss of recharge from the *development*.
- u) For *non-major development* or site alterations in a WHPA-Q2 (as identified in Appendix C1) assigned a moderate or significant risk level, the use of best management practices such as low impact development to maintain pre-development recharge rates will be implemented where the activity would be a *significant drinking water threat* as determined by the *Risk Management Official* or another person duly qualified under the *Clean Water Act*.
- v) HVAs are aquifers that are particularly susceptible to contamination because of either their location near the ground's surface or because of the type of materials found in the ground around them (for instance, clay versus sand versus fractured rock). HVAs can inform the vulnerability of WHPAs and where *significant drinking water threats* may occur within existing and future WHPAs. HVAs are delineated on Appendix C2.
- The municipality may require, as part of an application for *development* or *site alteration* within a HVA, the identification of measures to protect, improve or restore the quality of water within a HVA.
- w) SGRAs are areas on the landscape that are characterized by porous soils, such as sand or gravel that allows 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. *Significant groundwater recharge areas* are delineated on Appendix C3.
- \_\_\_\_\_The municipality may require, as part of an application for *development* or *site alteration* within a SGRA, the identification of measures to protect, improve or restore the quantity of water within a SGRA.

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- x) Where an application for *major development* is submitted within a SGRA, the application shall be accompanied by a landform conservation plan that:
- i-) Shows, on one or more maps:
    - Elevation, contours in sufficient detail to show the basic topographic character of the site, with an interval of not more than two metres;
    - Landform features such as kames, kettles, ravines and ridges; and,
    - All water bodies including intermittent streams and ponds.
  - ii-) Includes a development strategy that identifies appropriate planning, design and construction practices to minimize disruption to landform character and maintains pre-development recharge rates

### **Transition**

- y) In accordance with the Source Protection Plan, *future threat* land uses that are prohibited will be treated and managed as *existing threat* land uses even though those land uses will commence after the Source Protection Plan comes into effect (July 1, 2015), only where:
- i-) A *drinking water threat* land use that is related to a development proposal where a complete application was made under the *Planning Act* or *Condominium Act* prior to the day the Source Protection Plan came into effect. This policy also applies to any future applications required under the *Planning Act*, *Condominium Act*, or prescribed instruments to implement the development proposal;
  - ii-) A *drinking water threat* land use that is related to an application for a Building Permit which has been submitted in compliance with Division C 1.3.1.3 (5) of the *Ontario Building Code Act* prior to the day the Source Protection Plan came into effect; or,
  - iii-) A *drinking water threat* land use that is related to an application made for the issuance or amendment of a prescribed instrument prior to the day the Source Protection Plan came into effect.

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## 5.0 [The Settlement Areas](#)

### 5.1 INTRODUCTION

- a) This Section of this Official Plan contains the land use policies that apply to the New Tecumseth ~~Urban~~ Settlement Areas, the boundaries of which correspond to the lands subject to Schedules B1, B2 and B3.

### 5.2 URBAN RESIDENTIAL

#### 5.2.1 HOUSING POLICIES

##### Housing Statement

- a) Housing is vital to the creation of healthy, sustainable, and complete communities. Residents of all ages, income levels and abilities rely on a range and mix of housing types to offer a meaningful place to grow and a safe and secure place to live. An appropriate range of housing choices contributes to the overall health and well-being of communities.
- b) Facilitating an appropriate and adequate mix of housing types and tenures is central to accommodating not only existing needs but also ~~potential~~ new growth. By creating a multitude of opportunities, the supply of housing available within the Town can more effectively respond to local housing needs and changes in demand, particularly as the existing population ages, new seniors are drawn to the Town, and as the Town strives to attract young families and professionals.

##### Objectives

- c) It is the goal of this Official Plan to meet the Town of New ~~Tecumseth's~~ [Tecumseth's](#) current and future housing needs by:
- i.) Ensuring that there is an adequate supply of land for residential *development* subject to the availability of water and wastewater capacity;
  - ii.) Assisting in the achievement of *residential intensification* and affordable housing by encouraging opportunities for *second units* and mixed-use development in appropriate locations;
  - iii.) Encouraging the use of surplus public lands for affordable housing only if the site is appropriate for such a use and located where the use would be *compatible* with adjacent uses;
  - iv.) Encouraging the *development* of lifestyle housing for older persons in the Town;
  - v.) Supporting the County in its responsibilities as the provider and manager of assisted housing;
  - vi.) Supporting [the Accessibility for Ontarians with Disabilities Act \(AODA\)](#) and encouraging the building industry to incorporate such features in new residential structures; and,



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- vii-) Encouraging the *development* and *redevelopment* of lands within ~~Urban~~ Settlement Areas and in appropriate locations at higher densities to maximize the use of *infrastructure*.

### Land Supply

- d) It is a policy of this Plan to maintain a supply of land through *residential intensification*, *redevelopment* and, if necessary, lands *designated and available* for residential *development*, including a three year supply of land zoned for *residential intensification* and residential lots/units in registered and draft plan approved subdivisions within the context of the population target to 2031 contained in this Plan and provided that there is sufficient water and wastewater capacity available to service *development*.

### Reductions in Density

- e) *Planning Act* applications that propose the down-zoning of sites for medium and high density housing to provide for the *development* of lower density forms of development shall be discouraged, since these sites will ultimately assist in achieving an appropriate balance of housing in the Town. All such applications shall be accompanied by a planning justification report in accordance with Terms of Reference approved by the Town that assesses the implications of the proposal on:
  - i-) The Town's ability to meet the housing mix and growth targets outlined in this Plan; and,
  - ii-) The impact such a down-zoning will have on other sites that are zoned for medium and/or high density purposes in the surrounding area

### Housing Mix

- f) The Town shall promote greater housing diversity by requiring a mix of housing types, sizes and densities, including a mix of unit sizes in multi-unit residential *development*, and encouraging a mixture of tenures and affordability which will accommodate changes in community needs over time. The Town shall promote opportunities for increased housing densities and *intensification* for residential *development* within the identified ~~Urban~~ Settlement Areas.

### Accessible Housing Forms

- g) The Town shall work with the County and local social services to ensure an adequate supply of appropriately scaled accessible housing forms, including: assisted living; special needs housing; nursing homes and other forms of housing for older persons; and innovative housing models such as co-housing.
- h) Appropriately scaled accessible housing forms shall be integrated within the identified ~~Urban~~ Settlement Areas where community services and amenities are easily accessible to ensure people with special needs have the best opportunity to care for themselves as much as possible in a non-institutional setting. Special needs and emergency housing shall be permitted in any designation that permits residential uses.

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### Affordable Housing Target

- i) This Plan establishes a Town-wide target for the provision of affordable housing at 10 percent of all new housing units, and a minimum affordable housing target of 241 affordable housing units by 2024. Further, this Plan anticipates that the target for affordable housing will be met primarily within the [Urban](#) Settlement Areas.
- j) This Official Plan does not establish a specific target for affordable housing for new *development* within designated Rural/Agricultural Areas. In these designations, affordable housing will be encouraged, and is expected to be primarily in the form of *second units* and *garden suites*.

### Achieving Affordable/Accessible Housing

- k) The Town shall prepare a comprehensive strategy that will assist older persons and residents with disabilities to reside in their homes for as long as possible.
- l) Affordable housing shall be supplied in a variety of housing types (bachelor apartment units, one bedroom apartment units, townhouses, single detached, etc.), provide for a range of household sizes and be encouraged to be represented in all neighbourhoods within [Urban](#) Settlement Areas.
- m) The following strategies may be considered by the Town in an effort to achieve affordable and accessible housing objectives:
  - ~~i.)~~ Promote higher density housing forms, where housing is more affordable due to reduced per unit land costs. Increased residential densities shall be supported in appropriate locations;
  - ~~ii.)~~ [Smaller dwelling unit sizes may realize efficiencies in construction costs and are encouraged in the form of infill development;](#)
  - ~~iii.)~~ Encourage the *development* of smaller dwelling ~~units~~[unit sizes, including for infill development](#), where housing is considered more affordable due to lower construction costs [and construction efficiencies](#);
  - ~~iv-iii)~~ Encourage affordable/accessible housing to locate in proximity to ~~local~~[local public service facilities](#) and, if and where available, active transportation facilities and public transit routes;
  - ~~v-iv)~~ Support alternative residential development standards to facilitate affordable/accessible housing and a more compact development form;
  - ~~vi-v)~~ Encourage the inclusion of affordable accessible housing units within subdivisions and other *developments*;
  - ~~vii-vi)~~ Develop educational materials to increase awareness of innovative and non-traditional housing models that make home ownership more affordable;
  - ~~viii-vii)~~ Ensure that the provisions of the implementing Zoning By-Law are sufficiently flexible to permit a range of innovative housing types and sizes, including *second units*, accessory dwelling units, *garden suites*, cohousing, communal housing and life-lease housing;

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- ~~ix-xiii~~) Encourage the *development* of housing geared to lower income seniors, including housing models that allow older persons and residents with disabilities to stay in their own home for longer;
- ~~x-ix~~) Support affordable and accessible independent living options that address the needs of an aging population and persons with disabilities;
- ~~xi-xi~~) Support, where appropriate, the conversion of single-detached dwellings into multiple dwellings, subject to an appropriate approval process and compatibility with existing *development*; and,
- ~~xii-xi~~) Encourage the renovation ~~and~~ rehabilitation and retention of residential uses above commercial uses in Urban Settlement Areas

### Incentivize Affordable and/or Accessible Housing

- n) The following strategies shall be considered by the Town in an effort to incentivize affordable and/or accessible housing:
  - i-) Consider affordable and/or accessible housing as priority uses for surplus Town-owned land and work with other levels of government to make surplus land available to providers of affordable and/or accessible housing *development*;
  - ii-) Consider targeted relief from development, planning, permit, and other fees normally charged for projects that provide permanent affordable and/or accessible housing;
  - iii-) Apply for government grants and/or subsidies, including land dedication, that will reduce overall development costs;
  - iv-) Inform the community of government grants available to encourage the creation of *second units*, converted units, and accessory units;
  - v-) Discourage the demolition of rental apartment buildings with more than 4 rental apartment units, unless replacement units are provided and the rents of the re-placement units are at, or below the average market rents in the Town at the time of the application;
  - vi-) Discourage the conversion of rental apartment dwellings or units to short-term vacation rental occupancy;
  - vii-) Include the provision of affordable and/or accessible housing in a Community Improvement Plan, to be subject to financial incentives; and,
  - viii-) Consider reducing parking and/or parkland dedication requirements for projects that provide affordable and/or accessible housing

### Monitoring the Housing Supply

- o) The Town shall work with the County to develop a reliable data source for monitoring rental housing in the regional market.

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- p) In order to track the Town's housing stock, the Town shall monitor, evaluate and report on changes within the housing market as well as the Town's progress in achieving its housing objectives through implemented housing policies including:
- i-) The inventory of vacant lands and lands with the potential for residential development;
  - ii-) The affordable housing targets identified within this Official Plan and in the approved Secondary Plans;
  - iii-) The supply of residentially-designated lands;
  - iv-) Residential construction activity, including the tenure and type of housing (single detached, semi-detached, townhouse, secondary units, *garden suites* and multi-unit forms) being developed; and
  - v-) Available servicing capacity for residential *development* to ensure that the housing targets of this Official Plan can be achieved.
- q) The Town shall review *infrastructure* programs, including through comprehensive *infrastructure* master plans, so that any constraint on the supply of serviced residential land can be identified and overcome.

### 5.2.2 URBAN RESIDENTIAL DESIGNATION

#### Objectives

- a) The objectives of this Official Plan for the Urban Residential designation are to:
- i-) Maintain and *enhance* the *character* and identity of existing residential areas
  - ii-) Encourage the provision of a range of housing types, including a mix of unit sizes in multi-unit residential *development*, to accommodate persons with diverse social and economic backgrounds, needs and desires while promoting the maintenance and improvement of existing housing;
  - iii-) Promote the efficient use of existing and planned *infrastructure* by creating the opportunity for various forms of *residential intensification*, where appropriate;
  - iv-) Encourage increases in density in new development areas to maximize the use of *infrastructure* and minimize the amount of land required for new *development*;
  - v-) Ensure that residential areas permit a variety of complementary and *compatible* land uses including special needs housing, *second units*, community facilities, schools, small-scale commercial uses and recreational open space areas;
  - vi-) Establish a comprehensive set of design guidelines and policies that foster the establishment of an urban environment that is safe, functional and attractive; and,
  - vii-) Ensure that all new *development* is *compatible* with the adjacent community.

**Commented [PK1]:** A Non-Decision relates to the lands identified as Urban Residential within the settlement area of Beeton, and identified on Schedule B2 of this Plan. In the interim, the policies of the Town's 2010 Official Plan and Official Plan Amendment 31 (Beeton Secondary Plan) remain applicable.

[New Tecumseth Official Plan – June 2019](#)**Location**

- b) The Urban Residential designation is shown on Schedules B1, B2 and B3 to this Official Plan.

**Permitted Uses**

- c) Permitted uses in the Urban Residential designation may include:
- i-) Low-Rise residential uses such as detached, semi-detached, duplex, townhouse and multiple dwellings;
  - ii-) Mid-Rise residential uses such as townhouses, multi-unit buildings and apartment buildings;
  - iii-) High-Rise residential uses such as apartment buildings;
  - iv-) *Long term care facilities* and retirement homes;
  - v-) Rooming, lodging and boarding houses;
  - vi-) *Bed and breakfast establishments*;
  - vii-) *Second Units*;
  - viii-) *Garden suites*;
  - ix-) Day nurseries and local *institutional uses*;
  - x-) Local commercial uses such as convenience stores which primarily serve the needs of area residents;
  - xi-) Other non-residential supporting land uses, including: artisan establishments, studio and craftsman shops; business and financial institutions, healthcare offices and clinics; recreational and/or cultural facilities; places of worship; child care facilities; small-scale convenience retail facilities and restaurants; and, personal service;
  - xii-) Home occupations;
  - xiii-) *Public Service Facilities*;
  - xiv-) Parks and open spaces; and,
  - xv-) Public and private utilities
- d) Notwithstanding this list of permitted land uses, the implementing Zoning By-law shall specify the actual list of permitted land uses within any zone, or on any individual parcel of land. Further, the Town may refine the list of permitted land uses through the rezoning process.
- e) Notwithstanding this list of permitted land uses, existing zoning permissions shall be recognized and shall prevail.

[New Tecumseth Official Plan – June 2019](#)**Infill Development in Established Residential Neighbourhoods**

- f) Infill *development* shall be encouraged throughout the Urban Residential designation provided *Council* is satisfied that:
- i-) The proposed *development*, including built-form, massing and height, is *compatible* with the *character* of the adjacent properties;
  - ii-) New buildings and additions are designed in a manner that is sensitive to the location, massing and height of adjacent buildings;
  - iii-) A suitable transition in lot sizes, building forms and heights is provided from adjacent *development*;
  - iv-) Existing trees and vegetation will be retained and enhanced where possible and additional landscaping will be provided to integrate the proposed *development* with the existing neighbourhood;
  - v-) The proposed *development* will not create a traffic hazard or an unacceptable increase in traffic on local roads; and,
  - vi-) Significant views and vistas which help define a residential neighbourhood are preserved

**Second Units**

- g) One *second unit* may be permitted within any single detached, semi-detached or townhouse dwelling, provided that:
- i-) The *second unit* will comply with the Ontario Building and Fire Codes as well as applicable provisions of the Town's Zoning By-law and all other applicable law as required;
  - ii-) Adequate parking is available on the lot for both dwelling units, [as identified in the Zoning By-law](#);
  - iii-) The *second unit* is designed and located in such a manner to be *compatible* with adjacent properties and to appear as only one dwelling, and,
  - iv-) Municipal water and wastewater facilities are adequate and available

**Garden Suites**

- h) *Garden suites* may be permitted in conjunction with a single detached dwelling, provided that:
- i-) *Garden suites* shall be a maximum height of 2 storeys, or 7.5 metres, whichever is less, and shall have a maximum Gross Floor Areas of 75 square metres;
  - ii-) Appropriate buffering and siting of the suite relative to adjacent properties is provided;
  - iii-) Adequate parking is available on the lot for both the single detached dwelling and the *garden suite*; and,

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- iv-) Municipal water and wastewater facilities are adequate and available

#### **Long-Term Care Facilities and Retirement Homes**

- i) *Long term care facilities* and retirement homes may be permitted subject to an amendment to the Implementing Zoning By-law and provided *Council* is satisfied that:
  - i-) The *development* is *compatible* with adjacent properties;
  - ii-) The site has access and frontage onto an Arterial or Collector Road as shown on Schedule D1 to this Plan;
  - iii-) The site has adequate land area to accommodate the building, an outdoor amenity area, on-site parking and appropriate buffering such as setbacks, landscaping and fencing;
  - iv-) The use will not cause traffic hazards or an unacceptable level of congestion on surrounding roads; and,
  - v-) Municipal water and wastewater facilities are adequate and available.

#### **Urban Design for New Neighbourhoods in Urban Expansion Areas**

- j) All new *development* requiring a *Planning Act* approval shall conform to the policies of this Official Plan as appropriate.

#### **Mid-Rise and High-Rise Residential Buildings**

- k) Mid-Rise Residential Buildings include apartment buildings of up to and including 6 storeys or 20.0 metres, whichever is less. High-Rise Residential Buildings are apartment buildings that are greater than 6 storeys.
- l) New Mid-Rise and High-Rise residential *development* may be permitted in accordance with this Official Plan, provided it:
  - i-) Is *compatible* with adjacent residential neighbourhoods;
  - ii-) Will not cause traffic hazards or an unacceptable level of congestion on surrounding roads;
  - iii-) Is located in proximity to *public service facilities*, such as parks, schools and open spaces;
  - iv-) Is located on a site that has adequate land area to incorporate the building, on-site parking, an outdoor amenity area, and appropriate buffering such as setbacks, landscaping and fencing to ensure the compatibility of the use with adjacent properties;
  - v-) Takes advantage, where appropriate, of the topography and natural vegetation of the site and area in minimizing the impacts of tall buildings on adjacent land uses;

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- vi-) Is demonstrated that the potential shadow impacts associated with tall buildings will be at an acceptable level on adjacent properties; and,
- vii-) Municipal water and wastewater services are adequate and available.

### **Home Occupations**

- m) Home Occupations are permitted within the Urban Residential designation, in accordance with the following criteria:
- i-) The use shall be *compatible* with adjacent properties;
  - ii-) The use is clearly secondary to the primary residential use in terms of floorspace utilization and any retail showroom or display of items area will be limited in floor area;
  - iii-) Adequate on-site parking facilities are provided for the use, in addition to the parking required for the principal use on the property, and such parking is provided in locations *compatible* with surrounding land uses and furthermore only one vehicle associated with the home occupation will be permitted on the lot;
  - iv-) The use is completely located within the principal residence of the person conducting the home occupation;
  - v-) The character of the dwelling as a private residence is preserved;
  - vi-) The use will not cause a traffic hazard; and,
  - vii-) The signage advertising the use is to be designed and located in accordance with the ~~Town's~~Town's sign by-law.

### **Bed and Breakfast Establishments**

- n) *Bed and breakfast establishments* are permitted subject to Site Plan Control and the following criteria:
- i-) The use shall be *compatible* with adjacent properties;
  - ii-) The use is secondary to the primary use of the dwelling as a residence;
  - iii-) The *bed and breakfast establishment* must be the principal residence of the owner and operator;
  - iv-) The character of the dwelling as a private residence is preserved;
  - v-) Adequate parking facilities are available on the lot for the proposed use;
  - vi-) The use will not cause a traffic hazard;



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- vii-) The signage advertising the use is to be designed and located in accordance with the ~~TOWN'S~~Town's sign by-law; and,
  - viii-) Municipal water and wastewater services are adequate and available.
- o) The required Site Plan Control agreement shall further detail appropriate performance standards for *Bed and Breakfast Establishments*.

### **Child Care Centres and Local Institutional Uses**

- p) Child care centres and local *institutional uses* which generally serve the needs of surrounding residential areas such as elementary schools, nursery schools, and places of worship, may be permitted subject to an amendment to the Implementing Zoning By-law and provided *Council* is satisfied that:
- i-) The use is *compatible* with the adjacent properties;
  - ii-) The site has access and frontage onto an Arterial or Collector Road as shown on Schedule D1 to this Plan;
  - iii-) The use is intended to serve and support surrounding residential areas and is not more appropriately located in the Institutional designation;
  - iv-) The use will not cause any traffic hazards or an unacceptable level of congestion on surrounding roads;
  - v-) The site is large enough to accommodate the building, on-site parking, play areas, where required, and appropriate buffering such as setbacks, landscaping and fencing to ensure the compatibility of the use with adjacent land uses;
  - vi-) The noise generated by the use will not adversely affect the enjoyment of adjacent properties;
  - vii-) The use will be a positive addition to the neighbourhood and will provide a service that is required by residents; and,
  - viii-) Municipal water and wastewater services are adequate and available
- q) The following criteria shall be considered when locating future schools in the Urban Residential designation:
- i-) Projected pupil demand;
  - ii-) Existing school facilities and capacity;
  - iii-) Anticipated changes to pupil catchment areas;
  - iv-) An estimated land need of approximately 5 acres per elementary school site;
  - v-) Relative centrality to maximize accessibility and minimize walking distances from existing and future neighborhoods; and,

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- vi-) Location adjacent to neighborhood or community parks to create a neighborhood “focus”.

#### **Public Service Facilities**

- r) *Public service facilities* are permitted within the Urban Residential designation, and shall be planned in coordination with land use planning and in consideration of the following:
  - i-) *Public service facilities* and public services should be co-located in community hubs and integrated to promote cost-effectiveness;
  - ii-) Priority should be given to maintaining and adapting existing *public service facilities* and spaces as community hubs to meet the needs of the community and optimize the long term viability of public investments;
  - iii-) Existing *public service facilities* that are located in or near *strategic growth areas* and are easily accessible by active transportation ~~should~~ shall be the preferred location for community hubs;
  - iv-) The Town shall collaborate and consult with service planning, funding, and delivery sectors to facilitate the co-ordination and planning of community hubs and other *public service facilities*; and,
  - v-) New *public service facilities*, including hospitals and schools, should be located within the ~~Urban~~ Settlement Areas and preference should be given to sites that are easily accessible by active transportation.

#### **Policies for Non-Residential, Neighbourhood Supporting Uses**

- s) The Town will support the integration of non-residential supporting uses, which are complementary and serve the needs of residents, at appropriate locations in the Urban Residential designation to support the development of a walkable and complete community. Individual properties may be zoned to achieve an appropriate mix of uses, building types, scale and density, that are *compatible* with the surrounding residential uses. Non-residential supporting uses shall be permitted as stand-alone buildings or integrated with residential uses in a mixed use *development*. To ensure that the viability of the Downtown Core Commercial designation is protected, an application for the *development* of a non-residential supporting use may be subject to a Market Impact Study as outlined under Urban Commercial, at the discretion of the Town.
- t) Within the Urban Residential designation the following non-residential supporting uses may be permitted through an implementing Zoning Bylaw:
  - i-) Artisan establishments, studios and craftsman shops;
  - ii-) Business and financial institutions;
  - iii-) Healthcare offices and clinics;
  - iv-) Recreational and/or cultural facilities;
  - v-) Places of worship;
  - vi-) Child care facilities; and,

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- vii-) Small-scale convenience retail facilities and restaurants.
- u) The Town will have regard for the following when evaluating an application to permit non-residential supporting uses in the Urban Residential designation:
  - i-) Whether the non-residential use will contribute to a walkable and complete community;
  - ii-) Whether the site is more suited to the *development* of non-residential land uses due to matters such as noise, vibration, and other incompatibilities and *adverse effects*;
  - iii-) Whether the design, location and massing of the existing building or any new building, including lighting and signage, will be *compatible* with the surrounding residential buildings and the area; and,
  - iv-) Depending on the size and scale of a non-residential supporting use, front yard parking may not be permitted. Where it has been determined that front yard parking will negatively impact the streetscape, parking and servicing areas shall be located at the rear of the building.
- v) Any proposed new non-residential *development* will have regard residential uses, with respect to existing built form, building mass, scale, height, setbacks, orientation, landscaping, and visual impact. As such, where a proposed non-residential *development* abuts a residential use, the Town shall require that impacts be mitigated through site design including appropriate screening and landscape treatments.
- w) Non-residential supporting uses such as neighbourhood commercial uses, community facilities/services, parks and open space, should be clustered to create a focal point for the neighbourhood and to facilitate access by all forms of transportation. Non-residential supporting uses shall generally be located at an intersection of Collector/Collector, Collector/Arterial or Arterial/Arterial Roads, and shall be provided with appropriate access to those roads, in accordance with the requirements of the Town.
- x) To help establish neighbourhood focal points, the Town will encourage non-residential supporting uses to locate together and to be integrated with residential uses in mixed use *developments* or in mixed use buildings, where appropriate and desirable. In mixed use buildings, non-residential supporting uses shall be encouraged to locate on the ground floor, with residential uses located above the ground floor.

### **Proximity to Industrial Uses**

- y) Where the Urban Residential designation is in proximity to existing *industrial uses* in the Employment Area One or Employment Area Two designations, *sensitive land uses* may not be located if such approval would result in the existing *industrial use*, including any expansion for similar uses, ceasing to comply with pertinent provincial guidelines and policies of the Province, County or ~~the~~ Town.

### **Special Residential Policies**

- z) A Special ~~Residential~~ Policy (~~SRP~~Area (SPA #1) has been identified in the Southwest corner of the Secondary Plan area Alliston Settlement Area (see Schedule B1). This area, along Sideroad 30, contains *natural heritage*

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features, such as wetlands and woodlands, and natural environmental protection area including steep slopes. Residential development in SRP #21 will not be permitted unless it can be demonstrated that there will be no negative impacts on the area's natural heritage features nor the ecological and hydrological functions which are necessary to maintain those features. It must also be demonstrated that the potential hazard associated with the steep slope area can be overcome. The evaluation on the area's natural heritage features, including the associated ecological and hydrological functions, and natural environmental protection area shall occur through an Environmental Impact Study (EIS), prepared to the satisfaction of the Nottawasaga Valley Conservation Authority. The "Mitigative Measures" component of the EIS will include a compensation plan that will establish a restoration/replacement principle of 2:1 (area restored vs. Area lost). In addition, residential development of these lands shall require the approval of a Zoning By-law Amendment, and shall proceed only by Draft Plan of Subdivision to ensure all environmental matters are reviewed and addressed on a comprehensive basis.

- aa) A Special Residential Policy (SRP Area (SPA #2) has been identified in association with the Wilson Drain along the north boundary of the Alliston Settlement Area. The purpose of the special policy area is to recognize the constraints to development that currently exist due to the floodlines surrounding the Wilson Drain and the need to protect the existing cool water aquatic habitat. Residential development will be permitted in this area subject to the provisions of Policy 10.3.4.2(g) of the Secondary Plan, where it has been demonstrated how existing floodlines in this area can be reduced in a manner acceptable to the Nottawasaga Valley Conservation Authority and the Town, and storm water management systems should be designed as Level 1 facilities and ensure cool water effluent discharge that will augment stream baseflow, maintaining or enhancing the existing aquatic habitats. Stormwater facilities will further incorporate water quantity controls, including extended detention (erosion control) and peak flow (flood control) storage volumes as specified in the Functional Servicing report for each development. In general, the flood plain of the Wilson Drain should be confined to lands within the stream corridor, which measures a distance of approximately 40 metres wide.

## 5.3 URBAN COMMERCIAL

### 5.3.1 GENERAL POLICIES

#### Objectives

- a) It is the objective of this Plan to:
- i.) Encourage commercial development that will provide a full range of goods and services, at appropriate locations, to meet the needs of the Town's residents, employees, businesses and visitors;
  - ii.) Improve the look, feel and vibrancy associated with the built form and public realm;
  - iii.) Encourage and promote development that combines commercial, residential and other land uses to facilitate the more efficient use of urban land and the establishment of a human-scale pedestrian environment, as well as the achievement of complete communities;
  - iv.) Promote the efficient use of existing and planned infrastructure by encouraging appropriate forms of commercial and residential intensification;

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- v-) Establish a comprehensive set of design policies that foster the establishment of an urban environment that is safe, accessible, functional and attractive;
- vi-) Direct retail and office uses to locations that support active transportation; and,
- vii-) Ensure that all new *development* is *compatible* with adjacent *development*.

### Location

- b) The Urban Commercial Areas are divided into the following land use designations as shown on Schedules B1, B2 and B3:
  - i-) Downtown Core Commercial;
  - ii-) Downtown Core Transitional;
  - iii-) Corridor Commercial; and,
  - iv-) Major Commercial.

### Need for Market Impact Studies

- c) The Downtown Core Commercial designation is intended to function as the primary retail, commerce and service focal point in each of the ~~Urban~~ Settlement Areas of Beeton, Alliston and Tottenham. The Major Commercial designation is intended to be the focus for large retail uses with a regional focus. On this basis, applications to expand the boundaries of the Major Commercial designation, or develop large retail uses in the Corridor Commercial designation, shall not be permitted unless appropriate studies to assess the impact of the proposed uses on the Downtown Core Commercial designation are completed.
- d) If an amendment to this Official Plan or the implementing Zoning By-law is required to permit the *development* of new commercial uses, *Council* may require the preparation of a ~~market impact study~~ Market Impact Study. The purpose of the ~~market impact study~~ Market Impact Study shall be to determine whether a proposal can proceed on the basis of market demand without having a *negative impact* on the ongoing viability of the Downtown Core Commercial designations contained in this Official Plan. It would not be the intent of the study to assess the impacts of any proposal on the market share of an individual business or interfere with normal market competition.
- e) In order to implement this policy, the implementing Zoning By-law may restrict the size of commercial uses in each of the appropriate commercial zones, as required.

### Urban Design

- f) It is the intent of this Plan to improve the vibrancy, aesthetics and connectivity of all commercial areas in the Town. On this basis, the approval of any development proposal pursuant to the *Planning Act* will be dependent on *Council* being satisfied that:

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- i-) Improvements to the aesthetics and function of the public realm (roads, parks, and sidewalks) will occur as a condition of *development*, or will be made possible as a result of the *development*, as appropriate;
  - ii-) The siting, scale and massing of buildings contributes to a safe and attractive pedestrian environment and streetscape;
  - iii-) Parking facilities are designed to not dominate the streetscape; and,
  - iv-) Landscaping is used to buffer adjacent uses and improve the overall aesthetics of the *development*.
- g) All new *development* requiring a *Planning Act* approval shall conform to the urban design policies of this Official Plan as appropriate.
- h) All new *development* within any commercial designation shall be subject to Site Plan Control. In addition, the Implementing Zoning By-law shall contain provisions relating to building siting, location and massing to implement the urban design policies of this Official Plan.

### **Proximity to Industrial Uses**

- i) Where an Urban Commercial designation is in proximity to existing *industrial uses* in the Employment Area One or Employment Area Two designations, *sensitive land uses* may not be located if such approval would result in the existing industrial use, including any expansion for similar uses, ~~–~~ ceasing to comply with pertinent provincial guidelines and policies of the Province, County or ~~the~~ Town.

### **5.3.2 DOWNTOWN CORE COMMERCIAL DESIGNATION**

#### **Vision**

- a) It is a policy of this Plan that the scale and location of new *development* in the Downtowns maintain and/or *enhance* the existing *character* of the Downtown areas. This will be accomplished by encouraging:
- i-) The *development* of diverse, *compatible* land uses in proximity to each other;
  - ii-) The use of existing buildings in the Downtowns to accommodate a wide range of uses, with an emphasis on using upper level space for offices, residential and accommodation uses;
  - iii-) The establishment and maintenance of a streetscape that is pedestrian oriented;
  - iv-) The preservation and enhancement of the cultural and historic features that exist in the Downtowns;
  - v-) Partnerships and collaboration between the Town and service delivery groups such as Downtown Improvement Areas, Business Associations, the Chamber of Commerce and/or Local Heritage Committees; and,

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- vi-) The physical and aesthetic improvement of the Downtown areas through their designation as community improvement areas.

#### **Objectives**

- b) The objectives of this Official Plan for the Downtown Core Commercial designation are to:
  - i-) Maintain and promote the Downtowns as the focal point for commerce and hospitality;
  - ii-) Encourage *development* in the Downtowns which capitalizes on expected growth in the area;
  - iii-) Encourage the *development* of a mix of uses to *enhance* the *character* of the Downtowns, both throughout the designation and within individual buildings;
  - iv-) Encourage streetscape and façade improvements that revitalize the cultural and historic *character* of the Downtowns; and,
  - v-) Establish a definitive boundary for the Downtowns, within which a mixed use, pedestrian-oriented environment can be fostered.

#### **Location**

- c) The Downtown Core Commercial designation as shown on Schedules B1, B2 and B3 and applies to the downtown commercial districts in Alliston, Tottenham and Beeton.

#### **Permitted Uses**

- d) Permitted uses in the Downtown Core Commercial designation may include:
  - i-) Offices;
  - ii-) ~~Clinics and health care facilities;~~
  - iii-) Day nurseries;
  - iv-) ~~iii)~~ Entertainment uses;
  - v-) ~~iv)~~ Financial institutions;
  - vi-) ~~v)~~ Funeral homes;
  - vii-) ~~vi)~~ Hotels, inns and *bed and breakfast establishments*;
  - viii-) ~~vii)~~ Mid-Rise and High-Rise residential uses, including apartment dwellings, retirement homes and *long term care facilities*;

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~~ix-xiii~~ Personal service uses;

~~x-xi~~ Places of worship and other *institutional uses*;

~~xii-xi~~ *Private and commercial schools*;

~~xii-xi~~ Restaurants and take-out restaurants, but not including any Restaurant with a *drive-through service facility*;

~~xiii-xii~~ Retail uses;

~~xiv-xiii~~ *Public Service Facilities*;

~~xv-xiv~~ Parks and open spaces; and,

~~xvi-xv~~ Public and private utilities.

- e) Notwithstanding this list of permitted uses, the Implementing Zoning By-law shall specify the actual list of permitted uses within any zone, or on any individual land parcel. Further, the Town may refine the list of permitted uses through the rezoning process.

### **New Lots Created by Consent**

- f) The creation of new lots by consent to sever may be permitted, provided the consent is in keeping with the objectives of this Plan and does not unduly fragment the land base of the Downtowns to make it more difficult to accommodate usable building space.
- g) Consents which will result in the demolition of buildings which are historically significant will not be permitted.
- h) The effect of any consent on public or private access and emergency service access to the affected lot(s) and other lots in the area will need to be considered to ensure that this access, if appropriate, will be maintained or provided by other means.

### **New Development and Redevelopment Polices**

- i) It is the intent of this Official Plan that the existing rhythm and scale of building facades be respected in all new *development*. All new *development* or *redevelopment* will be consistent with the built form characteristics of the historic main streets.
- j) The maximum height of new buildings immediately adjacent to a main street shall be 3 to 4 storeys. Greater heights may be permitted provided that they are setback from the street or tiered in height to minimize their visual and shadowing impact on streets and public areas. The minimum height of new buildings shall be 2 storeys.
- k) Where a building exhibits a historical character or identity, any development proposal requiring a *Planning Act* approval may require the proponent to restore or *enhance* the building façade in order to maintain the architectural *character* and identity of the Downtown Core Commercial designation in accordance with the following guidelines:

i-) Original architectural details and features should be restored;



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- ii-) Where an existing building lacks significant architectural detail or a new building is to be built on a vacant lot, the façade should be *compatible* with adjacent architectural styles;
  - iii-) Building materials which are not in keeping with the architectural *character* of the Downtown will be discouraged;
  - iv-) Appropriate signage and lighting in accordance with the developed community is preferred over fluorescent sign boxes; and,
  - v-) The façade should incorporate broad window treatments at street level to maintain an open, pedestrian friendly environment.
- l) In order to provide guidance to proponents of *development* within the Downtown Core Commercial designations, Council will prepare an urban design manual to articulate the Town's expectations for *development*.
- m) No outside storage shall be permitted. The location of waste disposal areas shall be controlled through the implementing zoning by-law to minimize their visual impact.
- n) The outdoor display and sales of goods and materials associated with retail uses is encouraged to improve the vibrancy of the downtowns.

### **Residential Uses**

- o) In the Downtown Core Commercial designation within Alliston, Beeton and Tottenham, new mid-rise and high-rise residential buildings, housing for ~~seniors~~ *senior/solder persons* in the form of retirement homes and *long term care facilities*, apartments as well as small-scale hotels are permitted at street level. Such uses are permitted, subject to a rezoning, provided Council is satisfied that:
- i-) Parking areas for the use are not located at the front of the building;
  - ii-) If the building fronts on Victoria Street in Alliston, Main Street in Beeton or Queen Street in Tottenham, a portion of the first storey adjacent to the streetline is used for non-residential uses; and,
  - iii-) The building is designed to be *compatible* with adjacent properties.

### **Public Service Facilities**

- p) *Public service facilities* are permitted within the Downtown Core Commercial designation, and shall be planned in coordination with land use planning and in consideration of the following:
- i-) *Public service facilities* and public services should be co-located in community hubs and integrated to promote cost-effectiveness;
  - ii-) Priority should be given to maintaining and adapting existing *public service facilities* and spaces as community hubs to meet the needs of the community and optimize the long term viability of public investments;

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- iii-) Existing *public service facilities* that are located in or near *strategic growth areas* and are easily accessible by active transportation ~~should~~ shall be the preferred location for community hubs;
- iv-) The Town shall collaborate and consult with service planning, funding, and delivery sectors to facilitate the co-ordination and planning of community hubs and other *public service facilities*; and,
- v-) New *public service facilities*, including hospitals and schools, should be located within the ~~Urban~~ Settlement Areas and preference should be given to sites that are easily accessible by active transportation.

### **Parking**

- q) Parking in the Downtown Core Commercial designations shall be comprised of a combination of private and public parking facilities. The provision of adequate and convenient off-street parking is recognized as a necessity in the promotion and enhancement of the Downtown Core Commercial designations. To this end *Council* shall encourage the coordination of existing parking facilities including the linkage of driveways and lanes for parking purposes. To the extent possible, new parking facilities shall be coordinated and linked with existing parking facilities.
- r) Where a new use cannot accommodate the Town's parking requirement, the Town may accept cash-in-lieu in accordance with the Town's cash-in-lieu by-law.

### **Public Realm**

- s) Victoria Street in Alliston, Main Street in Beeton and Queen Street in Tottenham are planned to continue to function as arterial roads providing access to and from and through the Downtown Core Commercial designations. However, in addition to accommodating motor vehicles, equal emphasis shall be placed on accommodating future public transit, bicycles and pedestrians.
- t) In order to provide the basis for the continuing upgrading of the public realm, the Town shall prepare a Public Realm Sustainable Design Element Plan that will assist in the review of development applications. Sustainable design elements include trees, shrubs, hedges, planting and other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities.
- u) Every effort will be made to establish a distinctive public realm within the Downtown Core Commercial designations that has the effect of attracting new *development* and reducing the impact of motor vehicles on their *character*. In order to implement this intent, special pavement treatments, unique street furniture and signage shall be established for each of the Downtown Core Commercial designations within Alliston, Tottenham and Beeton.
- v) The encroachment of patios for restaurants within the Downtown Core Commercial designations is encouraged and permitted within the municipal right-of-way. Encroachments for the purposes of providing areas for the outdoor display and sale of goods related to a business is also encouraged, provided the scale and extent of the encroachment does not affect pedestrian/vehicular movement in the area.

### **Enhancements to Existing Buildings**

- w) Any *development* that has the effect of increasing the amount of floor space on a lot by more than 25% beyond which existed on the date that this Plan came into effect may be required to provide certain sustainable design elements as a condition of Site Plan Approval.

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- x) All *development* proposals requiring a *Planning Act* approval may be required to restore or *enhance* their building façade in order to maintain the architectural *character* and identity of the Downtown Core Commercial designation in accordance with the following guidelines:
- i-) Original architectural details and features should be restored;
  - ii-) Where an existing building lacks significant architectural detail or a new building is to be built on a vacant lot, the façade should be *compatible* with surrounding architectural styles;
  - iii-) Building materials that are not in keeping with the architectural *character* of the Downtown will be discouraged;
  - iv-) Traditional signage and lighting is preferred over fluorescent sign boxes and corporate signage; and,
  - v-) Façades should incorporate broad window treatments at street level to maintain an open, pedestrian friendly environment.

### Promote Revitalization

- y) All *development* within the Downtown Core Commercial designations shall be subject to Site Plan Control. The Town shall also consider the preparation of a Community Improvement Plan, and the designation of a Community Improvement Project Area for the purposes of:
- i-) Developing a Public Realm Master Plan for the public parks and streetscaping that will promote public sector investment; and/or,
  - ii-) Establishing financial incentives that will improve the condition of existing buildings and facades or that reduce the cost of *redevelopment*.
- z) The Town shall consider pre-zoning lands for mid-rise and high-rise residential buildings within the Downtown Core Commercial designations to promote *intensification* and to reinvigorate the commercial sector by reducing the risk of the development approval process.
- aa) The Town will encourage the revitalization and improvement to the rear facades of buildings that face the Boyne River within the Downtown Core Commercial designation of the Alliston ~~Urban~~ Settlement Area.
- ab) The Town shall explore opportunities for the acquisition of land abutting the Boyne River within the Downtown Core Commercial designation of the Alliston ~~Urban~~ Settlement Area for the purposes of improving public access and enjoyment of the river's edge.

### 5.3.3 DOWNTOWN CORE TRANSITIONAL DESIGNATION

#### Vision

- a) It is the intent of this Plan that the Downtown Core Transitional designation function as primarily a residential area adjacent to the Downtown Core Commercial designation where small scale non-residential *development* which supports the function of the Downtown Core Commercial designation is permitted. A further intent is that this area

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be the site of businesses and commercial uses that can utilize existing buildings and be supportive of the mixed-use, pedestrian oriented focus of the Downtown.

#### Objectives

- b) The objectives of this Official Plan for the Downtown Core Transitional designation are to:
- i.) Reinforce the importance of the Downtown Core Commercial designation by identifying a complementary area for transitional commercial growth and *development* related to the Downtowns;
  - ii.) Protect the residential *character* of the areas adjacent to the Downtowns;
  - iii.) Establish a definitive boundary for the Downtown Core Transitional designation, within which small scale commercial uses will be permitted; and,
  - iv.) Ensure that all new *development* in the Downtown Core Transitional designation contributes to the *character* and identity of the Downtowns.

#### Location

- c) The Downtown Core Transitional designation as shown on Schedules B1, B2 and B3 applies to lands adjacent to the Downtown Core Commercial designation.

#### Permitted Uses

- d) Permitted uses in the Downtown Core Transitional designation include:
- i.) Offices;
  - ii. ~~iii.)~~ Clinics and health care facilities;
  - ~~iii.)~~ Hotels, inns and *bed and breakfast establishments*;
  - ~~iv-iii)~~ Long term care and retirement homes;
  - ~~v-iv)~~ Low-Rise and Mid-Rise residential uses;
  - ~~vi-v)~~ Places of worship and other *institutional uses* such as schools and community centres;
  - ~~vii-vi)~~ *Private and commercial schools*;
  - ~~viii-vii)~~ Retail and *service commercial uses*;
  - ~~ix-viii)~~ Restaurants, and take out restaurants but not including any restaurant with a *drive-through service facility*;
  - ix) Public Service Facilities;

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- x-2) Parks and open spaces; and,
  - xi-2) Public and private utilities.
- e) Notwithstanding this list of permitted uses, the Implementing Zoning By-law shall specify the actual list of permitted uses within any zone, or on any individual land parcel. Further, the Town may refine the list of permitted uses through the rezoning process.

### **New Lots Created by Consent**

- f) The creation of new lots by consent to sever may be permitted, provided the consent will not result in the demolition of buildings which are historically significant.

### **Use of Existing Buildings**

- g) To maintain the primarily residential *character* of the area, the use of existing buildings for residential, office and commercial uses shall take precedence over the replacement of existing buildings. In order to implement this policy, the Implementing Zoning By-law shall limit permitted uses and maximum building size on developed lots to only buildings that existed on the date the By-law comes into effect. In addition, the Implementing Zoning By-law shall limit the floor area that can be utilized for non-residential uses.

### **New Development and Redevelopment Policies**

- h) The *development* of new buildings or additions for commercial, office and multi-unit residential uses on a lot shall be subject to an amendment to the Implementing Zoning By-law and will be subject to Site Plan Control. Prior to considering an application for re-zoning and/or Site Plan approval, *Council* shall be satisfied that:
- i-2) Adequate parking and loading facilities are provided on the site and located away from the front yard or suitably screened from public streets;
  - ii-2) The proposed use is *compatible* with adjacent properties;
  - iii-2) The new or redeveloping uses incorporate landscaping to *enhance* the site and surrounding area;
  - iv-2) Traffic impacts caused by ingress and egress can be minimized
  - v-2) Adequate provision for pedestrian access and connections to the active transportation network are provided; and,
  - vi-2) The proposed use can be graded to control storm water.
- i) Where a proposed use abuts or is in proximity to an existing residential use, fencing, landscaping, berming or a combination of these design elements will be utilized to ensure that there is adequate screening between the uses.

### **Promote Revitalization**

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- j) All *development* within the Downtown Core Transitional designations shall be subject to Site Plan Control. The Town shall also consider the preparation of a Community Improvement Plan, and the designation of a Community Improvement Project Area for the purposes of:
- i-) Developing a Public Realm Master Plan for the public parks and streetscaping that will promote public sector investment; and/or,
  - ii-) Establishing financial incentives that will improve the condition of existing buildings and facades or that reduce the cost of *redevelopment*.
- k) The Town shall consider pre-zoning lands for mid-rise residential buildings within the Downtown Core Transitional designations to promote *intensification* and to reinvigorate the commercial sector by reducing the risk of the *development* approval process.

### Public Service Facilities

- l) *Public service facilities are permitted within the Downtown Core TransitionalCommercial designation, and shall be planned in coordination with land use planning and in consideration of the following:*
- i) *Public service facilities and public services should be co-located in community hubs and integrated to promote cost-effectiveness;*
  - ii) *Priority should be given to maintaining and adapting existing public service facilities and spaces as community hubs to meet the needs of the community and optimize the long term viability of public investments;*
  - iii) *Existing public service facilities that are located in or near strategic growth areas and are easily accessible by active transportation shall be the preferred location for community hubs;*
  - iv) *The Town shall collaborate and consult with service planning, funding, and delivery sectors to facilitate the co-ordination and planning of community hubs and other public service facilities; and,*
  - v) *New public service facilities, including hospitals and schools, should be located within the Settlement Areas and preference should be given to sites that are easily accessible by active transportation.*

#### 5.3.4 CORRIDOR COMMERCIAL DESIGNATION

##### **Objectives**

- a) The objectives of this Official Plan for the Corridor Commercial designation are to:
- i-) Provide commercial lands in appropriate locations;
  - ii-) Promote appropriate *residential intensification*;
  - iii-) Ensure that access to new or expanding *development* is coordinated and safe;
  - iv-) Ensure that new *development* occurs in an orderly manner and is provided with appropriate sanitary sewer and water services; and,

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- v-) Ensure that new *development* is attractively designed.

#### **Location**

- b) The Corridor Commercial designation as shown on Schedules B1, B2 and B3 to this Plan and applies primarily to lands located at the gateways to the Alliston, Beeton and Tottenham ~~Urban~~-Settlement Areas.

#### **Permitted Uses**

- c) Permitted uses on lands designated Corridor Commercial include:
  - i-) Offices;
  - ii-) Commercial fitness centres;
  - iii-) Day nurseries;
  - iv-) Entertainment uses;
  - v-) Financial institutions;
  - vi-) Funeral homes;
  - vii-) Hotels, motels and inns;
  - viii-) *Private and commercial schools;*
  - ix-) Restaurants and take out restaurants;
  - x-) Retail and *service commercial uses;*
  - xi-) *Public Service Facilities;*
  - xii-) Parks and open spaces; and,
  - xiii-) Public and private utilities.
- d) The following uses may be permitted subject to a zoning by-law amendment in consideration of the policies of this Plan.
  - i-) Auto body shops if associated with a motor vehicle sales establishment;
  - ii-) Auto sales dealerships;
  - iii-) Banquet halls, trade and convention centres;

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- iv-) Drive through service facilities in association with any use, provided the facility is set back an appropriate distance from residential areas;
  - v-) Mid-rise and high-rise residential uses;
  - vi-) Motor vehicle service stations and car washes;
  - vii-) Retail uses requiring *outdoor storage* or display of merchandise; and,
  - ~~viii-)~~ ~~vii)~~ Storage facilities.
- e) Notwithstanding this list of permitted uses, the Implementing Zoning By-law shall specify the actual list of permitted uses within any zone, or on any individual land parcel. Further, the Town may refine the list of permitted uses through the rezoning process.

### Development Policies

- f) It is the intent of this Plan that *development* within contiguous components of the Corridor Commercial designation be comprehensively planned to ensure that servicing and access can be adequately addressed. In this regard the establishment of new Corridor Commercial uses shall be planned in conjunction with other uses to consolidate required access onto arterial roadways.
- g) All new *development* will be subject to Site Plan Control. Prior to considering such an application, *Council* shall be satisfied that:
- i-) The proposed use is *compatible* with adjacent properties;
  - ii-) Adequate parking and loading facilities are provided on the site;
  - iii-) Where uses are proposed at the entrance points to an ~~Urban~~ Settlement Area, such uses are designed to provide or maintain a desirable gateway to the community;
  - iv-) New or redeveloping uses incorporate landscaping to *enhance* the site and surrounding area;
  - v-) *Outdoor storage* areas are substantially screened from view from passing traffic;
  - vi-) Parking areas are oriented to the rear or side of the lot so the primary building can be brought closer to the road;
  - vii-) The number of individual access points are minimize through the use of shared access whenever possible;
  - viii-) Adequate provision for pedestrian access and connections to the active transportation network are provided; and,
  - ix-) Where a proposed use abuts or is in proximity to an existing residential use, fencing, landscaping, berming or a combination of these design elements will be utilized to ensure that there is adequate screening between the uses.



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### Mid-rise and high-rise residential development

- h) Where mid-rise and/or high-rise residential uses are proposed, either in stand-alone or mixed-use buildings, the Implementing Zoning By-law and Site Plan Control agreement shall ensure that:
- i-) There is adequate residential amenity space incorporated into the building, or on-site;
  - ii-) The site is in proximity to community facilities such as parks, schools and open spaces; and,
  - iii-) The site has adequate land area to incorporate the building, on-site parking and appropriate buffering such as setbacks, landscaping and fencing to ensure the compatibility of the use with adjacent properties.

### Public Service Facilities

- i) *Public service facilities* are permitted within the Corridor Commercial designation, and shall be planned in coordination with land use planning and in consideration of the following:
- i-) *Public service facilities* and public services should be co-located in community hubs and integrated to promote cost-effectiveness;
  - ii-) Priority should be given to maintaining and adapting existing *public service facilities* and spaces as community hubs to meet the needs of the community and optimize the long term viability of public investments;
  - iii-) Existing *public service facilities* that are located in or near *strategic growth areas* and are easily accessible by active transportation ~~should~~shall be the preferred location for community hubs;
  - iv-) The Town shall collaborate and consult with service planning, funding, and delivery sectors to facilitate the co-ordination and planning of community hubs and other *public service facilities*; and,
  - v-) New *public service facilities*, including hospitals and schools, should be located within the ~~Urban~~ Settlement Areas and preference should be given to sites that are easily accessible by active transportation.

### 5.3.5 MAJOR COMMERCIAL DESIGNATION

#### Objectives

- a) The objectives of this Official Plan for the Major Commercial designation are to:
- i-) Provide commercial lands in appropriate locations in the Town to primarily serve regional needs for retail goods;
  - ii-) Ensure that access to new or expanding large-scale commercial *development* in the Town is coordinated and safe; and,
  - iii-) Ensure that large scale retail uses are consolidated and attractively designed.

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- b) The Major Commercial designation as shown on Schedule B1 to this Plan and applies to lands located at the western gateway to Alliston north of Highway 89 (Young Street) and to lands located at the eastern gateway to Alliston at the southeast and southwest corners of Highway 89 and County Road 10.

**Permitted Uses**

- c) Permitted uses on lands designated Major Commercial include:
- i-) Banquet halls;
  - ii-) Offices;
  - iii-) Commercial fitness centres;
  - iv-) Day nurseries;
  - v-) Entertainment and recreation facilities;
  - vi-) Financial institutions;
  - vii-) Funeral homes;
  - viii-) Hotels, motels and inns;
  - ix-) *Private and commercial schools;*
  - x-) *Institutional uses;*
  - xi-) Restaurants and take out restaurants;
  - xii-) Retail and *service commercial uses;*
  - xiii-) Trade and convention centres;
  - xiv-) Parks and open spaces; and,
  - xv-) Public and private utilities.
- d) The following uses may be permitted subject to a Zoning By-law Amendment in consideration of the policies of this Plan.
- i-) Mid-Rise and High-Rise residential uses; and,
  - ii-) Auto-oriented uses.

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- e) Notwithstanding this list of permitted uses, the Implementing Zoning By-law shall specify the actual list of permitted uses within any zone, or on any individual land parcel. Further, the Town may refine the list of permitted uses through the rezoning process.

### **Development Policies**

- f) The Major Commercial designation identifies an existing area of retail uses designed to serve regional needs. Given the existing commercial *development* within the designation it is anticipated that commercial expansion within this area will generally be limited to additions or infilling buildings. Additions and new buildings for commercial and mid-rise and high-rise residential uses may be permitted without amendment to this Plan. However, a proposal to expand the Major Commercial designation beyond that designated on Schedule B1 shall require an amendment to the Official Plan.
- g) In order to support the planned function of the Downtown Core Commercial designation, retail uses in the Major Commercial designation shall generally not have floor areas of less than 300 square metres.
- h) All *development* is subject to Site Plan Control. Prior to considering such an application, *Council* shall be satisfied that:
- i-) The proposed use is *compatible* with its surrounding context;
  - ii-) Adequate parking and loading facilities are provided on the site;
  - iii-) Where commercial uses are proposed at the entrance points to a ~~S~~ettlement ~~A~~rea, such uses are designed to provide or maintain a desirable gateway to the community;
  - iv-) New or redeveloping uses incorporate landscaping to *enhance* the site and surrounding area;
  - v-) *Outdoor storage* areas are substantially screened from view from passing traffic;
  - vi-) The visual impact of expansive parking areas from adjacent streets is reduced through the placement of buildings and landscaping features;
  - vii-) Adequate provision for pedestrian access and connections to the active transportation network are provided;
  - viii-) The proposed use can be serviced with an appropriate water supply and means of sewage disposal; and,
  - ix-) Where a proposed use abuts or is in proximity to an existing residential use, fencing, landscaping, berming or a combination of these design elements will be utilized to ensure that there is adequate screening between the uses.

### **Mid-rise and high-rise residential development**

- i) Where mid-rise and/or high-rise residential uses are proposed, either in stand-alone or mixed-use buildings, the Implementing Zoning By-law and Site Plan Control agreement shall ensure that:
- i-) There is adequate residential amenity space incorporated into the building, or on-site;

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- ii-) The site is in proximity to community facilities such as parks, schools and open spaces; and,
- iii-) The site has adequate land area to incorporate the building, on-site parking and appropriate buffering such as setbacks, landscaping and fencing to ensure the compatibility of the use with adjacent properties.

## 5.4 URBAN EMPLOYMENT

### 5.4.1 GENERAL POLICIES

#### Objectives

- a) The objectives of this Official Plan for Urban Employment are to:
  - i-) Ensure that there are sufficient lands available for the creation of diverse employment opportunities at strategic locations;
  - ii-) Ensure that the Town is positioned to accommodate new and expanded business activities that provide jobs to local residents;
  - iii-) Streamline the approval process for the *development* and expansion of employment uses;
  - iv-) Improve the look, feel and vibrancy associated with the built form and public realm;
  - v-) Encourage and promote *development* that combines a mix of employment uses and supporting uses to facilitate the more efficient use of urban land and the establishment of a human-scale pedestrian environment;
  - vi-) Promote the efficient use of existing and planned *infrastructure* by encouraging various forms of *Employment Area intensification*, where appropriate;
  - vii-) Establish a comprehensive set of design policies that foster the establishment of an urban environment that is safe, functional and attractive and that facilitates the *development* of an active transportation network; and,
  - viii-) Ensure that all new *development* is *compatible* with adjacent properties and supports the better integration of *employment areas* with adjacent areas, where appropriate.

#### Location

- b) The Urban *Employment area* is divided into the following designations as shown on Schedules B1, B2 and B3:
  - i-) Employment Area One
  - ii-) Employment Area Two
  - iii-) Institutional

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### Urban Design

- c) It is the intent of this Plan to improve the vibrancy, aesthetics and connectivity of all *Employment Areas* in the Town. On this basis, the approval of any *development* proposal pursuant to the *Planning Act* will be dependent on *Council* being satisfied that:
- i.) Improvements to the aesthetics and function of the public realm (roads, parks, and sidewalks) will occur as a condition of *development*, or will be made possible as a result of the *development*, as appropriate;
  - ii.) The siting, scale and massing of buildings contributes to a safe and attractive pedestrian environment and streetscape;
  - iii.) Parking facilities are designed to not dominate the streetscape; and,
  - iv.) Landscaping is used to buffer adjacent uses and improve the overall aesthetics of the *development*.
- d) All new *development* requiring a *Planning Act* approval shall conform to the Urban Design policies of this Plan as appropriate. In addition, the Implementing Zoning By-law shall contain provisions relating to building siting, location and massing to implement these urban design policies.

### Employment Land Conversion

- e) Amendments to this Official Plan that have the effect of reducing the extent of any *Employment Area* designation ~~shall~~ can only be considered at the time of a ~~MCR~~ Municipal Comprehensive Review to be carried out by the County. The intent of this policy is to ensure that an adequate supply of employment land for a wide variety of employment uses is available at all times in the Town.
- f) The Town may request that the County consider *Employment Area* conversions through the County-wide ~~MCR~~ Municipal Comprehensive Review. ~~In making such a request, the Town shall use criteria which may be different from the that used by the County, through their MCR process. This criteria is included below:~~
- g) In addition, *Employment Area* conversions may be considered by the Town to remove lands from an *Employment Area* designation, in advance of the MCR, excluding any part of an employment area identified as a Provincially Significant Employment Zone (PSEZ), provided that the following criteria be demonstrated:
- ~~In considering a conversion request to remove lands from an *Employment Area* designation, it shall be demonstrated to the satisfaction of the County, that:~~
- i.) There is a need for the conversion;
  - ii) The employment lands are not required over the horizon of this Plan;
  - iii.) The Town will meet the employment forecasts and maintain ~~meet sufficient~~ the employment lands to accommodate forecasted ~~employment growth allocated to the Town~~ to the horizon of this Plan;
  - iv.) The conversion will not adversely affect the overall viability of the *Employment Area*, and achievement of the *intensification* target and density targets established by this Plan;

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~~iv-)~~ There is existing or planned *infrastructure and public service facilities* to accommodate the proposed conversion; ~~and~~

~~vi)~~ The conversion will maintain a significant number of jobs on those lands through the establishment of development criteria.

Additional criteria may include:

~~iv-)~~ The lands are not required over the long term for the employment purposes for which they are designated;

~~iiiv-)~~ The subject lands are better suited, from a land use compatibility perspective, for alternative uses;

~~viii-)~~ The conversion will not provide the basis for further ~~E~~mployment ~~A~~rea conversions in the future; and,

~~iiii-)~~ The proposed use serves a greater long term public interest than employment uses.

~~hg)~~ Notwithstanding the above, the redesignation of *Employment Areas* to the EP1 designation or the EP2 Overlay designation is not considered to be an employment land conversion and is not required to be supported by a ~~MCR~~*Municipal Comprehensive Review*.

#### 5.4.2 EMPLOYMENT AREA ONE DESIGNATION

##### Vision

- a) It is the intent of this Official Plan that the lands within the Employment Area One designation develop as a regional concentration of high profile major employment uses that require exposure along major roads. In addition, lands within this designation are intended to be the focus of higher density employment uses that assist in ensuring that a wide range of job opportunities are available in the Town.

##### Objectives

- b) The objectives of this Official Plan for the Employment Areas One designation are to:
- ~~i-)~~ Encourage the establishment of higher density employment uses in the Town;
  - ~~ii-)~~ *Enhance* the role of the Town as a net provider of jobs in the Region; and,
  - ~~iii-)~~ Establish preferred locations where major office and related and supporting uses can be developed.

##### Location

- c) The Employment Area One designation is shown on Schedule B1.

##### Permitted Uses

- d) Permitted uses within the Employment Area One designation may include:

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- i-) Offices in free standing buildings;
  - ii-) Computer, electronics and data processing facilities;
  - iii-) Research and *development* facilities;
  - iv-) Printing and associated service establishments;
  - v-) Small light assembly operations;
  - vi-) Service industries;
  - vii-) Storage facilities;
  - viii-) Trade and convention centres;
  - ix-) Hotels;
  - x-) Limited *service commercial uses* which are ancillary to the main permitted *industrial uses*, to a maximum of 20% of the GFA, such as take out or full service restaurants, financial institutions, convenience stores, and commercial fitness centres, provided they are integrated with or included within office buildings, hotels or trade and convention centres;
  - xi-) Multi-use buildings, containing one or more of the uses permitted in this designation;
  - xii-) Parks and open spaces; and,
  - xiii-) Public and private utilities.
- e) Notwithstanding this list of permitted uses, the Implementing Zoning By-law shall specify the actual list of permitted uses within any zone, or on any individual land parcel. Further, the Town may refine the list of permitted uses through the rezoning process.

### **Development Policies**

- f) The following policies are intended to guide proposals for new *development* in the Employment Area One designation.
- i-) The planned built form characteristics for this designation encourage the *development* of a wide variety of building forms, generally mid-rise in height, but with higher buildings depending on location. All buildings are intended to have a strong street presence. On this basis, below are the design and built form criteria that shall be applied:
    - Buildings should be located on or close to the street line and massed at intersections to establish a strong street edge.

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- Where parking areas are provided, they shall be designed and located in a manner to minimize the visual impact on major roads.
- ii-) A Secondary Plan shall be prepared either by the Town, or to the satisfaction of the Town for each Employment Area One area. The Secondary Plan shall include:
  - A detailed overall land use plan, identifying the location of all of the proposed uses;
  - A detailed phasing plan that describes the sequencing of *development* and the timing of any *infrastructure* improvements;
  - A plan showing the location of any future public lands that may be dedicated to the Town as part of the approval process;
  - The proposed built-form of the *development* including type, height, and architectural treatments;
  - The location of appropriate access points onto the abutting road network;
  - The location of pedestrian, vehicular and service circulation and access and parking areas in the context of the overall parking management strategy; and,
  - Urban Design Guidelines, proposed streetscape components and the location of proposed landscaping.

#### 5.4.3 EMPLOYMENT AREA TWO DESIGNATION

##### Vision

- a) It is the intent of this Plan that the lands within the Employment Area Two designation be the site of a range of employment uses in the form of *industrial uses*, warehouse uses and transportation terminals that may involve *outdoor storage*.

##### Objectives

- b) The objectives of this Official Plan for the Employment Areas Two designation are to:
- i-) Ensure that existing businesses are retained;
  - ii-) Encourage and facilitate the expansion and *redevelopment* of existing employment uses;
  - iii-) Provide for the *development* and expansion of large scale warehouse and transportation terminal type uses;
  - iv-) Provide for the *development* and expansion of *industrial uses* that include an *outdoor storage* component; and,
  - v-) *Enhance* the role of the Town as a net provider of jobs in the Area.

##### Location

- c) The Employment Area Two designation as shown on Schedules B1, B2 and B3 generally applies to lands away from major roadways where large scale uses sometimes involving an *outdoor storage* component are permitted, or where such uses have long been established in the Town.



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- d) Permitted uses within the Employment Area Two designation may include:
- i-) Computer, electronics and data processing facilities;
  - ii-) Research and *development* facilities;
  - iii-) Printing and associated service establishments;
  - iv-) *Industrial uses*, such as manufacturing, processing and assembling;
  - v-) Warehouses and transportation terminals;
  - vi-) Trade and convention centres;
  - vii-) Automotive Related uses;
  - viii-) *Commercial Schools*;
  - ix-) Recreation Establishment;
  - x-) Limited commercial uses which are ancillary to the main permitted *industrial uses*, [to a maximum of 20% of the GFA](#), such as a take-out or full-service restaurants, financial institutions, convenience stores, and commercial fitness centres, provided they are integrated with or included within a permitted use listed above;
  - xi-) Offices that are a component of, or are accessory to the permitted uses listed above;
  - xii-) Multi-use buildings, containing one or more of the uses permitted in this designation and/or offices;
  - xiii-) Parks and open spaces; and,
  - xiv-) Public and private utilities.
- e) *Outdoor storage* may be permitted in the Employment Area Two designation, subject to the following:
- i-) *Outdoor storage* shall be completely enclosed by screen fence no less than 2 metres high;
  - ii-) *Outdoor storage* shall only be permitted in a rear yard;
  - iii-) *Outdoor storage* is only permitted as an *accessory use* to a permitted *industrial use* located on the same property;
  - iv-) *Outdoor storage* shall generally consist of no more than 15% of the lot area but may be greater where the storage represents finished goods awaiting distribution.

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- v-) No *outdoor storage* shall be located closer than 20 metres to a public street;
- vi-) No open storage shall exceed 3 metres in height;
- f) Notwithstanding this list of permitted uses, the Implementing Zoning By-law shall specify the actual list of permitted uses within any zone, or on any individual land parcel. Further, the Town may refine the list of permitted uses through the rezoning process.

#### 5.4.4 PROVINCIALY SIGNIFICANT EMPLOYMENT ZONES

##### Objectives

- a) The objective of the Provincially Significant Employment Zones (PSEZ) are to recognize areas of high economic output which provide reliable employment across the Greater Golden Horseshoe.

##### Location

- b) A PSEZ has been identified by the province, through the Growth Plan, in the Settlement Area of Alliston. This PSEZ relates to the employment area along Industrial Parkway/County Road 10, south of Highway 89 and identified on Appendix F to this Official Plan, and will be finalized by the Minister of Municipal Affairs and Housing.

##### Development Policies

- c) Within the PSEZ, development may only occur in accordance with the framework issued by the Minister of Municipal Affairs and Housing;
- d) Lands within the PSEZ may only be considered for a conversion to non-employment uses through a County-wide MCR. The Town may submit requests to the County to consider a conversion in accordance with the policies of this Official Plan;
- e) Any modifications to the boundary of the PSEZ, issued by the province, shall be included in Appendix F and will not require an amendment to this Official Plan.
- f) The province may review and update Provincially Significant Employment Zones in response to a municipal request.

#### 5.4.5 INSTITUTIONAL DESIGNATION

##### Objectives

- a) The objectives of this Official Plan for the Institutional designation are to:
  - i-) Recognize and permit major *institutional uses* which serve the needs of the community; and,
  - ii-) Ensure that major *institutional uses* are properly planned and located to complement adjacent land uses.

##### Location

- b) The Institutional designation, as shown on Schedules B1, B2 and B3 to this Plan, apply to larger *institutional uses* that were in existence or approved on the date this Plan ~~and was~~ adopted by Council.

[New Tecumseth Official Plan – June 2019](#)**Permitted Uses**

- c) Permitted uses in the Institutional designation may include:
- ~~i-~~ ~~Secondary schools;~~
  - ~~ii-~~ Post-Secondary educational facilities;
  - ~~iii-ii)~~ Long-term care facilities;
  - ~~iv-iii)~~ Hospitals;
  - ~~v-iv)~~ Places of worship;
  - ~~vi-v)~~ Government buildings and similar uses;
  - ~~vii-vi)~~ Day nurseries;
  - ~~viii-vii)~~ *Public Service Facilities;*
  - ~~ix-viii)~~ Parks and open spaces; and,
  - ~~x-ix)~~ Public and private utilities.
- d) Notwithstanding this list of permitted uses, the Implementing Zoning By-law shall specify the actual list of permitted uses within any zone, or on any individual land parcel. Further, the Town may refine the list of permitted uses through the rezoning process.

**Development Policies**

- e) The *development* of any new *Institutional use* shall require an Amendment to the Official Plan and Zoning By-law and shall be subject to Site Plan Control.
- f) Expansions to existing uses on lands that are already within the Institutional designation may require an amendment to the implementing Zoning By-law and shall be subject to Site Plan Control.
- g) Before considering an Amendment to the Official Plan (if required) and Zoning By-law, *Council* shall be satisfied that:
- ~~i-~~ The *development* is located on and accessed by an Arterial or Collector Road;
  - ~~ii-~~ The *development* will not cause any traffic hazards or an unacceptable level of congestion on surrounding roads;
  - ~~iii-~~ The site is large enough to accommodate the building, landscaping, on-site parking and appropriate buffering; and,
  - ~~iv-~~ The *development* is *compatible* with adjacent properties.

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### Public Service Facilities

- h) *Public service facilities* are permitted within the Institutional designation, and shall be planned in coordination with land use planning and in consideration of the following:
- i-) *Public service facilities* and public services should be co-located in community hubs and integrated to promote cost-effectiveness;
  - ii-) Priority should be given to maintaining and adapting existing *public service facilities* and spaces as community hubs to meet the needs of the community and optimize the long term viability of public investments;
  - iii-) Existing *public service facilities* that are located in or near *strategic growth areas* and are easily accessible by active transportation ~~should~~shall be the preferred location for community hubs;
  - iv-) The Town shall collaborate and consult with service planning, funding, and delivery sectors to facilitate the co-ordination and planning of community hubs and other *public service facilities*; and,
  - v-) New *public service facilities*, including hospitals and schools, should be located within the ~~Urban~~ Settlement Areas and preference should be given to sites that are easily accessible by active transportation.

## 5.5 OTHER URBAN LAND USE DESIGNATIONS

### 5.5.1 URBAN OPEN SPACE DESIGNATION

#### Objectives

- a) The objectives of this Official Plan for the Urban Open Space designation are to:
- i-) Ensure that all major parks and open space lands are used in a manner that reflects their capacity for public use;
  - ii-) Ensure that the impacts of the use of major parks and open space lands on adjacent land uses and the *character* of the surrounding neighbourhood are minimized; and,
  - iii-) Ensure that the residents of the Town have access to a properly planned and accessible public open space network.

#### Location

- b) The Urban Open Space designation as shown on Schedules B1, B2 and B3 to this Plan and applies to Community Parks and major public recreational facilities, which function as major active and/or passive recreational areas in the ~~Urban~~ Settlement Areas.

#### Permitted Uses

- c) Permitted uses in the Urban Open Space designation are limited to:

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- i-) Community centres;
  - ii-) Passive and active recreational uses;
  - iii-) Cemeteries; and,
  - iv-) Public and private utilities.
- d) Notwithstanding this list of permitted uses, the Implementing Zoning By-law shall specify the actual list of permitted uses within any zone, or on any individual land parcel. Further, the Town may refine the list of permitted uses through the rezoning process.

### **Development Policies**

- e) Each parcel of land designated Urban Open Space shall be planned to both accommodate public use and minimize the impacts of that public use on the environment and adjacent residential areas. The *development* of additional parking areas, community facilities and other *infrastructure* should be carried out in a manner that protects and *enhances* any adjacent *natural heritage features* and functions in accordance with the recommendations contained in an Environmental Impact Study.
- f) The *development* of new major parks shall be conditional upon the preparation of a *Council* approved Master Plan that assesses:
- i-) The potential arrangement of uses, activities and facilities on the site;
  - ii-) The preservation/incorporation of existing natural heritage and/or cultural heritage features;
  - iii-) The adequacy and location of parking on the site;
  - iv-) The need for public washroom and change room facilities in the area;
  - v-) The adequacy of the road network and site servicing in the area; and,
  - vi-) The means by which pedestrian movement in the area can be accommodated in a safe manner through neighbourhood linkages, clear sightlines, visibility and lighting.

### **Cemeteries**

- g) Cemeteries and *accessory uses* such as crematoriums, columbariums and mausoleums are permitted in the Urban Open Space designation subject to the policies of this Section:
- i-) Cemeteries and related facilities shall be sited to minimize conflicts with adjacent existing and planned land uses and transportation systems.
  - ii-) Proposals for new public cemeteries, or the enlargement of existing public cemeteries, may be considered, provided that:

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- The cemetery can be accessed by roads that are designed to accommodate high volumes of traffic in short periods of time;
- Adequate off-street parking and an appropriate internal traffic circulation system are provided;
- The tree planting and landscaping on the site is designed to complement the plot plan, the existing contours and the use of abutting lands; and,
- Appropriate hydrogeological studies have been completed which indicate that the public cemetery will not have a *negative impact* on the quality and quantity of groundwater and surface water in the surrounding area.

### 5.5.2 OAK RIDGES MORAINÉ TOTTENHAM RURAL SETTLEMENT ~~Area~~-DESIGNATION

#### Purpose and Definitions

- a) The Oak Ridges Moraine Tottenham Rural Settlement ~~Area~~ is part of the Oak Ridges Moraine Countryside Area.

#### General Policies

- b) It is the Policy of the Town to permit *development* in accordance with the land use designations shown on Schedule B3 of the Official Plan, Section 4.6.11 Oak Ridges Moraine Natural Linkage Area and any other applicable provisions of this Official Plan.

#### Permitted Uses

- c) Notwithstanding the permitted uses in the Oak Ridges Moraine Countryside Area designation, it is the policy of this Plan to permit all of the land uses permitted by the designations on Schedule B3 including new lots through infilling, subject to Section 4.6.11 Oak Ridges Moraine Natural Linkage Area and the applicable policies of this Official Plan.
- d) Notwithstanding the above, nothing in this Plan or in the Oak Ridges Moraine Conservation Plan, ~~(ORMCP)~~, applies to prevent a use or the erection or location of a building or structure on lands designated on Appendix D1 of the Official Plan as “Oak Ridges Moraine Tottenham Rural Settlement ~~Area~~” if,
- i.) The use, building and location of the building was permitted in the Zoning By-law on November 15, 2001;
  - ii.) The use, building and location of the building was permitted by the Official Plan and Zoning By-laws, as amended in accordance with Sections 9 and 10 of the *Oak Ridges Moraine Conservation Act*, although they do not comply with subsections 19(2) and 31(3) of the ~~Oak Ridges Moraine Conservation Plan~~ORMCP;
  - iii.) The application conforms to Sections 28 and 29 and subsections 45(7) and (8) and section 47 of the ~~Oak Ridges Moraine Conservation Plan~~ORMCP; and
  - iv.) The applicant demonstrates, to the extent possible, that the use, building or location of the building will not adversely affect the ecological integrity of the Plan Area.

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**Transportation, Infrastructure and Utilities**

- e) Transportation, *infrastructure* and utilities are permitted in all Oak Ridges Moraine land use designations subject to Section 41 of the [Oak Ridges Moraine Conservation PlanORMCP](#) and shall not be approved in *key natural heritage features* and hydrologically *sensitive* features, unless the provisions of Section 41 of the [Oak Ridges Moraine Conservation PlanORMCP](#) have been met, including demonstration of the need for the project. Need for a project will typically be assessed and included as part of an *Environmental Assessment Act* process. If such a process does not apply, the requirements of Section 41 will be met through the *Planning Act, Condominium Act, Local Improvement Act* processes, or other applicable approval processes.

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## 6.0 The Rural/Agricultural Area

### 6.1 INTRODUCTION

a) This Section of this Official Plan contains the land use policies that apply to lands outside of the ~~Urban~~-Settlement Areas and which has been divided into the following broad land use categories as shown on Schedule A to this Plan:

- i-) Agricultural;
- ii-) Rural;
- iii-) Country Residential;
- iv-) Rural Open Space;
- v-) Hamlet;
- vi-) *Mineral Aggregate Resources*;
- vii-) Major Recreation; and,
- viii-) Oak Ridges Moraine Countryside Area.

### 6.2 DESIGNATIONS

#### 6.2.1 AGRICULTURAL DESIGNATION

##### Objectives

- a) The objectives of this Official Plan for the Agricultural designation are to:
- i-) Recognize agriculture as the primary activity and land use;
  - ii-) Maintain and preserve the agricultural resource base of the Town;
  - iii-) Protect land suitable for agricultural production from fragmentation, *development* and land uses unrelated to agriculture;
  - iv-) Promote the agricultural industry and associated activities and *enhance* their capacity to contribute to the economy of the Town; and,
  - v-) Preserve and promote the agricultural *character* of the Town and the maintenance of the countryside as an open space area.



[New Tecumseth Official Plan – June 2019](#)**Location**

- b) The Agricultural designation as shown on Schedule A to this Official Plan applies to lands where prime agricultural lands predominate. The Agricultural designation primarily consists of lands that are Class 1, 2 or 3 soils according to the Canada Land Inventory.

**Permitted Uses**

- c) Permitted uses in the Agricultural designation may include:
- ~~i-~~ *Agricultural uses and accessory uses thereto;*
  - ~~ii-~~ *Agricultural-related uses;*
  - ~~iii-~~ *Agricultural research and training establishments;*
  - ~~iv-~~ *Accessory residential uses on farm properties;*
  - ~~v-~~ *Bed and breakfast establishments;*
  - ~~vi-~~ *Conservation uses;*
  - ~~vii-~~ *Agri-tourism uses;*
  - ~~viii-~~ *Forest, wildlife and fisheries management;*
  - ~~ix-~~ *Home industries;*
  - ~~x-~~ *Home occupations;*
  - ~~xi-~~ *On-farm diversified uses;*
  - ~~xii-~~ *Passive non-motorized recreational uses, such as nature viewing and pedestrian trail activities;*
  - ~~xiii-~~ *Single detached dwellings;*
  - ~~xiv-~~ *Watershed management and flood and erosion control projects carried out or supervised by a public agency;*
  - ~~xv-~~ *Wayside pits and quarries and portable asphalt plants for public road works subject to the requirements of the Aggregate Resources Act;*
  - ~~xvi-~~ *Public parks and open spaces; and,*
  - ~~xvii-~~ *Public and private utilities.*

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- d) All uses in the Agricultural designation shall be designed, located and managed to not detract from the primary role of the Agricultural designation set out in Section 6.2.1 of this Plan.
- e) Notwithstanding this list of permitted uses, the Implementing Zoning By-law shall specify the actual list of permitted uses within any zone, or on any individual land parcel. Further, the Town may refine the list of permitted uses through the rezoning process.

### **The Creation of New Lots from Agricultural Lands**

- f) In accordance with the intent of this Official Plan to maintain and protect the agricultural resource of the Town and direct the majority of new residential growth to ~~Urban~~ Settlement Areas or existing vacant building lots, new lots may be permitted if:
  - i-) The lot is to be severed to create a farm and both the retained and severed parcels each have a lot area of no less than approximately 40 hectares; or,
  - ii-) The lot is to be created due to farm consolidation to accommodate a surplus dwelling that is not required for the long term needs of the farm operation provided that the establishment of a new residential use is prohibited on any vacant remnant parcel of farmland created by the consent to sever. This policy requires that the dwelling to be severed is compliant with the Ontario Building Code and was in existence prior to March 10, 2010. In addition, the farm operator shall be the owner of the lands proposed to be severed and shall have a principle farm operation elsewhere in the Town or within 1 kilometer of the Town boundary; or,
  - iii-) The lot is required for an agriculture-related use, provided the lot is limited to the minimum size needed to accommodate the use and appropriate sewage and water services, and is zoned specifically for agricultural-related use. Residential uses shall not be permitted on such lots. The lot should be in a location that is separate from the primary agricultural operations by physical features or where it causes minimal disruption to the agricultural operation and, if possible, be located on lower quality soils.

### **Other Types of Consents**

- g) Consents may also be granted for legal or technical reasons, such as for easements, correction of deeds, quit claims and minor boundary adjustments which do not result in the creation of a new lot.

### **Farm Consolidations**

- h) In order to foster the growth of the agricultural industry in the Town, the consolidation of farms into larger and more efficient operations is encouraged. In this regard, the consolidation of two adjacent farm parcels or a boundary adjustment that increases the viability of a farm parcel is permitted provided no new lot is created.

### **Accessory Residential Uses on Farm Properties**

- i) The establishment of additional dwelling unit(s) on a farm for bona fide farm help is permitted, subject to a Zoning By-law Amendment. Prior to considering an application for re-zoning, *Council* shall be satisfied that the second dwelling unit:

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- i-) Is required for farm help as set out in a detailed submission addressing matters such as labour requirements related to the size and nature of the farm operation, and an assessment of the available residential accommodation on the farm;
  - ii-) Will be located within the existing farm-building cluster, where possible;
  - iii-) Can be serviced by appropriate sewage and water services; and,
  - iv-) Will be designed and/or located to be *compatible* or otherwise blend in with the farm operation.
- j) The future severance of the lands which are the site of the accessory residential use is not permitted.

### **Bed and Breakfast Establishments**

- k) *Bed and breakfast establishments* are permitted in a single detached dwelling subject to Site Plan Control. Prior to approving a Site Plan Application, *Council* shall be satisfied that:
- i-) The use shall be *compatible* with adjacent properties;
  - ii-) The use is clearly secondary to the primary residential use in terms of floorspace utilization;
  - iii-) The *bed and breakfast establishment* is the principal residence of the owner and operator;
  - iv-) The character of the dwelling as a private residence is preserved;
  - v-) Adequate parking facilities are available on the lot for the proposed use;
  - vi-) The use will not cause a traffic hazard;
  - vii-) The use can be serviced with an appropriate water supply and an appropriate means of sewage disposal; and,
  - viii-) The signage advertising the use is to be designed and located in accordance with the [Town's/Town's](#) sign by-law.

### **Home Occupations**

- l) Home Occupations are permitted in a single detached dwelling or within a detached garage or workshop, subject to the following criteria, which will be used as the basis for zone regulations:
- i-) The use shall be *compatible* with adjacent properties;
  - ii-) The use is clearly secondary to the primary residential use in terms of floorspace utilization and any retail showroom or display of items area will be limited in floor area;
  - iii-) The character of the dwelling and lot as a private residence is preserved;

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- iv-) Adequate on-site parking facilities are provided for the use, in addition to the parking required for the principal use on the property, and such parking is provided in locations *compatible* with surrounding land uses and furthermore only one vehicle associated with the home occupation will be permitted on the lot;
- v-) The use will not cause a traffic hazard;
- vi-) The use can be serviced with an appropriate water supply and an appropriate means of sewage disposal;
- vii-) The signage advertising the use is to be designed and located in accordance with the Town's sign by-law; and,
- viii-) Where a home occupation is located in a detached garage or storage building the following additional policies shall provide the basis for zone regulations:
  - The building housing the home occupation shall be compliant with the Town's Zoning By-law with respect to regulations for detached *accessory buildings*;
  - The lot area shall be appropriate for the use;
  - The building or building space shall be limited in floor area and will be a dedicated building or room within a building for the home occupation; and,
  - Home occupations involving training or education, will require the provision of additional parking spaces.

### Home Industries and On-Farm Diversified Uses

- m) ~~Home industries and on-farm diversified uses are secondary industrial or commercial uses that are limited in area and are accessory to an agricultural operation or a single detached dwelling, and are limited in area.~~ These uses should not detract from the primary use of the property for agricultural or residential purposes, nor shall these uses detract from the objectives of this Plan as they relate to the Agricultural or Rural designation as the case may be.
- n) Such uses may include contracting businesses, workshops for skilled trades and services, or small-scale production and processing facilities undertaken in a workshop or agricultural building. The accessory retail sale of products produced in conjunction with the home industry or *on-farm diversified uses* is also permitted.
- o) The establishment of a home industry or on-farm diversified use shall be subject to a zoning by-law amendment. In considering the zoning by-law amendment, *Council* shall be satisfied the following criteria have been addressed:
  - i-) The building housing the use is located within the existing farm-building cluster, where the use is located on a farm property;
  - ii-) The building housing the use has a floor area that is limited in size and is in keeping with the size of the parcel and scale of farm buildings in the Town as well as the owner's dwelling and other *accessory buildings* located on-site;
  - iii-) The use and any activity area associated with the use is suitably set back from all lot lines;

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- iv-) The noise, dust and odour that could potentially emanate from the use will not have an adverse impact on adjacent land uses;
- v-) The type and level of traffic generated by the use is *compatible* with the *character* of the area and the function of adjacent roads;
- vi-) The operator of the home industry or on-farm diversified use permanently resides on the property, however a limited number of employees of seasonal or permanent nature may be permitted;
- vii-) All machinery and equipment, with the exception of motor vehicles required for the use, is located within enclosed buildings;
- viii) Any permitted open storage associated with the use is screened from view and located within a fenced compound;
- ix-) Any retail component of the use is clearly accessory to the home industry and does not detract from the primary use of the property or adjacent properties; and,
- x-) Where the establishment of a use is proposed in conjunction with a farm, the proprietor of the use will hold a current Farm Business Registration number.

### **Agri-Tourism Uses**

- p) Given the proximity of the Town to growing urban areas, the Town supports the *development* of uses that highlight the importance and value of the agricultural economy. On this basis, uses such as farm tours, petting zoos, hay rides and sleigh rides, processing demonstrations, small-scale farm theme playgrounds for children and small-scale educational establishments that focus on farming instruction are permitted in the Agricultural designation as an *accessory use* on a commercial farm subject to a Zoning By-law Amendment. Prior to approving such an application, *Council* shall be satisfied that:
- i-) The proposed use shall be *compatible* with adjacent properties.
  - ii-) Adequate on-site parking facilities are provided for the use, in addition to the parking required for the principal use on the property, and such parking is provided in locations *compatible* with surrounding land uses;
  - iii-) The proposed access to the site will not cause a traffic hazard;
  - iv-) The proposed use can be serviced with an appropriate water supply and an appropriate means of sewage disposal;
  - v-) The proposed use *enhances* the rural and open space *character* of the Town through the preservation of older barns and/or the establishment of a built form that is *compatible* with the rural surroundings;
  - vi-) The building housing the proposed use is located within the existing farm-building cluster where possible and shall utilize a common driveway with the principal use of the property, and,

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- vii-) The signage advertising the use is to be designed and located in accordance with the ~~Town's~~Town's sign by-law.

#### **Agricultural Research and Training Establishments**

- q) The *development of agricultural research and training establishments* is encouraged in the Town. Such uses may be permitted subject to re-zoning, provided *Council* is satisfied that:
  - i-) The use is related to and will benefit the agricultural industry;
  - ii-) The use will assist in the furthering of knowledge in the agricultural sector of the economy; and,
  - iii-) The use will assist local farmers through training and the identification of improved farming methods and procedures.

#### **Agricultural-Related Uses**

- r) Agricultural-related uses are uses that are industrial or commercial in character that provide services or products to farm operations as a primary activity and therefore it is beneficial for such uses to be located in the agricultural community.
- s) The creation of a new agricultural-related use shall be subject to the approval of a Zoning By-law Amendment. The following information will be required to accompany an application to establish a new agricultural-related use:
  - i-) A site plan drawn to scale identifying the location of all buildings, *outdoor storage*, parking areas, ingress and egress from and to the site, and septic and well locations;
  - ii-) A planning justification report addressing conformity with local, County and Provincial planning policies as well as justification for the site location and an assessment of compatibility with adjacent land use; and,
  - iii-) Other studies identified through pre-consultation review and discussion.
- t) *Council* shall be guided by the following policies in consideration of an application for a zoning by-law amendment to permit a new agricultural-related use:
  - i-) The proposed business primarily serves and supports agricultural needs as a primary activity and regional agri-businesses would benefit from the business being established in the requested location;
  - ii-) The proposed business would not remove active agricultural land from production and the location would be *compatible* with and not hinder, surrounding agricultural operations and other existing land uses;
  - iii-) The size and character of the proposed use is appropriate in an agricultural area;
  - iv. ~~the)~~ The proposed business is compliant with Minimum Distance Separation Guidelines;

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- v-) In cases where the proposed business involves vehicles or equipment providing contract services (i.e. trucking), *Council* will need to be satisfied that the nature of the contracting exclusively serves farm operations and if *Council* is satisfied with respect to this requirement, the implementing Zoning By-law Amendment will regulate the size of the business operation and the land area available for vehicle or equipment storage or parking; and,
  - vi-) Where a proponent is seeking to create a new lot for the purpose of establishing an agricultural-related use, *Council* will require the proponent to pre-consult and seek apply for a zoning by-law amendment for the proposed use prior to the approval of a consent to create a new lot.
- u) Where uses of a non-agricultural nature are sought through an approval process, the Town may require the preparation of an *Agricultural Impact Assessment* as part of a complete application. The determination of whether the study will be required will be made during the pre-consultation phase of a proposal as articulated in Section 10.5 g).

### 6.2.2 RURAL DESIGNATION

#### Objectives

- a) The objectives of this Official Plan for the Rural designation are to:
- i-) Provide for a diverse range of economic and social activities associated with rural communities, agricultural, tourism and recreation and resource uses;
  - ii-) Preserve the open space *character* of the rural landscape; ~~and,~~
  - iii-) Recognize the benefits of protecting renewable and non-renewable natural resources; ~~and,~~
  - iv-) Facilitate limited residential growth and new development.

#### Location

- b) The Rural designation as shown on Schedule A to this Plan are considered to be a *rural area* as defined by this Plan, and are not considered to be a *prime agricultural area*, also as defined by this Plan.

#### Permitted Uses

- c) Permitted uses in the Rural designation may include:
- i-) All uses permitted in the Agricultural designation;
  - ii-) Cemeteries;
  - iii-) Commercial *animal kennels*;
  - iv-) Small-scale commercial and industrial uses;

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#### v) Public Service Facilities:

vi-1) Public parks and open spaces; and,

vi-2) Public and private utilities.

- d) Notwithstanding this list of permitted uses, the Implementing Zoning By-law shall specify the actual list of permitted uses within any zone, or on any individual land parcel. Further, the Town may refine the list of permitted uses through the rezoning process.

### **The Creation of New Rural Lots**

- e) New lots may be ~~In addition to the lot creation policies of the Agricultural designation, limited lot creation for residential purposes is~~ permitted in ~~accordance~~ the Rural designation provided the proposed lot conforms with the policies of this Official Plan or if the new lot is an infilling lot, following criteria:

i) The creation of new lots on the grid ~~the lot will not result in strip development, defined as lot creation along roads that are part of the originally surveyed concession and side roads grid or other more recently surveyed arterial or collector roads which are not part of an internal local road system should maintain the rural character and road function, and not contribute to strip development. For the purpose of this policy strip development which~~ is ~~considered to be 4 or more existing~~ arranged in linear configurations of more than three non-farm lots ~~(vacant or built upon) located within 200 metres of each other on the same proposed lot line as measured along the frontage of one side of the road;~~

- ~~f) The creation of one infilling lot may be permitted provided:~~

~~i. The infill lot is not more than 100 metres between two existing non farm residences on the same side of the road or no further than 100 metres from an existing non farm residence and the intersection of a public road;~~

~~ii-1) No more than one (1) infilling lot is shall be created from an existing lot that existed on the date of approval of this policy record;~~

~~iii-1) The proposed lot will conform to the Minimum Distance Separation Formula and will not affect the ability of neighbouring farmers to expand their operations in the future;~~

~~iv-1) The proposed lot has a lot area that is no greater than 1.0 hectare, although larger lots may be permitted for environmental or topographical reasons; and,~~

~~v-1) The proposed lot will conform with the general consent policies of this Official Plan.~~

- g) For the purposes of this Section, a non-farm lot is a lot that has an area of 20 hectares or less and the term existing shall refer to a lot that existed on March 10, 2010.



[New Tecumseth Official Plan – June 2019](#)**Other Types of Consents**

- h) Consents may also be granted for legal or technical reasons, such as for easements, correction of deeds, quit claims and minor boundary adjustments which do not result in the creation of a new lot. The granting of such a consent shall not be permitted if it results in the creation of an undersized remnant lot.

**Commercial Animal Kennels**

- i) Commercial *animal kennels* may be permitted in the Rural designation subject to an Amendment to the Implementing Zoning By-law. Before considering such an Amendment, *Council* shall be satisfied that:
- i-) The size of the proposed *animal kennel* is appropriate for the area;
  - ii-) The building housing the *animal kennel* and the associated animal runs is set back an appropriate distance from lot lines; and,
  - iii-) An appropriate animal waste management plan is put in place.

**Cemeteries**

- j) Cemeteries may be permitted in the Rural designation subject to an Amendment to the Implementing Zoning By-law. A cemetery may include, as an *accessory use*, a mausoleum and/or a crematorium. Before considering such an Amendment, *Council* shall be satisfied that:
- i-) The size of the cemetery and the *accessory uses* are appropriate for the area;
  - ii-) No lands are available for a cemetery in the urban areas;
  - iii-) The cemetery will not create the need to develop other uses, such as a *place of worship*, on the site in the future;
  - iv-) Appropriate hydrogeological studies have been completed which indicate that the use will not have a *negative impact* on the quantity and quality of groundwater and surface water; and,
  - v-) The proposed use can be accessed by roads that are designed to accommodate high volumes of traffic in short periods of time.

**Small-Scale Industrial and Commercial Uses**

- k) Small-scale industrial and commercial uses that are appropriate and *compatible* in the rural/agricultural area of the Town may be permitted on lands in the Rural designation subject to the approval of a Zoning By-law Amendment. In considering an application for a Zoning By-law Amendment *Council* will consider the following issues:
- i-) The business is small in scale and the floor area of the building or the cumulative floor area of buildings required for the business will not be larger than 370 square metres (4,000 square feet);

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- ii-) The proposed business would be *compatible* with, and not hinder, surrounding agricultural operations and other existing land uses;
- iii-) The size and character of the proposed use is appropriate in a *rural area*;
- iv-) The proposed business is compliant with Minimum Distance Separation Guidelines;
- v-) The proposed business can be serviced with a private well and a Class 4 private septic system and ingress/egress to the site can be safely accommodated from a public road; and,
- vi-) The proposed business will not remove lands actively being utilized for agricultural purposes in the rural designation.

### Public Service Facilities

r) Public Service Facilities are directed towards Settlement Areas and shall be permitted in any Settlement Area designation without amendment to this Plan. Public Service Facilities may be located outside of Settlement Areas in limited situations and in accordance with the following:

i) For clarity, all of the following criteria shall be demonstrated to the satisfaction of the Town and County if a Public Service Facility is proposed outside of a Settlement Area:

- a. The proposed use is not appropriate inside a settlement area or is required by a government body (i.e. municipal, provincial, or federal) to provide a service in a specific geographic area;
- b. Alternative locations inside Settlement Areas have been evaluated and are not available or feasible;
- c. Appropriate water and wastewater services are planned by the municipality or available to support the proposed use;
- d. The proposed use shall be compatible and/or minimize any adverse impacts on the rural landscape and surrounding uses;
- e. Traffic from development can be accommodated within the planned or existing transportation infrastructure;
- f. Appropriate stormwater management opportunities are available;
- g. The proposed use will not be located in an area that may have a negative impact on the efficient and logical expansion of nearby Settlement Areas;
- h. The proposed development site is not within a Key Natural Heritage Feature and/or Key Hydrologic Feature. If the site is on lands adjacent to a Key Natural Heritage Feature or Key Hydrologic Feature, the proposed development must demonstrate no negative impact through a Natural Heritage Evaluation, subject to the policies of subsection 4.6.3;
- i. If the proposed development site is within the County Greenlands, Policies 3.8 of the Simcoe County Official Plan shall apply;

— If proposed within the Rural Area designation, a Zoning By-Law Amendment will be required, and the locational criteria set out above in Policy 6.2.2 r) a-i) shall be demonstrated;

### Location of lands within Rural designation in relation to ~~Urban~~ Settlement Areas

- l) The placing of certain lands within the Rural designation near an ~~Urban~~ Settlement Area is not in any way meant to imply that these lands will be given any priority for urban uses in the future.

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### 6.2.2.1 Communities of Green Briar/Briar Hill and Tecumseth Pines

a) It is the intention of *Council* to recognize these settlement areas which have occurred within the *rural area* of the Municipality. These areas are defined as being ~~settlements~~ settlement areas which are not physically associated with urban communities, but include amenities and *infrastructure* normally associated with an urban environment, and which occur on communal services. These *developments* do not include estate residential nor hamlets.

~~b) Expansions to the communities noted above shall be permitted, in accordance with the policies of this Plan, but no new communities, as defined above, will be permitted.~~

~~e)b)~~ The Green Briar/Briar Hill and Tecumseth Pines communities will be recognized in the Zoning By-Law.

### 6.2.3 COUNTRY RESIDENTIAL DESIGNATION

#### Objective

a) It is the objective of this designation to only recognize existing estate and country residential *developments* in the Town.

#### Location

b) The Country Residential designation as shown on Schedule A to this Official Plan applies to large lot *development* serviced by private, individual on-site water services and private, individual on-site sewage services. The *development* of new country or estate residential subdivisions on lands that are not designated Country Residential on Schedule A is prohibited by this Plan.

#### Permitted Uses

c) Permitted uses on lands designated Country Residential are limited to:

- ~~i-1)~~ Single detached dwellings;
- ~~ii-2)~~ *Bed and breakfast establishments*; and,
- ~~iii-7)~~ Home occupations.

d) Notwithstanding this list of permitted uses, the Implementing Zoning By-law shall specify the actual list of permitted uses within any zone, or on any individual land parcel. Further, the Town may refine the list of permitted uses through the rezoning process.

#### Bed and Breakfast Establishments

e) *Bed and breakfast establishments* are permitted in a single detached dwelling subject to Site Plan Control. Prior to approving a Site Plan Application, *Council* shall be satisfied that:

- ~~i-1)~~ The use shall be *compatible* with adjacent properties;

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- ii-) The use is clearly secondary to the primary residential use in terms of floorspace utilization;
- iii-) The *bed and breakfast establishment* is the principal residence of the owner and operator;
- iv-) The character of the dwelling as a private residence is preserved;
- v-) Adequate parking facilities are available on the lot for the proposed use;
- vi-) The use will not cause a traffic hazard;
- vii-) The use can be serviced with an appropriate water supply and an appropriate means of sewage disposal; and,
- viii-) The signage advertising the use is to be designed and located in accordance with the [Town's/Town's](#) sign by-law.

### Home Occupations

- f) Home Occupations are permitted in a single detached dwelling, subject to the following criteria:
- i-) The use shall be *compatible* with adjacent properties;
  - ii-) The use is clearly secondary to the primary residential use in terms of floorspace utilization;
  - iii-) The use is completely located in the principal residence of the person conducting the home occupation;
  - iv-) The character of the dwelling as a private residence is preserved;
  - v-) The use will not cause a traffic hazard;
  - vi-) The use can be serviced with an appropriate water supply and an appropriate means of sewage disposal; and,
  - vii-) The signage advertising the use is to be designed and located in accordance with the Town's sign by-law.

### 6.2.4 RURAL OPEN SPACE DESIGNATION

#### Purpose and Definitions

- a) It is the policy of the Town to identify areas for parks and open space in the Rural/Agricultural Area, and to protect and *enhance* existing open space facilities.
- b) Parks and open space shall be used predominantly for recreation, leisure and *conservation uses*, and cemeteries. Buildings or structures shall be permitted for purposes incidental, accessory and/or necessary for the permitted use.

#### Development Policies

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- c) It is the intention of the Town to develop a rural park system through open space links with other land uses and, in particular, to develop and to encourage the *development* of public walking/biking paths linking the three urban communities, including the extension of the Trans Canada Trail. The powers of the *Planning Act* will be used where appropriate to acquire land and/or money for open space purposes.

#### 6.2.5 HAMLET DESIGNATION

##### Purpose and Definitions

- a) It is the policy of this Official Plan to provide a framework for residential *development* in the designated hamlets, while maintaining their small community *character* and to direct *development* away from environmentally sensitive areas and agricultural lands.
- b) The three designated hamlets in the Town of New Tecumseth are Thompsonville, Penville and Rich Hill, and are identified on Schedule A.
- c) The primary land use in designated hamlets shall be for single detached dwellings including home occupations. Other uses may be permitted if they provide a service to the hamlet and surrounding agricultural area, and may include small scale community commercial establishments, ~~elementary schools~~, recreation facilities, churches and bed and breakfast facilities.

##### Development Policies

- d) Infilling lots may be permitted subject to the general consent policies of this Official Plan.

#### 6.2.6 MINERAL AGGREGATE RESOURCES DESIGNATION

##### Purpose and Definition

- a) It is the policy of the Town to permit the extraction of *mineral aggregate resources*, [as an interim use](#), while maintaining a balance between surrounding land uses and the natural environment.

##### Permitted Uses

- b) Permitted uses on lands designated Mineral Aggregate Resources on Schedule A may include:

~~i-~~ *Mineral aggregate operations;*

~~ii-~~ *Agricultural uses;*

~~iii-~~ *Resource management uses such as forestry; and,*

~~iv-~~ *Activities normally associated with aggregate processing, including, but not limited to, stripping, berm construction, screen planting and landscaping, drilling, blasting, haulage, crushing, screening, washing, stockpiling, storage, loading, weighing equipment, parking, repairs and maintenance, office facilities, importing and blending aggregate materials, environmental and safety control facilities and rehabilitation.*

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- c) Concrete batching and concrete manufacturing is not a permitted use in the Extractive Industrial designation. The Stockpiling of blended materials such as salt and/or sand/salt mixtures and recycled road materials may be permitted in the Mineral Aggregate Resource designation, subject to an amendment to the Zoning By-law and the criteria in Subsection 6.2.6 g) vii) of this Plan.
- d) On the Oak Ridges Moraine, *Mineral aggregate operations*, include:
- i-) An operation, other than a *wayside pit*, conducted under a licence or permit under the *Aggregate Resources Act*, and
  - ii-) Associated facilities used in the extraction, transportation, beneficiation, processing or recycling of mineral aggregate or the production of related by-products.

### Development Policies

- e) Existing operations are defined as those currently licensed under the *Aggregate Resources Act*, as amended, at the date of adoption of this Plan which are identified on Schedule A. All new or expansions to existing extractive industrial operations will only be permitted by Amendment to this Plan in accordance with the policies herein.
- f) It is recognized that new operations may affect the natural environment and surrounding land uses and that the potential for such effects must be evaluated for all mineral aggregate extraction proposals.
- g) The following factors shall be considered by the Town, in consultation with the respective provincial agencies, and the County, in evaluating amendment applications:
- i-) The potential effects on land uses in the surrounding area in terms of the generation of dust and particulate emissions and noise and vibration levels;
  - ii-) The potential effects on the existing transportation system including an assessment of the ability of the existing system to accommodate increased truck traffic;
  - iii-) The potential effects on the physical environment within, and adjacent to, the proposed new operation or the area to be added to an existing operation including the possible effect on the water table or surface drainage and the possible effect on any existing or potential water supply source areas. Where applications are located within lands identified as "Oak Ridges Moraine", Council shall:
    - Ensure that the applications for *mineral aggregate operations* and *wayside pits*, comply with Section 35 of the Oak Ridges Moraine Conservation PlanORMCP to the extent that the provisions can be addressed under the *Planning Act* and *Municipal Act*, along with all other applicable provisions of this Plan.
    - Encourage the Ministry of Natural Resources and Forestry in their review of applications for licences or permits for *mineral aggregate operations* and *wayside pits* under the *Aggregate Resources Act*, that the requirements of the Oak Ridges Moraine Conservation PlanORMCP, including Section

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35, be complied with prior to the Ministry of Natural Resources and Forestry issuing the licence or permit.

- iv-) The manner in which the proposed operation will be carried out;
- v-) The manner of rehabilitation work that is proposed, including rehabilitation to an *agricultural condition*, where required in accordance with Provincial Policy Statement;
- vi-) The preparation of an *agricultural impact assessment*;
- vii-) Policies regarding other matters of Provincial Interest, including the [Oak Ridges Moraine Conservation Plan](#)ORMCP, agriculture, mineral resources, natural heritage and other matters as set out in the Growth Plan for the Greater Golden Horseshoe and the Provincial Policy Statement as amended;
- viii-) Applications to amend the zoning by-law to permit aggregate transfer stations and the stockpiling of blended materials and recycled road materials shall satisfying the following criteria:
  - The use must be limited to a size and scale necessary to service the broader New Tecumseth community and not of a scale intended to service larger urban centres;
  - The use may only be permitted as an *accessory use* to aggregate extraction on a site holding a current *Aggregate Resources Act* license issued by the Ministry of Natural Resources and Forestry. Upon completion of extraction and the surrender of the license, the *accessory use* shall cease;
  - The proposed use must be supported by reports, satisfactory to the Town with respect to impacts due to:
    1. Noise and dust;
    2. Traffic and impact on local roads;
    3. Visual assessment examining the impact of the proposed use on the rural countryside *character* of the surrounding area and need for landscaping and berming;
    4. Integration of the proposed use with the progressive rehabilitation on the site;
    5. Environmental impact assessment with respect to drainage and any environmental features on the site;
- h) Application(s) for amendment to this Official Plan shall be accompanied by a Site Plan and Site Plan Report completed in accordance with Sections 8 and 9 of the *Aggregate Resources Act, 1990*.
- i) An Application to amend this Official Plan to establish a new operation, or to extend an existing operation, shall be considered by *Council* together with the Applications for a license, under the *Aggregate Resources Act, 1990*, and all other pertinent Provincial requirements.
- j) The Town shall consult with such Provincial ministries, agencies, municipalities or local boards as required or as the Municipality deems appropriate prior to deciding whether this Official Plan should be amended to permit the extraction and processing of *mineral aggregate resources*.

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- k) Municipal *Council* may submit recommendations to the Ministry of Natural Resources and Forestry concerning the following matters:
- i.) Extraction setbacks, buffering and other methods of mitigating impacts of the operation an adjacent uses; and,
  - ii.) Features or provisions which should be incorporated into Site Plans under the Aggregate Resources Act, 1990.
- l) Extractive *Development* uses shall conform with the applicable standards of the guidelines on "Separation Distances Between Industrial Facilities and Sensitive Land Uses", as specified by Provincial policy.
- m) The mineral aggregate industry is encouraged to work with the Town to develop and implement comprehensive rehabilitation plans for parts of the Oak Ridges Moraine Plan Area affected by *mineral aggregate operations*.
- n) Extractive industrial operations shall 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*. Outside of the *Natural Heritage System*, final rehabilitation will appropriately reflect the long-term land use of the general areas, taking into account applicable Provincial and County policies, and of this Official Plan. The owners and operators of extractive industrial uses shall be encouraged to develop rehabilitation plans in co-operation with the Town. As extractive industrial operations cease, and sites are rehabilitated and licenses under the *Aggregate Resources Act* are surrendered, the Town will amend its Official Plan and Zoning By-law to provide for the appropriate rehabilitated use.
- o) It is the intent of the Town to encourage the conservation and wise use of *mineral aggregate resources*, including through the recovery and recycling of manufactured materials.

### **Wayside Pits and Quarries**

- p) The Town recognizes the need for temporary *wayside pits and quarries* to provide sand, gravel and other aggregate products for public projects. No amendment to the Official Plan or Zoning By-Law will be required to establish a *wayside pit or quarry* except in areas of existing residential *development* and environmentally *significant* areas, including but not limited to, the Schomberg Creek Swamp, Innisfil Creek Swamp and Alliston Pinery, where an amendment to the zoning by-law would be required.
- q) The Town shall provide comments on Applications to the Ministry of Natural Resources and Forestry, to permit a *wayside pit or quarry*, which may include recommended conditions. In formulating its comments, *Council* will take into account:
- i.) The proximity of the proposed site to the project(s) it will supply.
  - ii.) The potential impacts on affected land uses and residents.
  - iii.) The intent of the proponent with respect to rehabilitation of the site.

### **Portable Asphalt Plants**



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- r) *Portable asphalt plants* are facilities with equipment designed to heat and dry aggregate and mix aggregate with bituminous asphalt to produce asphalt paving materials, and which may include the stockpiling and storage of bulk materials used in the process. The plants are not to be of permanent construction but are designed to be dismantled and moved to another location as required.
- s) The Town recognizes the need for *Portable Asphalt Plants* used by public authorities. *Portable Asphalt Plants* shall be permitted in all designations with the exception of residential and environmentally sensitive areas, provided that the plant is operated by a public authority or their agent, without the need for an Official Plan or Zoning By-law amendment.
- t) *Portable Asphalt Plants* must comply with the minimum separation distances, must have a certificate of approval, and obtain concurrence of the site specific plan from the Ministry of the Environment ~~and Climate Change;~~
- u) Where a *Portable Asphalt Plant* is located in agricultural areas, the lands shall be rehabilitated to similar conditions to those which existed prior to the location of the plant.

### Development Proposed Adjacent to Extractive Industrial Uses

- v) When new *development* requiring a *Planning Act* approval is proposed within 300 metres of a pit or 500 metres of a quarry within the Extractive Industrial designation, *Council* shall be satisfied that the proposed use is *compatible* with the current and future operation of the pit or quarry. In some cases, setbacks between the uses may be required to minimize conflicts. In order to determine if a new use is *compatible*, the *development* proponent will be required to demonstrate that the proposed use shall provide for the necessary mitigation of impacts arising from the existing pit or quarry, including future phases that are under license but are yet to be extracted, to meet applicable Provincial standards, regulations and guidelines. The Town may require the submission of noise, traffic and other studies to demonstrate that this policy is met.

### High Potential Mineral Aggregate Resource Areas

- w) It is the policy of this Plan that the high potential mineral aggregate resource areas identified on Provincial mapping be protected from uses and/or activities that may preclude or hinder the effective and/or economical extraction of aggregate in the future. To this end, it is the policy of this Plan to require that Official Plan Amendment, Zoning By-law Amendment and consent applications on lands that are wholly or partially within 300 metres of a sand and gravel deposit or 500 metres of a selected bedrock and shale resource, and that has the potential to preclude or hinder continued extraction or expansion to existing operations or the establishment of new operations or access to mineral resources, be accompanied by appropriate studies that demonstrate to the satisfaction of *Council* that:
  - i.) Resource use would not be feasible;
  - ii.) The proposed land uses or *development* serves a greater long term public interest; and,
  - iii.) Issues of public health, public safety and environmental impact have been addressed.

[New Tecumseth Official Plan – June 2019](#)**6.2.7 MAJOR RECREATION DESIGNATION****Objectives**

- a) The objectives of this Official Plan for the Major Recreation designation are to:
- i.) Provide for the *development* of recreational uses which are *compatible* with the rural and agricultural *character* of the Town.
  - ii.) Provide a broad range of recreation and leisure opportunities for the residents of the Town.
  - iii.) Preserve and maintain existing *natural heritage features* such as valley lands, steep slopes, wooded areas and *watercourses*, and where feasible, utilize these areas for open space linkages.
  - iv.) Ensure that new uses are properly planned and located and serviced with an appropriate supply of water and sewage services; and
  - v.) Minimize the impact of new recreational uses on the environmental, hydrogeological and agricultural resources of the Town.

**Permitted Uses**

- b) Permitted uses on lands designated Major Recreation on Schedule A to this Official Plan may include:
- i.) *Conservation uses*;
  - ii.) Cross country ski facilities;
  - iii.) Golf courses;
  - iv.) Mountain bike facilities;
  - v.) Other appropriate passive and active recreational uses related to the management or use of resources, resource-based recreational activities and rural land uses that cannot be located in ~~S~~ettlement ~~A~~reas; and,
  - vi.) Public and private utilities.
- c) Accessory accommodation facilities such as a hotel may also be permitted with complementary meeting facilities and corporate retreats related to the management or use of resources, resource-based recreational activities and rural land uses that cannot be located in ~~S~~ettlement ~~A~~reas.
- d) Notwithstanding this list of permitted uses, the Implementing Zoning By-law shall specify the actual list of permitted uses within any zone, or on any individual land parcel. Further, the Town may refine the list of permitted uses through the rezoning process.

[New Tecumseth Official Plan – June 2019](#)**Development Policies**

- e) New Major Recreational uses proposed on lands that are not within the Major Recreation designation shall require an Amendment to the Official Plan and implementing Zoning By-law and shall be subject to Site Plan Control.
- f) Before approving an Amendment to the Official Plan and Zoning By-law, *Council* shall be satisfied through the submission of appropriate studies that:
- i-) The agricultural capability of the subject lands has been evaluated;
  - ii-) It is demonstrated that the proposed use will be *compatible* with adjacent agricultural land and uses and is *compatible* with *normal farm practices*;
  - iii-) The proposed use is located on roads that can accommodate expected increases in traffic;
  - iv-) The proposed use can be designed and sited to blend in with surrounding land uses such that the rural *character* of the area is maintained;
  - v-) There will be no *negative impacts* on any *natural heritage features* and related *ecological functions*;
  - vi-) Where appropriate the proposed use can be appropriately buffered from adjacent uses;
  - vii-) There will be no *negative impact* on the quality and quantity of groundwater and surface water;
  - viii-) An appropriate vegetation *enhancement* plan that incorporates planning, design, landscaping and construction measures has been prepared that:
    - Maintains or where possible *enhances* the amount of *natural self-sustaining vegetation* on the site and the *connectivity* between adjacent *natural heritage features* or hydrologic features;
    - Wherever possible, keeps intermittent stream channels and drainage swales in a free to grow, low maintenance condition;
    - Minimizes the application and use of pesticides and fertilizers; and,
    - Locate new *natural self-sustaining vegetation* in areas that maximizes the ecological value of the area.
- g) Any application to expand or establish a golf course or private recreational use shall be accompanied by a Conservation Plan demonstrating how water use and nutrient biocide will be kept to a minimum, including the establishing and monitoring of targets.

**6.2.8 OAK RIDGES MORAINÉ COUNTRYSIDE AREA****Purpose and Definitions**

- a) Countryside Areas are areas of rural land use such as agriculture, recreation, existing residential *development*, *mineral aggregate operations*, parks and open space.

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- b) The purpose of [the](#) Countryside Area is to encourage agricultural and other rural uses that support the Oak Ridges Moraine Conservation Plan: [\(ORMCP\)](#).

### General Policies

- c) Where this Official Plan includes the words “Oak Ridges Moraine Countryside Area”, it includes the lands designated “Oak Ridges Moraine [Tottenham](#) Rural Settlement” on [Schedule A Appendix D1](#), unless otherwise noted in this Official Plan.

### Transition and Further Approval Applications

- d) The provisions of this Official Plan, respecting transition and further approval applications in the Oak Ridges Moraine Natural Linkage Area, shall also apply to *Planning Act* and *Condominium Act* applications in the Oak Ridges Moraine Countryside Area.

### Land Severances

- e) ~~The provisions in this Official Plan, respecting the Oak Ridges Moraine Natural Linkage Area designation, shall also apply to the creation of New~~ lots ~~may be created~~ in the Oak Ridges Moraine Countryside Area ~~designated on Appendix D1, for only those circumstances listed in this Section below and subject to the policies of this Official Plan:~~

[i\) New lots may be created for only the following circumstances:](#)

~~- Where the owner and operator of a farming operation acquires land to consolidate into the farming operation, a lot on which is situated a habitable residential dwelling that existed before July 1, 2017 and that after the consolidation has become surplus to the consolidated farming operation may be severed from the lot of the consolidated farming operation but only if,~~

~~1. The new lot will be limited to the minimum size that is needed to accommodate a residential use and the required sewage and water services; and,~~

~~2. No new residential dwellings will be constructed on a remnant parcel of farmland created by the severance.~~

~~- Severance of two or more lots for agricultural uses where the lot size of the severed and retained lots is at least 100 acres;~~

~~- Acquisition of land for the development of infrastructure in accordance with the ORMCP, but only if the need for the project has been demonstrated and ~~through a Class Environmental Assessment, Watershed Plan or similar process and there is no~~ reasonable alternative;~~

~~- The addition of adjacent land to an existing lot, but only if the adjustment does not result in the creation of a lot that is undersized for the purposes of which it is being or may be used;~~

~~- Facilitating conveyances to public bodies or non-profit entities for natural heritage conservation; and,~~

~~- Severances from each other parts of a lot that are devoted to different uses, but only if the uses are legally established at the time of the application for severance.~~

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- ~~and-f)~~ The above policy applies whether the transaction takes the form of a conveyance, a lease for twenty-one years or more, or a mortgage.
- g) A lot may be created only if there is enough net developable area on both the severed lot and the remainder lot to accommodate proposed uses, buildings and structures and accessory uses without encroachment on key natural heritage features or hydrologically sensitive features.
- h) As a condition of approval, the Town shall enter into a site plan agreement or other agreement with the applicant establishing conditions requiring that natural self-sustaining vegetation be maintained or restored in order to ensure the long-term protection of any key natural heritage features and hydrologically sensitive features on the lot.
- i) The number of lots on the grid road system shall also permit lot creation for the purpose of minor rounding out of the Oak Ridges Moraine Tottenham Rural Settlement be restricted to maintain the rural character and road function. A lot shall not be created if it would extend or promote strip development.

### Permitted Uses

- fj) It is the policy of this Official Plan to permit the following uses in all areas designated Oak Ridges Moraine Countryside Area on Schedule A:
- i-1) All of the permitted uses listed in 4.6.11 Oak Ridges Moraine Natural Linkage Area;
  - ii-1) An additional dwelling unit in the main house or a second dwelling that is temporary, mobile or portable unit, subject to Section 34 c) of the Oak Ridges Moraine Conservation PlanORMCP;
  - iii-1) *Agriculture-related uses*;
  - iv-1) Existing campgrounds and/or seasonal trailer parks;
  - v-1) Existing golf courses;
  - vi-1) Veterinary clinics;
  - vii-1) Kennels in association with a residential dwelling;
  - viii-vii) Uses accessory to the permitted uses set out above.
- gk) Notwithstanding the permitted uses in the Oak Ridges Moraine Countryside Area, nothing in this Official Plan or in the Oak Ridges Moraine Conservation PlanORMCP, applies to prevent a use or the erection or location of a building or structure on lands shown on Appendix D1 of the Official Plan as “Oak Ridges Moraine Countryside Area” if:
- i-1) The use, erection and location was permitted in the zoning by-law on November 15, 2001;

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- ii-) The use erection and location was permitted by the Official Plan and Zoning By-laws as amended in accordance with Sections 9 and 10 of the *Oak Ridges Moraine Conservation Act*, although they do not comply with subsections 19(2) and 31(3) of the [Oak Ridges Moraine Conservation PlanORMCP](#).
- iii-) The application conforms to Sections 28 and 29 and subsections 45(7) and (8) and Section 47 of the [Oak Ridges Moraine Conservation PlanORMCP](#); and
- iv-) The applicant demonstrates, to the extent possible, that the use, erection or location will not adversely affect the ecological integrity of the Plan Area.

h-) New major recreation uses and new small-scale commercial, industrial and institutional *development* shall only be permitted within the “Oak Ridges Moraine Countryside Area” shown on Appendix D1 subject to the following:

- i-) An Amendment to this Official Plan; and,
- ii-) On lands designated Rural Use Area on Schedule G and for further clarification shall not be permitted in areas designated Agricultural Use on Schedule G.

### **Major Recreational Uses in the Countryside Area**

i-) Major Recreational uses are recreational use that require large-scale modification of terrain, vegetation or both and usually also require large-scale buildings or structures, including:

- i-) Golf courses;
- ii-) Serviced playing fields;
- iii-) Serviced campgrounds;
- iv-) Ski hills; and,
- v-) *Accessory buildings* and structures.

j-) An application to establish a new or expansion to an existing major recreational use in the “Countryside Area” designation shall be accompanied by a recreation plan and a vegetation management plan as set out in Section 38 of the [Oak Ridges Moraine Conservation PlanORMCP](#) and all of the applicable requirements of the [Oak Ridges Moraine Conservation PlanORMCP](#) shall be satisfied.

### **Small-scale Commercial, Industrial and Institutional Uses in the Countryside Area**

k-) Small-scale commercial, industrial and *institutional uses*:

- i-) Are supportive of, complementary to or essential to uses that are permitted in the Countryside Area designation and do not require large-scale modification of terrain, vegetation or both or large-scale buildings and structures;

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- ii-) Include farm implement stores, feed stores, country markets and rural commercial and general commercial uses which do not typically or cannot locate in urban areas;
- iii-) Include rural industrial uses, subject to the policies of this Official Plan but not including a portable mineral aggregate crushing plant, *portable asphalt plant*, concrete batching plant, composting plant, facilities used in the extraction, transportation, beneficiation, processing or recycling of mineral aggregate or the production of related by-products, unless it is part of an operation conducted under a licence or permit under the Aggregate Resources Act;
- iv-) Include but is not limited to *institutional uses* such as schools, places of worship, community halls, retirement homes and cemeteries intended to mainly serve nearby Rural Settlements within the Oak Ridges Moraine Plan Area.

4p) An application for a small-scale commercial, industrial or *institutional use* with respect to land in the Countryside Area designation shall not be approved unless the applicant demonstrates that:

- i-) It is not feasible to locate the use in an Urban Area;
- ii-) The buildings and structures will be planned, designed and constructed so as not to adversely affect:
  - The rural *character* of the Countryside Area;
  - The ecological integrity of the [Oak Ridges Moraine Conservation Plan](#)ORMCP Area; and,
- iii-) Compliance with the applicable policies of this Official Plan.

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## 7.0 [Design, Heritage and Parkland](#)

### 7.1 DESIGN

#### 7.1.1 INTRODUCTION

- a) The following policies shall apply, as appropriate, to all *developments* requiring a *Planning Act* approval within the [Urban](#) Settlement Areas. Additional policies for certain areas of the Town are contained within the appropriate sections of this Official Plan containing the land use designations.
- b) The *character* and treatment of public areas such as roads, parks, and public open spaces are a key component of the *character* of the community. Therefore, high quality design in the public realm shall be encouraged in the *development* of all public parks and open spaces, roads, buildings and engineering projects.
- c) A high quality of design in the semi-public and private realm shall be required in all new *development* and *redevelopment*. For the purposes of this section the semi-public realm is located on private land but is located adjacent to public land and is generally accessible to the public. The private realm are those lands and buildings that are in private ownership and are considered to be 'internal' to the *development*.

#### 7.1.2 SAFETY

- a) Personal safety for individuals for new *development* shall be promoted including the provision of:
  - i.) Appropriate lighting, visibility and opportunities for public surveillance for parking lots, walkways, parking garages and open space area;
  - ii.) Unobstructed views into parks and open spaces from adjoining streets;
  - iii.) Design and siting of new buildings shall provide opportunities for visual overlook and ease of public access to adjacent streets, parks and open space;
  - iv.) Views into and out of publicly accessible buildings shall be encouraged; and,
  - v.) Landscaping that maintains views for safety and surveillance.

#### 7.1.3 BARRIER-FREE ACCESS

- a) Barrier-free access for persons using walking or mobility aids shall be provided in all public and publicly accessible buildings and facilities and along major pedestrian routes, in compliance with the *Accessibility for Ontarians with Disabilities Act (AODA)* and with reference to the Integrated Accessibility Standards Regulation (IASR). Such barrier-free access features may include level surfaces, ramps and curb cuts, railings, automatic door openers and rest areas.
- b) Barrier free features shall be integrated with the functional and design components of the site and/or buildings.

#### 7.1.4 VIEWS AND VISTAS



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- a) The preservation, *enhancement* and/or creation of significant views and vistas shall be encouraged as part of comprehensive planning studies, such as Secondary Plans and during the review of *development* applications.
- b) To assist in defining community *character* and sense of place, public and institutional buildings shall be encouraged to locate at the termination of a street or view corridor and at street intersections.

#### 7.1.5 TOWN ROADS

- a) Road designs shall include well-designed streetscape features, incorporating in accordance with the road function, and incorporate, among other things: street tree planting, street lighting and furnishings, bicycle parking spaces and areas, sidewalk and boulevard treatments, a variety of paving materials, and, where appropriate, bicycle lanes, community mailboxes and future transit shelters.
- b) Road designs may incorporate traffic calming techniques such as narrower rights-of-way, traffic circles, and speed control devices, where appropriate, to promote a safer pedestrian environment and/or to maintain vehicles within designated speed limits. The Town will consider alternative standards for all road rights-of-way in order to achieve urban design objectives in certain areas of the Town.
- c) The design of roads shall incorporate a high quality of urban design standards. On this basis:
  - i.) Road rights-of-way shall be designed to secure a separation of vehicles and pedestrians and should provide an appropriate sidewalk for pedestrian use;
  - ii.) On collector and arterial roads within Settlement Areas shown on Schedules E+D1 and E+D2 a suitable boulevard shall be provided to separate the road curb from the sidewalk and such boulevard shall include hard and/or soft landscape materials, street trees and pedestrian-level street lights, where appropriate;
  - iii.) Where medians are provided within the road rights-of-way, such medians shall be encouraged to include hard and/or soft landscape materials, where appropriate;
  - iv.) A regularized pattern of street tree planting shall be encouraged along roads within the Settlement Areas, and the Town shall establish minimum planting standards and species types in the Site Plan Manual and/or *Council*-adopted Urban Design Guidelines;
  - v.) The number and location of access points onto the public road system shall be minimized by encouraging common access points to be shared by adjacent *development*;
  - vi.) Street lighting shall, where appropriate, incorporate pedestrian-level lighting to maintain pedestrian safety;
  - vii.) Street lighting that reduces energy consumption and directs light away from the night sky and adjacent uses shall be encouraged; and,
  - viii.) Appropriate noise barriers where required, are designed to complement existing and proposed *development*.

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### 7.1.6 STREETSAPES

- a) An integrated design and treatment of streetscape features shall be promoted throughout the Town. Specialized streetscape designs and treatments may be adopted for particular areas of the Town in accordance with area, or site-specific, *Council*-adopted Urban Design Guidelines.
- b) Streetscape features and sustainable design elements located within public rights-of-way, such as lighting fixtures, directional and street signs, parking meters, transit shelters, above ground *infrastructure*, signage and street furniture shall be complementary in their design and located in an integrated manner, so as to avoid visual clutter.
- c) Gateway features shall be established at strategic locations within the Town, as identified in *Council*-adopted Secondary Plan policies and/or Urban Design Guidelines and may include specialized boulevards, landscape medians, decorative street lightings, and/or decorative signage treatments.
- d) Planned road reconstruction shall be encouraged to include improvements to the existing streetscape consistent with the policies of this Plan or any *Council*-adopted Urban Design Guidelines and the Downtown *Enhancement* Master Plan and other similarly adopted *Council* guidelines.

### 7.1.7 SERVICES AND UTILITIES

- a) Services and utilities shall be encouraged to locate underground in a common trench, where feasible, in order to maintain a pleasant visual environment along public roads.
- b) Above-ground utility service providers shall be encouraged to co-operate with the Town in identifying locations which minimize the visual impacts of such equipment and facilities where located within the public road right-of-way.
- c) All proposed *development* adjacent to utility or hydro corridors shall ensure that appropriate safety and environmental protection measures such as setbacks and fencing are provided to the satisfaction of the Region and/or the Ministry of the Environment ~~and Climate Change~~.

### 7.1.8 BUILDING DESIGN

- a) The whole building design approach shall be considered when applications to develop or redevelop are submitted. In this regard, the following design objectives must be considered in concert with each other:
  - i-) Accessible – pertains to building elements, heights and clearances implemented to address the specific needs of disabled people;
  - ii-) Aesthetics – pertains to the physical appearance and image of building elements and spaces as well as the integrated design process;
  - iii-) Cost Effective – pertains to selecting building elements on the basis of life cycle costs (weighing options during concepts, design development and value engineering) as well as basic cost estimating and budget control;
  - iv-) Functional/\_Operational – pertains to functional programming – spatial needs and requirements, system performance as well as durability and efficient maintenance of building elements;

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- v-) Historic Preservation – pertains to specific actions within a historic district or effecting a historic building whereby building elements and strategies are classifiable into one of four approaches: preservation, rehabilitation, restoration or reconstruction;
  - vi-) Productive – pertains to occupants well-being – physical and physiological comfort – including building elements such as air distribution, lighting, work spaces, systems and technology;
  - vii-) Secure/Safe – pertains to the physical protection of occupants and assets from man-made and natural hazards; and,
  - viii-) Sustainable – pertains to environmental performance of building elements and strategies.
- b) The design of new buildings should achieve a complementary design relationship to existing buildings, while accommodating a diversity of architectural styles, building materials and colours, energy conservation techniques and innovative built forms.
- c) The colour of the building materials used shall be *compatible* with the colours used on adjacent buildings and in the surrounding area particularly in those areas of the Town that are the site of long established neighbourhoods.
- d) The design of all buildings shall have regard to pedestrian safety and direct street access. Buildings should be massed to recognize pedestrian scale and provide an appropriate street wall height at the street line and be architecturally articulated to provide visual variety and interest, yet be sensitive to high wind speeds, and long periods of shadowing. Generally, building articulation features such as canopies, cornice lines and varying façade materials should be used to reinforce a pedestrian scale, and generous front porches are encouraged for residential built forms.
- e) Buildings shall be encouraged to present their principal building facades with an appropriate building design and fenestration to the public street. The design of corner buildings shall take into account exposure to multiple street frontages and high public exposure; as well as incorporate elements such as increased height, fenestration and roof features, and well articulated entrances.
- f) Buildings located at major vista terminations in their urban setting, or on view corridors within the *development* site, shall be given special treatment through the use of massing and building articulation strategies, such as added height, special roof treatments, and use of special cladding materials.
- g) The Town shall encourage the recessed placement of garages and discourage the protrusion of garages on residential buildings into the front yard, beyond the main front building wall,. Other options for garage placement (i.e. rear detached garages) which de-emphasize their appearance on the street are encouraged. In addition, the width of private driveways accessing private garages shall be controlled to ensure that there is an appropriate relationship between pavement and landscaping in the yards where the driveway is located. Such a relationship shall also take into account the desire to maximize the infiltration of rainwater into the ground and minimize the amount rainwater that is to be directed to stormwater management facilities.
- h) New *development* and *redevelopment* within residential neighbourhoods shall generally be *compatible* with adjacent land uses. Factors to consider in this regard include:
- i-) The relationship between the massing and height of existing and proposed buildings;

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- ii.) The location of established building lines;
  - iii.) The placement of existing and proposed buildings on a lot in relation to the street and lot lines;
  - iv.) The lot coverage and floor area ratio of existing and proposed *development*;
  - v.) The nature of the existing and proposed exterior building materials and architectural elements; and,
  - vi.) The location of driveways, private garages and trees.
- i) Building functions that do not directly serve the public, such as loading areas, shall not face a public street and should be located away from noise *sensitive land uses*, such as residential areas, and buffered as necessary.
- j) Buildings should employ devices such as awnings, canopies, building cantilevers/ overhangs to minimize potentially uncomfortable high winds which may be associated with the height or placement of buildings, and generally improve the level of pedestrian comfort. Sheltered building entrances should be provided at primary building entrances to high-density residential, public, recreational, industrial, office and commercial buildings, where necessary.
- k) When a *development* is located adjacent to existing, or planned residential areas, sufficient building setbacks should be provided to minimize potential height and massing impacts such as overlook, shadowing and high wind speeds. Massing strategies such as stepping down towards buildings of lower height should be employed to minimize impacts. Site Plan applications may be required to submit wind and/or shadow studies to address such potential conditions.
- l) Roofscapes shall be an integral part of the design of a building and harmonize with the design of the rest of the building. On this basis, roof top mechanical units shall be organized and screened with complementary materials, colours and finishes as necessary to provide a skyline with desirable visual attributes.
- m) Freestanding buildings for retail, restaurants and services, as well as office and residential buildings, shall be located at the street edge where possible, to encourage their use by pedestrians.
- n) Buildings on corner lots shall be located in close proximity to the street rights of way. Corner lots should emphasize their important urban presence by employing appropriate strategies for major landscape treatments as well as building massing and articulation that emphasize the corner condition.
- o) Building entrances shall be located to be visible from the adjoining street(s) and, where possible, directly linked to the sidewalks through appropriately articulated walkways.
- p) The majority of the first storey wall of buildings located along major roadways where a strong pedestrian environment is encouraged shall be the site of openings.
- q) Minimum heights, densities and floor area ratios will be required along major roadways and within the ~~Se~~ttlement ~~A~~reas as appropriate, and as set out in the applicable policies of this Plan.

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- a) Site design incorporates the built form of structures, landscaping, services and the layout of all amenities. Site design shall consider the relationships between the public realm, adjacent land uses, on-site operations and visual aesthetics, in order to promote an environment that is pleasant and attractive to the community.
- b) Site design shall consider how to maximize the compatibility between adjacent land uses through appropriate site layout, building locations and landscape treatments.
- c) The design of sites adjacent to parks, woodlots and *watercourses* shall be sensitive to these features. In these instances, appropriate setbacks shall be maintained between buildings and sensitive natural areas, while on-site landscaping shall be well integrated with natural areas.
- d) Continuous, highly visible, well-articulated and landscaped connections between building(s) and the street should be provided to establish appropriate pedestrian linkages between the sidewalk and building entrances, and generally improve access for public transit users.
- e) Site design along major roads should also consider the integration of future public transit access.
- f) Along collector and arterial roads within the Settlement Areas, reverse frontage residential lots shall be minimized through techniques such as window streets and where reverse frontage lots are provided, shall incorporate a substantial landscape buffer to improve the visual amenity of such areas.
- g) On large sites, efforts shall be made to encourage pedestrian linkages between uses and adjacent sites.

**7.1.10 LANDSCAPING**

- a) Landscaping is a major contributor to a vibrant streetscape. A high quality of landscape design shall be required to *enhance* the visual aesthetics of *development* and to *enhance* the site and land use compatibility.
- b) Landscaping within private lands shall be complementary to streetscape design and materials within the public realm.
- c) Where appropriate, planted landscaping strips and fencing shall be used to buffer *development* from adjacent uses and mitigate on-site operational activities such as loading and waste storage facilities.
- d) Landscape materials shall be selected for their aesthetic, ecological, disease-tolerance and maintenance characteristics.
- e) Hard and soft landscaping shall be used for the spaces between the street line and buildings to *enhance* the streetscape, as well as provide a buffering function when on-site parking is placed close to the street or in side yards. To help create a strong landscape presence that also screens surface parking, a generously sized area and/or low decorative fencing should be provided along the street line to allow for an aesthetically pleasing view from the street into the site.
- f) Vehicular entrances often present opportunities for landscaping that highlight entry points into the site. Therefore, appropriate landscaping shall be provided on either side of driveway entrances, particularly at the main entrances.

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- g) The use of berms along public street frontages shall generally be avoided due to their tendency to isolate buildings from the street.
- h) Landscaping can play an important role in delineating a site's side yards and often provides a visual break in large asphalted areas. In this regard, landscape strips planted with trees and/or shrubs and flowers shall be used to separate each *development* and the associated parking areas. The presence of significant trees on a *development* site shall be determined through a tree survey and, where appropriate, preserved, maintained and integrated into the new landscape design.

#### 7.1.11 PARKING

- a) The location of parking is a major determinant for the layout of a *development* that is pedestrian friendly and transit supportive. Where appropriate, the Town shall encourage the provision of surface parking areas in locations not visible from the public street, such as in rear yards and/or well-landscaped side yards.
- b) Where surface parking areas are situated adjacent to a public street in the front yard, their layout should be subdivided into smaller areas to avoid large monotonous asphalt surfaces. In these cases, a certain percentage of the frontage should be reserved for landscaping between the buildings and the street line. The parking areas may be partially buffered and/or screened from the street through the use of landscaping, tree planting, pedestrian facilities, lighting, fencing and/or other landscape elements in order to *enhance* the visual aesthetics of, and pedestrian activity within, such parking areas.
- c) Clearly defined pedestrian accesses between parking and adjacent buildings and entrances should be provided with well-delineated walkways using decorative paving surfaces.
- d) Surface parking lots shall be linked to the streets and other public areas with well-delineated walkways, utilizing decorative paving treatments.

#### 7.1.12 SIGNAGE, DISPLAY AREAS AND LIGHTING

- a) All signs shall be in accordance with the Town's Sign By-law and designed as an integral element of the site layout and/or building design that does not dominate the overall *development character*. Signs on designated heritage properties or within *Heritage Conservation Districts* pursuant to the *Ontario Heritage Act* are encouraged to be *compatible* with the architecture and *character* of the property or district.
- b) Some land uses require outside display areas such as sales outlets for vehicles and garden supply stores. Display areas should be designed to make a positive contribution to the streetscape and the overall site *development*. Generally, there shall be a limited percentage of site frontage devoted to outside display areas. Architectural and/or landscaping components shall be used as appropriate, to provide well-defined display areas that work in harmony with adjacent buildings and display areas. Some of these treatments include extensions of building facades, colonnades and canopies, planting, pergolas and decorative walls.
- c) All lighting shall be internally oriented so as not to cause glare on adjacent properties or public roads. Outdoor lighting fixtures that reduce energy consumption and direct light onto the property it serves is encouraged.

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### 7.1.13 SERVICES, UTILITIES, OUTSIDE PROCESSING, AND STORAGE

- a) Site and building services and utilities such as waste storage facilities, loading, air handling equipment, communications/telecommunications *infrastructure*, hydro transformers and metering equipment, shall generally not face public streets or should be screened from public streets and adjacent residential areas or other *sensitive land uses*, in order to buffer their visual and operational effects. Waste storage areas should be integrated into the main building on the lot. Waste storage areas external to the main building shall be enclosed and shall not face a public street.
- b) Site access, service areas and loading areas shall be located away from streets so as to minimize disruption or conflicts with adjacent land uses, sidewalks and both on-site, and off-site, pedestrian routes and shall be visually screened as necessary from public views. Screening should be designed to use landscaping and/or solid fencing. Loading and service areas should be buffered for noise impacts, particularly when located against residential areas. Buffering strategies include berms, tree and shrub planting and opaque noise walls and fences.
- c) It is recognized that in some *developments*, there will be a need to accommodate outside processing and storage areas, particularly for uses such as building supply centres and some industrial operations. These storage areas should be organized and placed to reduce their potential *negative impacts* on the streetscape. Open processing and storage areas should be located in the rear or side yards and screened from public view, or from views from adjacent properties, using fencing and/or landscaping.
- d) Storage areas should be paved with hard surfaces such as asphalt, concrete or interlocking pavers where possible to reduce dust.

### 7.1.14 DRIVE-THROUGHS

- a) Drive-throughs are subject to urban design objectives and policies of this Plan. In general, drive-through *development* applications will be discouraged when they are determined not to be *compatible* and sensitive to surrounding land uses, and areas of particular urban form, cultural significance and special identity, and streetscape patterns. Drive-through applications shall be contextually appropriate, support a positive pedestrian environment, and integrate well with other on-site facilities, features and amenities. The following additional matters shall be considered when reviewing drive through proposals:
  - i.) Drive throughs shall be incorporated into a larger building form, where possible;
  - ii.) Drive-throughs shall be designed and located to minimize visual impact on the streetscape. In this regard, drive through stacking and pick up lane should not be located between the front face of the building and the public sidewalk; and,
  - iii.) Drive-through service facilities should be designed to minimize visual, traffic and noise impacts on adjacent residential *development* and shall include hard and/or soft landscape buffering consistent with the Town's landscaping and Urban Design Guidelines to protect adjacent and nearby residential neighbourhoods from adverse impacts to the Town's satisfaction.

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### 7.1.15 ACCESS AND CIRCULATION

- a) The number of vehicular access points into a site and their width could potentially have detrimental effects on street frontages by reducing available areas for landscaping and by creating large expanses of asphalt. On this basis, joint access driveways shall be considered on adjacent sites.
- b) To ensure safety and promote their priority over vehicular traffic, major pedestrian routes on the site should be identified and delineated with paving materials that differentiate them from the driving surfaces. Pedestrian walkways should be made continuous across driving aisles as well as across driveway entrances at the street. The use of soft landscaping is also encouraged along major pedestrian routes.
- c) Generously sized walkways shall be provided along buildings, particularly in areas with large pedestrian traffic. These walkways should be connected to other pedestrian routes on the site and linked to major pedestrian entry points at the street, and where appropriate to adjacent *developments*.

### 7.1.16 DESIGN IN THE RURAL/AGRICULTURAL AREA

- a) It is the intent of *Council* to only permit *development* outside of ~~Urban~~ Settlement Areas that is *compatible* with the *character*, role and function of the non-urban (rural) landscape since the existing *character* of the Rural/Agricultural Area greatly contributes to the quality of life enjoyed by the Town's residents. The rolling hills and undulating topography, the rivers and streams and the open and natural setting of the rural landscape are all components that define this *character*. It is the intent of this Official Plan to ensure that this *character* is protected and *enhanced* for future generations.
- b) It is the intent of this Official Plan to protect the natural and rural *character* of the rural landscape wherever possible, in accordance with applicable regulations including the *Minimum Distance Separation Formulae*. On this basis, *Council* shall ensure, as a condition of any *Planning Act* approval for *development* located within the Rural/Agricultural Area that the following are considered:
  - i-) Uses be designed to blend in with the existing topography and vegetation;
  - ii-) Existing trees are maintained wherever possible;
  - iii-) New buildings on farm properties be sited in existing building clusters only;
  - iv-) Existing hedgerows are maintained;
  - v-) Non-residential uses should generally be set back from the road to minimize their visual impact on the *rural area*;
  - vi-) All signage, if required, reflects the rural and natural *character* of the area;
  - vii-) All lighting, if required, is subdued and appropriate for the use; and,
  - viii-) Existing buildings, structures, barns and other agricultural buildings are upgraded and/or restored wherever possible.



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### 7.1.17 DESIGN FOR NEW NEIGHBOURHOODS

a) The following community design principles apply to the *development* of new neighbourhoods through Plans of Subdivision or Condominium within the Town's ~~Urban~~ Settlement Areas, in accordance with the policies of this Official Plan:

- i-) Residential *development* shall include a combination of housing types, with a range of densities that implement the housing objectives and policies of this Plan;
- ii-) High-rise housing shall be located on Arterial and Collector Roads to ultimately facilitate the establishment of public transit, multi-modal facilities and a pedestrian-oriented environment;
- iii-) New *development* areas shall be integrated with existing built-up areas;
- iv-) New subdivision streets should generally align in a grid pattern to create appropriately sized *development* blocks and to promote traffic permeability and connectivity;
- v-) New blocks shall be designed with lengths that are generally less than 250 metres to support active transportation;
- vi-) The *development* of reverse-frontage residential lots shall be minimized and where reverse frontage lots are provided, shall incorporate a substantial landscape buffer to improve the visual amenity of such areas;
- vii-) Open space and parkland areas shall integrate with adjacent *development* areas and provide a range of active and passive recreational opportunities;
- viii-) New buildings shall be designed and oriented to the street and to street corners to encourage a pedestrian-oriented streetscape;
- ix-) Where appropriate, employment lands shall be buffered from residential *development* by a variety of measures such as roads, landscaping, natural heritage areas, and parkland and community facilities;
- x-) Above ground utilities shall be located to minimize visual and environmental impacts; and,
- xi-) Collector Roads shall be provided approximately mid-block between arterial roads to promote traffic connectivity, and ultimately the establishment of public transit, when feasible.

### 7.1.18 IMPLEMENTATION

a) The Town shall employ all relevant municipal *development* controls in order to achieve a consistently high standard of site, building and landscape design. The urban design policies of this Plan shall be implemented by:

- i-) Ensuring that the implementing Zoning By-law is regularly reviewed and amended to include standards that reflect the objectives and policies of this Plan;

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- ii-) Preparing specific Urban Design Guidelines for key focal points in the Town;
- iii-) Ensuring that the Town's engineering standards are regularly refined to reflect the objectives and policies of this Plan and any *Council*-adopted Urban Design Guidelines;
- iv-) Ensuring that the Town's Site Plan Manual sets out the minimum requirements of the Town in a clear and concise manner;
- v-) Ensuring that all Public Works decisions generally conform with this Plan and Town approved Urban Design Guidelines;
- vi-) Utilizing Architectural Control in areas, where appropriate, to detail proposed building designs and materials, and in order to avoid repetitive building forms along residential subdivision streets; and,
- vii-) Requiring the preparation of Urban Design Reports that are intended to be complementary to the general policies of this Plan.

#### **Urban Design Guidelines**

- b) The Town may require the preparation of detailed Urban Design Reports for selected areas within the Town, where appropriate, and shall require Urban Design Reports and/or Architectural Control Reports for those areas identified. In addition, Urban Design Guidelines shall be prepared where new, or reviews of existing, local Secondary Plans are undertaken.
- c) Urban Design Guidelines shall be adopted by *Council* and then shall be employed in the design and construction of all public projects and the evaluation of all *development* applications.
- d) The preparation of area-specific Urban Design Reports may be required as part of the consideration of *major development* proposals or to support the preparation of area-specific studies.

#### **Development Approvals**

- e) The urban design policies of this Plan, and any *Council*-adopted Urban Design Guidelines, shall be employed in the evaluation of all *development* applications within the Town.
- f) The Town shall exercise its powers of zoning and site plan approval to encourage a high quality of building and landscape design and shall review and amend its Site Plan Manual and Zoning By-law in order to implement the Urban Design policies of this Plan and any *Council* adopted Urban Design Guidelines.
- g) For *development* requiring site plan approval, the Town may require that the applicant prepare an Urban Design Report in conjunction with the submission of site plan application, where the context of the *development* area is sensitive in nature.
- h) The Town shall exercise control over signs and fences in accordance with applicable legislation and shall ensure that its municipal by-laws are regularly reviewed and amended to reflect the Urban Design policies of this Plan and any *Council*-adopted Urban Design Guidelines.

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### Other Programs

- i) The Town may undertake studies or participate in programs, including community improvement plans, for the aesthetic improvement of existing areas.

### Municipal Standards By-Law

- j) The Town shall monitor and, where necessary, apply the regulations of the Municipal property standards by-law, in order to maintain a high quality of site *development* throughout the Town.

## 7.2 CULTURAL HERITAGE RESOURCES

### Intent

- a) The maintenance of New Tecumseth's *cultural heritage resources* contributes to the Town's *character*, fosters a sense of place and benefits communities, by balancing the impact of new *development* and *redevelopment* with protecting the integrity of existing heritage. It is the intent of this Plan that the Town's *cultural heritage resources* be conserved, promoted, protected, identified and *enhanced* in situ whenever practical and that all new *development* occur in a manner that respects the Town's rich *cultural heritage resources*. The *cultural heritage resources* of the Town generally include:

- ~~i.)~~ Built heritage, such as buildings, structures, monuments or remains of historical, cultural and/or architectural value;
- ~~ii.)~~ *Cultural heritage landscapes*, such as rural, hamlet and urban areas that are of historic and scenic interest; and,
- ~~iii.)~~ *Archaeological resources*.

- b) Heritage planning is a shared responsibility including the Federal and Provincial governments, the County, the Town and affected Indigenous communities.
- c) A Heritage Advisory Committee has been established by the Town to advise *Council* on matters pertaining to heritage, in accordance with the *Ontario Heritage Act*.
- d) The Town, in partnership with the Heritage Advisory Committee, shall encourage the *development* of a municipal-wide culture of conservation by promoting cultural heritage initiatives which promote an understanding of and appreciation for the Town's heritage and a recognition that *cultural heritage resources* contribute to achieving a sustainable, healthy and prosperous community.

### Cultural Heritage Impact Statements

- e) *Council* shall require the submission of a Cultural Heritage Impact Statement (CHIS) to support an application for *development* if the affected lands are the site of an identified *cultural heritage resource*, or are adjacent to and/or in close proximity to an identified *cultural heritage resource*. For the purpose of this Plan, a *cultural heritage resource* can be a *built heritage resource* and/or *protected heritage property*, ~~or a cultural heritage landscape and/or an~~

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~~archaeological resource~~ as defined by this Official Plan. The purpose of the CHIS is to determine what impacts the *development* will have on the resource and whether the application for *development* will conform to the goals, objectives and policies of this Plan.

- f) *Development or site alteration* may be permitted on adjacent lands to a *protected heritage property* where a CHIS has demonstrated that the *heritage attributes* of the *protected heritage property* will be protected and conserved, including the use of mitigation measures and/or alternative *development* approaches.
- g) The CHIS shall contain a description of:
- i.) The proposed *development*;
  - ii.) The *cultural heritage resource(s)* to be affected by the *development*;
  - iii.) The effects upon the *cultural heritage resource(s)* by the proposed *development*;
  - iv.) The measures necessary to mitigate the *adverse effects* of the *development* upon the *cultural heritage resource(s)* and/or alternative *development* approaches;
  - v.) How the proposed *development* will relate, in terms of height, bulk, massing and presence with identified heritage buildings on the property and in the area; and,
  - vi.) The methods by which the cultural resource will be protected and/or restored, if the application applies to the lands that are the site of the *cultural heritage resource*.

### Public Works

- h) Public authorities have the ability to make decisions affecting the public realm that can have a positive impact on *cultural heritage resources*. On this basis, the carrying out of any public work by any Public Authority shall have regard to the retention and protection of *significant cultural heritage resources* in accordance with the goals and objectives of this Plan. Pursuant to the *Ontario Heritage Act*, all public works within *Heritage Conservation Districts* shall conform to the applicable Heritage Conservation District Plan.

### Mitigation of Impacts on Cultural Heritage Resources

- i) *Council* may impose as a condition of any *development* approval the retention and conservation of *cultural heritage resources* identified in a CHIS, or the implementation of appropriate mitigation measures, to minimize the impact of the *development* on the *cultural heritage resource*.

### Restoration and/or Rehabilitation of Significant Cultural Heritage Resources

- j) It is the intent of this Plan to promote the restoration and/or rehabilitation of *significant cultural heritage resources* and protected heritage properties by assisting with funding applications, establishing grant programs and creating special taxation districts. *Council* may also encourage the restoration and retention of heritage properties through the use of bonusing and density transfers and other means as permitted by the *Planning Act*. *Council* may lead by

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example by restoring, rehabilitating, enhancing and maintaining municipally owned *cultural heritage resources*, through appropriate heritage stewardship practices.

- k) The Town shall support and encourage owners of ~~Designated Properties~~*protected heritage properties* to seek any government grants or loans for eligible heritage conservation works.
- l) *Development* shall be designed to conserve, promote, protect, incorporate and *enhance* identified *cultural heritage resources* as distinct elements and/or focal points, and incorporate these features into the overall site and building design in accordance with the policies of this Official Plan.
- m) Where *cultural heritage resources* cannot be retained, they shall be documented and are encouraged to be commemorated where appropriate.

### **Pioneer Heritage Cemeteries**

- n) *Council* shall discourage the closure and relocation of pioneer cemeteries since they contribute to the *character* of the Town and are an excellent representation of the ~~Town's~~*Town's* history and identity. Further, the Town should consider opportunities to protect, preserve, restore, and commemorate these sites, where feasible.

### **Built Heritage Inventory**

- o) A publicly available registry of properties of cultural heritage value or interest has been compiled by the Town. *Cultural heritage resources* are those properties and/or buildings that are of historical and/or architectural value and/or interest. Other properties and/or buildings may be identified through further study and/or as a consequence of considering a *Planning Act* application.
- p) The intent of this registry is to identify the location and nature of these resources so that they are known and considered, as appropriate, in any decision requiring a *Planning Act* ~~or Building Code Act~~ approval.
- q) Inventoried heritage resources may be considered for designation under the *Ontario Heritage Act* and/or conservation through the review of any proposed *development*, subject to all relevant legislation.
- r) The Town shall protect and conserve *cultural heritage resources* in accordance with applicable legislation, policies and recognize heritage protocols. In this regard, the Town:
  - i.) May enter into heritage easement agreements to conserve *cultural heritage resources*; and,
  - ii.) Shall promote local heritage and properties on the h eritage registry through educational programs, exhibits, displays, brochures and local events.

### **Designation under the Ontario Heritage Act**

- s) *Council* may by by-law designate *cultural heritage resources*, such as individual properties and conservation districts pursuant to the *Ontario Heritage Act* and the policies of this Section. Once a property has been so designated, it is then considered to be a *Protected Heritage Property* as defined by this Official Plan. Prior to the passage of such a by-law, *Council* shall be satisfied that:

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- i-) The building or property is strongly associated with the life of a person who played an integral role in the *development* of the Town and/or is well-known locally, nationally or internationally; and/or,
- ii-) The building or property is the location of, or is associated in a *significant way*, with a *significant* local, national or international event; and/or,
- iii-) The building has an architectural style that is distinctive and representative of a period of history and/or is the work of a recognized architect; and/or,
- iv-) The building or property is considered to be an easily recognizable landmark in the Town and contributes to the *character* of the community; and/or,
- v-) The neighbourhood contains a collection of buildings and properties as described in this policy above and which collectively contribute to the *character* of the Town.

### Heritage Conservation Districts

- t) Where there is a concentration of *significant cultural heritage resources* in accordance with the policies of this Official Plan, *Council* may consider the establishment of a *Heritage Conservation District* to conserve an area's heritage *character*.
- u) Prior to designating a *Heritage Conservation District* pursuant to the *Ontario Heritage Act*, *Council* shall:
  - i-) Pass a resolution to define an area to be studied for possible future designation;
  - ii-) Consider passing a by-law to impose interim control of alteration, demolition or removal of heritage resources in the area defined as under study for possible future designation pursuant to the *Ontario Heritage Act*;
  - iii-) Prepare and adopt a *Heritage Conservation District Plan*; and,
  - iv-) Consult the *Heritage Advisory Committee* on matters pertaining to the designated district.
- v) Within designated *Heritage Conservation Districts*, property owners, in consultation with the *Heritage Advisory Committee*, will be encouraged to maintain and repair heritage buildings and seek government grants and loans for eligible conservation work.

### Contents of Heritage Conservation District Plan

- w) The general principles and process for the administration of a *Heritage Conservation District* will be outlined in a *Heritage Conservation District Plan*. The *Heritage Conservation District Plan* will:
  - i-) Delineate boundaries of the designated area and reasons for the designation;
  - ii-) Inventory *cultural heritage resources*;
  - iii-) Prescribe policies, conservation and design guidelines, and other pertinent material relating to the sound and prudent management of the ~~district's~~ *district's* unique *character*;

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- iv-) Be adopted by *Council* after consultation with affected property owners and other interested agencies as considered appropriate; and,
  - v-) Be administered by municipal review of heritage permit applications for changes and alterations to individual buildings and structures within the designated district.
- x) In reviewing proposals for the construction, demolition or removal of buildings or structures, or the alteration of buildings within a *Heritage Conservation District*, *Council* shall be guided by the applicable Heritage Conservation District Plan.

### **Area-Specific Official Plan Policy and Zoning By-law Provisions**

- y) *Council* may, by amendment to this Plan or through a Secondary Plan, include policies that are intended to provide guidance on how buildings and properties can be developed/redeveloped in an area where a concentration of *significant cultural heritage resources* in an area exists. The intent of the policies would be to conserve and *enhance* the cultural heritage of an area, in accordance with the goals and objectives of this Plan. These policies shall:
- i-) Describe the historical *development* context of the area;
  - ii-) Review the existence and significance of *cultural heritage resources* in the area;
  - iii-) Identify the conservation priorities for *significant cultural heritage resources*;
  - iv-) Establish how *cultural heritage resources* should be considered through a *redevelopment* process; and,
  - v-) Identify and describe the architectural design and streetscape guidelines that will guide *development* in a defined area.
- z) The policies may be implemented through subdivision approvals, site plan control or through the zoning by-law as appropriate.

### **Retention/Relocation of Built Heritage Structures**

- aa) *Council* shall encourage the retention of buildings of architectural and/or historical significance in their original locations whenever possible. All options for on-site retention shall be evaluated before approval is given for relocation to another site. These options include: integration within new *development* areas, adaptive re-use of the building in its original location, and relocation of the building on the *development* site.

### **Prevention of Demolition of Built Heritage Structures**

- ab) Pursuant to the *Ontario Heritage Act*, and as part of an overall strategy to conserve *built heritage resources*, *Council* may refuse to permit the demolition of heritage buildings or structures that have been designated under the *Ontario Heritage Act*.

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### Archaeological Resources

- ac) Council recognizes that there are archaeological remnants of prehistoric and early historic habitation as well as *areas of archaeological potential* within the Town. Archaeological sites and resources contained within these areas can be adversely affected by any future *development*.
- ad) Council shall therefore require archaeological ~~impact~~ assessments and the preservation or excavation of *significant archaeological resources* in areas containing known *archaeological resources* and in *areas of archaeological potential*. Archaeological assessment reports by licensed archaeologists are to be in compliance with standards and guidelines set out by the Ministry of Tourism, Culture and Sport, as well as licensing provisions under the *Ontario Heritage Act*, to the satisfaction of the Town, in collaboration with the Heritage Advisory Committee, and other appropriate authorities having jurisdiction, including Indigenous communities. Council shall ensure adequate archaeological assessment and consult appropriate government agencies when an identified marked or unmarked cemetery or *significant archaeological heritage* resource is affected by land use *development*. The provisions under the *Ontario Heritage Act* and the ~~Cemeteries~~*Funeral, Burial and Cremation Services Act* shall apply.
- ae) Council may conserve the integrity of *archaeological resources* by adopting zoning by-laws under Section 34 of the *Planning Act*, to prohibit land uses on sites where an identified *significant archaeological heritage* resource exists.
- af) The Town shall consider the preparation of a Municipal Cultural Plan, undertaken by qualified heritage consultants to identify and map *cultural heritage resources* and outline policies, programs and strategies to conserve *significant cultural heritage resources*, in consultation with the Heritage Advisory Committee and all Indigenous communities having interest.
- ag) The Town shall support the preparation of an Archaeological ~~Management~~ Plan by the County and cooperate with the County in its implementation in the Town.

## 7.3 PUBLIC PARKLAND

### Objectives

- a) The objectives of this Official Plan related to public parkland are to:
- i-) Implement the Town's Parks, Recreation and Culture Master Plan as it relates to land use;
  - ii-) Establish and maintain a system of public open space, parkland and recreational facilities that meets the needs of present and future residents;
  - iii-) Enhance existing parkland areas wherever possible to respond to changing public needs and preferences;
  - iv-) Ensure that appropriate amounts and types of parkland are acquired by the Town through the *development* process;
  - v-) Encourage the dedication and donation of environmentally sensitive lands into public ownership to ensure their continued protection;



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- vi-) Protect and *enhance* the public open space and parkland areas in a manner that is consistent with the objectives of this Official Plan, while accommodating appropriate levels of public use;
- vii-) Promote the establishment of a continuous linear open space system connecting natural, cultural and recreational land uses within the Town and to surrounding municipalities;
- viii-) Ensure that the design of parkland and associated trails and amenities are compliant with the *Accessibility for Ontarians with Disabilities Act (AODA)* and the Integrated Accessibility Standards Regulation (IASR);
- ix-) Coordinate with other public and private agencies in the provision of open space, recreational and cultural facilities; and,
- x-) Encourage the *development* of walking and cycling trail system within the open space system that is accessible to the public utilizing trails, paths, streets and other public open spaces.

### **Parkland Hierarchy**

- b) A parkland hierarchy has been established by the Town that is characteristic of the distribution and demand needs of the Town, which includes Neighbourhood, Community and Special Open Space Parks as set out below:
  - i-) Neighbourhood Parks, which may include parkettes, ~~totlots~~tot-lots, and local parks, serve passive, minor recreational and social needs of residents, and are sized at a minimum of 0.2 hectares to 3 hectares and generally located within 0.5 km walking distance from the furthest residences served by the park.
  - ii-) Community Parks include athletic fields and district parks serving active recreational needs of residents with year round activities and provide limited neighbourhood functions. These are a minimum of 4 hectares in size and are centrally located and front or are adjacent to Arterial or Collector Roads.
  - iii-) Special Open Space Parks include linear parks and trails, conservation areas, and interpretive and cultural parks. These are located within areas of community significance, contain special features and may accommodate unique heritage features and provide limited park functions. Their size varies depending on use and availability and they tend to act as an attraction destination for the wider area.

### **Other Sources of Parkland and Facilities**

- c) Where appropriate, *Council* may:
  - i-) Encourage other agencies to provide open space and amenity areas for public use;
  - ii-) Enter into joint use/management agreements respecting the *development* of specific recreational facilities that are available to the general public;
  - iii-) Provide linkages between municipal open space areas and the facilities provided by other agencies or private organizations; and,
  - iv-) Encourage the *development* of trails on private open space lands where appropriate.

[New Tecumseth Official Plan – June 2019](#)**Dedication of Parkland through the Development Process**

- d) The Town will require parkland dedication from *development/redevelopment* and on plans of subdivision in accordance with the following:
- i-) Five (5%) percent of the land within a residential *development*, or the alternate rate of 1.0 hectare of land per 300 dwelling units as parkland.
  - ii-) Two (2%) percent of the land within industrial/commercial *development* shall be dedicated as parkland.
  - iii-) All other uses shall provide a parkland dedication of five (5%) percent of the land that is subject to *development*;
  - iv-) While the dedication of parkland is preferred, *Council* may accept cash-in-lieu of required parkland dedication in accordance with the above land requirements. Where the alternate residential rate is used, cash-in-lieu shall be calculated at a rate of 1.0 hectare per 500 dwelling units.
  - v-) Lands designated EP1 or EP2 and hazard lands such as *floodplains* or lands required for stormwater management facilities shall not be considered as any part of the required parkland dedication. To the extent possible, stormwater facilities will be incorporated into *developments* adjacent to parkland and designed in a manner to *enhance* the aesthetic appeal of the overall *development*, while ensuring public safety.
  - vi-) Where applicable, lands to be reserved for future public open space and trail linkages will be identified as part of a *development* proposal.
  - vii-) All lands dedicated to the Town shall be conveyed in a physical condition satisfactory to the Town.
- e) Cash-in-lieu of parkland may be required where:
- i-) The application of the rate of parkland dedication would render the remaining portion of the site unsuitable or impractical for *development*;
  - ii-) Existing municipal parkland is available in sufficient quantity and quality to accommodate further *development* in a particular area; and/or,
  - iii-) More suitable parcels of land are available for municipal park purposes in other locations.

**Parkland Dedication By-law**

- f) *Council* shall enact a Parkland Dedication By-law that establishes:
- i-) The lands to which the By-law is applicable;
  - ii-) The rate of parkland dedication in accordance with the policies of this Official Plan;

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- iii-) The *development* applications which are subject to parkland dedication requirements; and,
- iv-) Land uses that are exempt from parkland dedication requirements.

#### **Use of Monies Received Through the Cash-in-Lieu Process**

- g) All monies received under the provisions of this Official Plan shall be used for the sole purpose of developing and acquiring public parkland and/or developing recreational facilities in accordance with the *Planning Act*. These monies may be used by *Council* for the:
- i-) Acquisition of additional land to expand existing parks where appropriate;
  - ii-) Acquisition of vacant infill sites to create new small parks;
  - iii-) Acquisition of redundant properties owned by public agencies;
  - iv-) Improvement of park design and *development* within existing parks; and/or,
  - v-) Establishing priorities for acquisition through *Council* approval of Master Plans.

#### **Parkland Development Policies**

- h) All public parkland shall:
- i-) Have as much street frontage as possible, with a minimum of 50 percent of their perimeter as street frontage, and be open to view on as many sides as possible to maximize visibility from adjacent streets and promote safety;
  - ii-) Maximize public safety through park block size, visibility, configuration and location of park fixtures and facilities;
  - iii-) Have direct and safe pedestrian access from adjacent residential areas or adjacent greenlands where appropriate;
  - iv-) Be designed to minimize any potential *negative impacts* on adjacent residential areas through the use of such measures as planting, fencing and the provision of appropriate access, parking and buffers to active recreational facilities;
  - v-) Incorporate and improve *natural heritage features* wherever possible when designing parkland;
  - vi-) Be integrated into the fabric of the adjacent neighbourhood by promoting open space or walkway linkages to adjacent facilities, neighbourhoods and natural features;
  - vii-) Be located to provide a maximum walking distance of 5 minutes from most residences in the [Urban Settlement Areas](#);

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viii.) Be connected, wherever possible, to trail systems, cycling routes, walkways, natural heritage corridors, utility or hydro corridors and drainage systems; and,

ix.) Linking and consolidation of parks to provide a continuous system of open space areas, where possible.

- i) It is the policy of this Plan that a Parkland *Development Manual* be prepared and approved by *Council*. The Parkland Manual shall deal with criteria such as planting size and species requirements, seeding and/or sodding requirements, drainage, park servicing requirements, facility material and quality requirements, parking requirements including quantities per facility and surfacing requirements and standard sizes for the layout of sports fields and park amenities.

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## 8.0 Exceptions

A number of areas and/or properties are subject to specific exception policies, notwithstanding the corresponding policies of this Official Plan. However, unless otherwise specified, all other policies of this Official Plan apply. The following exception policies are applicable only to the below described lands, which are further illustrated on Schedule C.

- a) The lands identified as Exception Area 1, located west of County Road No. 10, south of Albert Street and north of Spring Creek, may also be used for recreational, or training centre purposes, associated with the automobile plant on lands to the south. Such uses shall be subject to Site Plan Control.
- b) The lands identified as Exception Area 2, located on Part Lot 1, 51R-15655 and Parts 1, 2 and 3 on 51R-20339, municipally known as 23 Dillane Street West, formerly Tottenham (Municipal Roll No. 43-24-050-001-031-00-0000), is permitted to have a maximum density of 89 units per gross hectare.
- c) The lands identified as Exception Area 3, currently designated as Urban Residential, may also be developed for special space intensive commercial uses such as cinemas or banquet halls, subject to a Zoning By-law Amendment and Site Plan control. Integration of access and parking with the Major Commercial lands to the north is encouraged.
- d) The lands identified as Exception Area 4, consisting of the ~~Urban~~-Settlement Area of Beeton, is subject to the following *Council* resolution:
  - i.) No additional growth plans be approved outside the current settlement boundaries of Beeton until a drainage master plan is completed and approved by *Council*;
  - ii.) Draft plans of subdivision currently inside the ~~Settlement Area~~ ~~not~~cannot receive final approval until flooding and drainage issues are resolved; and,
  - iii.) No residential *development* will negatively impact drainage or cause flooding to the existing residences.
- e) On the lands identified as Exception Area 5, along Industrial Parkway between Church Street and Yonge Street, backlotting shall be required.
- f) The lands identified as Exception Area 6 ~~on Schedule C~~ are also those that are defined on Schedule B2 as Special Study Area, and for which additional study is required to determine its ultimate land use. Permitted uses on these lands are limited to non-intensive *agricultural uses* and uses which existed on the date that OPA 42 came into effect. The determination of an appropriate land use designation for lands within Exception Area 6 shall be made based on the results of further study. This further study may take the form of a Secondary Plan, or can be considered in the context of a *development* application. The redesignation of the lands to another urban land use category is not required for *development* to occur. Instead, the lands can be zoned for residential, commercial, employment or other urban land uses in accordance with the approval of appropriate land use studies. The actual designation of the lands will be amended by the Town through an Official Plan review or other update.
- g) For the lands indicated as Exception Area 7, the following policies apply, in coordination with the schedules of Appendix E:

[New Tecumseth Official Plan – June 2019](#)**Provincial Highways and Arterial Roads**

- i-) The Town encourages the Ministry of Transportation to undertake a Highway 89 capacity study to identify improvements required to accommodate future traffic growth in the general area and resulting from this area.
- ii-) Commercial access to Highway 89 is permitted only in accordance with the policies of the Ministry of Transportation. Coordination of access and site circulation between properties shall be required to minimize traffic impact to Highway 89.
- iii-) County Road 10 and Industrial Parkway/14 Line are designated as Arterial Roads and are identified on Schedule D1.
- ~~iv.) The Town encourages the County to undertake as a priority the construction of the new alignment of County Rd. 10 in accordance with the approved Environmental Assessment Report as it is an important component of the road system currently required. Limited access to the County Rd. will be permitted only where access to adjacent local industrial roads is not available.~~
- iv-) The Right of Way provided for County Road 10 shall be 36 metres plus an additional 8 metre corridor will be provided adjacent to it for storm water drainage purposes. Where feasible, and where compatible with other policies of the County's Official Plan, road access to a proposed subdivision or *development* will be from an existing local road rather than a County Road. In circumstances where an exception may be justified, access will be permitted only in accordance with the policies, processes and bylaws of the County of Simcoe in effect at the time that the application for an exception is made. New accesses to the realigned County Road 10 shall be supported by a traffic impact study to the satisfaction of the County of Simcoe. Lot creation and internal service roads shall be developed so as to direct traffic to signalized intersections.
- v-) The extension of Industrial Parkway along the alignment of 14th Concession Road will provide a second east/west arterial within the urban limits. The latter will extend across the Nottawasaga River. This road will initially need to be upgraded to a two-lane rural facility. It will be expanded to a four lane urban facility as *development* proceeds adjacent to the road. Required improvements to the 14th Line and the Sideroad 10 connection to Highway 89 will be reviewed by the Town to establish the timing and funding for future required improvements.
- vi-) The Right of Way to be protected for the 14th Concession Road shall be 30 metres;

**Collector Roads**

- i-) Collector roads are shown on Schedule D1 to this amendment and provide overall structure to the *development* of the secondary plan area.
- ii-) Collector roads shall generally have a 26 metre right of way but may be required to be wider at intersections. The extension of Leach Rd. will require an additional 4 metres of land to accommodate a possible centre landscape median where it forms a boundary road with the adjacent residential community.

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### Local Roads

- i.) Local roads are shown diagrammatically on Schedule 2 to provide guidance to subsequent *development*. Depending upon the nature and size of proposed *industrial uses* certain local road alignments may be deleted or modified provided the Town is satisfied that it will not compromise the *development* of the amendment area. Local industrial roads shall generally be 23 metres in width.

### Trail System

- i.) A trail system shall be developed to satisfy the needs of both nonmotorized recreational and work oriented pedestrian trail users. The trail system will be constructed on road rights of way or on a separate alignment, as appropriate.

### Servicing

- i.) Prior to proceeding with *development* within Exception Area 7 the Town shall be satisfied that satisfactory arrangements are in place to ensure the provision of the *infrastructure*, i.e. roads, sanitary sewers, water supply and distribution and storm water management facilities, necessary to support *development*;
- ii.) *Council* shall allocate servicing capacity concurrent with *development* approval. Such allocation may be conditional upon such conditions as *Council* considers appropriate;
- iii.) *Development* shall only proceed based upon the Town's latest engineering standards at the time of subdivision approval; [and](#);
- iv.) A Functional Servicing Report (FSR) shall be submitted in support of subdivision approval which will establish the detailed servicing and environmental protection requirements for the *development*. The FSR shall be consistent with the final 'Master Servicing Plan for the Alliston Industrial Commercial Secondary Plan. The FSR shall also identify how the subject *development* will integrate with future phases/stages.

### Phasing

- i.) This constitutes a long-term plan for the Town's industrial and employment land needs. Accordingly, *development* within Exception Area 7 will be phased and staged in order to facilitate *infrastructure development* and ensure servicing capacity;
- ii.) A District Park comprising an area of approximately 7 ha shall be located within the Exception Area. A preliminary location is identified just north of 14th Line and east of the land designated Urban Residential, on lands otherwise designated Employment Area Two. The precise requirement for and location of the park will be determined concurrent with consideration of the Implementing Zoning By-law for Phase 1, as outlined below:
  - A service commercial *development*, comprising an additional 1 ha in area, may be permitted in an integrated fashion with the District Park in any land use designation, developed in accordance with the policies of the Corridor Commercial designation, but may not include uses such as food or supermarket

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stores, department stores, and clothing and apparel stores, and shall demonstrate high quality urban design and compatibility with adjacent properties.

- iii-) The phasing and staging strategy will be implemented through the application of the “holding zone” provisions of the Planning Act;
- iv-) The Phasing ~~plan~~ is ~~shown~~ included in [Appendix E: the Alliston Industrial/Commercial Secondary Plan Master Servicing Plan](#) and contains two Phases. The following elements are included as part of the Phase 1 area:
  - The provision of major servicing elements required for the *development* of the overall industrial area, including:
    - i-) ~~1.~~ The major storm water management ponds;
    - ii-) ~~2.~~ The intended location of the water reservoir;
    - iii-) ~~3.~~ The waste water treatment plant and related pumping stations; and,
    - iv-) ~~4.~~ The County Road realignment which forms the transportation spine of the amendment area;
  - A range of Employment designated land to provide options for future *development*;
  - The commercial areas which are provided servicing capacity allocation through the overall residential and industrial allocation rates;
  - A range of land ownership opportunities to promote a competitive industrial land market;
  - The Urban Residential area to round out and establish the transition between the residential community and the industrial area at an early stage in *development*; and,
  - The District Park;
- v-) Phase 1 constitutes a total of approximately 130 ha. of industrial lands. All Employment lands forming part of Phase 1 will be zoned with an “H” Holding provision;
- vi-) The first Stage of *development* within Phase 1 will be limited in area to the Urban Residential area, 60 net ha. of Employment lands and lands designated Major Commercial in order to respond to the current limitations on servicing capacity. The Town will only lift the “H” Holding provision for those Stage 1 lands that are determined by the Town to be readily available for *development* and for which servicing capacity is available;
- vii-) Stage 2 will represent the balance of the Phase 1 lands. The Holding provision for these lands will be lifted upon the Town, in consultation with the Ministry of Environment, being satisfied that sufficient servicing capacity is available;
- viii-) Phase 2 will represent the balance of the amendment area. Phase 2 lands will be zoned subject to an “H” Holding provision once the Town is satisfied that appropriate arrangements are in place to secure the *infrastructure* provided on the Phase 1 lands. The Holding provision for these lands will only be lifted upon



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the Town, in consultation with the Ministry of Environment, being satisfied that sufficient servicing capacity is available~~z~~;

- ix-] The precise boundary of Phase 1 and Phase 2 may be modified by the Town without the need to amend the Official Plan provided the area of lands zoned for industrial purposes, and not subject to an “H” Holding provision, does not exceed the initial servicing capacity limit of 60 ha. in Stage 1 or such greater amount determined by the Town in consultation with the Ministry of Environment~~z~~;
- x-] The Town may establish further Stages of *development* in order to permit portions of Phase 1 or Phase 2 to develop as additional servicing capacity is confirmed~~z~~;
- xi-] Permitted uses on lands subject to the “H” Holding Zone shall be the existing *agricultural uses* until such time as the “H” Holding zone is lifted. In defining the limits of phases and stages regard shall be given to the maintenance of any existing prime agricultural operations~~z~~; and.
- xii-] The Town of New Tecumseth shall undertake a waste water environmental assessment when a total sewage flow of about 21,500 cubic metres/day is reached at the Town of New Tecumseth sewage treatment facilities.

~~h~~h) For the lands indicated as Exception Area 8, known as 63 Tupper Street West in Alliston, the following shall also be a permitted use:

- i-] Radio Broadcasting Station~~z~~.

~~ia~~ia) For the lands indicated as Exception Area 9, located on part of Lot 13, Concession 2 (former Township of Tecumseth), concrete manufacturing is a permitted use.

~~ja~~ja) For the lands indicated as Exception Area 10, bounded by Industrial Parkway to the east, 14th Line to the south, Tottenham Road to the west and Albert Street East/Mackenzie Pioneer Road to the north, *outdoor storage* shall be permitted in the front yard.

~~ka~~ka) The lands indicated as Exception Area 11, designated Employment Area Two fronting onto the south side of Mackenzie Pioneer Rd. between Industrial Parkway and Leach Road, may alternately develop in accordance with the Major Commercial designation policies to a depth of approximately 100 metres south of Mackenzie Pioneer Rd.

~~la~~la) For the lands indicated as Exception Area 12, the Employment Area 2 on lands fronting onto the 14th Line, between Tottenham Road and Industrial Parkway or fronting on the south side of 14th Line between Industrial Parkway and Leach Road, and outside of Exception Area 13, *institutional uses* including places of worship may be permitted subject to a *compatible* interface with adjacent *industrial uses* being achieved.

~~ma~~ma) For the lands indicated as Exception Area 13, south of 14th Line and east of Tottenham Road and otherwise designated Employment Area 2, the following applies:

- i-] Permitted uses may include building material and construction supply depots, contractors yards and similar uses which require major *outdoor storage* areas;
- ii-] The height and coverage provisions for *Outdoor Storage* may be exceeded subject to an amendment to the zoning bylaw to establish specific performance standards for the proposed use; and,

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~~ii.iii~~ The site plan agreement required for *development* within this area shall provide a high level of screening, landscaping and site design to ensure an appearance which complements the surrounding *industrial uses*.

~~ii.f~~) The lands indicated as Exception Area 14, designated Corridor Commercial and located to the south and east of the intersection of the 14 Line and the Tottenham Road, shall also be permitted to develop as a truck service depot and servicing area.

~~ii.g~~) The lands indicated as Exception Area 15, designated Corridor Commercial and which front onto Leach Road, may alternately develop in accordance with the Employment Area 2 policies of this Official Plan.

~~ii.h~~) Nothing in this [Official](#) Plan or the Oak Ridges Moraine Conservation Plan shall prevent the *development* of the lands comprising Part of Lot 6, Concession 3 in accordance with the June 3, 1998 Ontario Municipal Board ([OMB](#)) approval of draft Approved Plan of Subdivision 43T-95017. The OMB's approval of the application included *development* on the basis of full municipal services at urban densities.

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## 9.0 Infrastructure

### 9.1 INTENT

a) It is the intent of this Official Plan to recognize the key role that *infrastructure* plays in shaping the future growth and *development* of the Town. Provision of *infrastructure* must be provided in a responsible, efficient, cost-effective and integrated manner to ensure long-term fiscal and environmental sustainability. The objectives of this Official Plan related to *infrastructure*, include:

- i-) Provide *infrastructure* in a coordinated, efficient and cost-effective manner that is integrated with planning for growth so that these necessary services are available to meet current and projected needs;
- ii-) Optimize the use of existing *infrastructure*, wherever feasible, before considering developing new *infrastructure*;
- iii-) Strategically locate *infrastructure* to support the effective and efficient delivery of emergency services;
- iv-) Work co-operatively with other agencies, jurisdictions and private developers in addressing common servicing needs and challenges;
- v-) Ensure that the provision of new or upgraded *infrastructure* supports the policies of this Official Plan, including meeting the *intensification* and density targets;
- vi-) Consider the impacts of a changing climate, including assessing *infrastructure* risks and vulnerabilities and identifying strategies to address these challenges; and,
- vii-) Undertake the financial planning required to make the necessary investments in *infrastructure* systems to accommodate the long-term community and economic growth anticipated by this Official Plan.

b) New planning and engineering concepts need to be considered and incorporated, particularly related to climate change, energy conservation and green *infrastructure*. The Town shall encourage consideration of the following:

- i-) The implementation of objectives related to water conservation, energy conservation, air quality protection and integrated waste management opportunities;
- ii-) The promotion of innovative residential and public building designs that contribute to energy reduction and natural resource conservation, as well as synergies between buildings and site management practices; and,
- iii-) Green *infrastructure* to complement existing *infrastructure*, including the promotion of innovative low impact *development* (LID) opportunities and best practices that minimize the risks associated with natural hazards.

c) The Town may amend this Official Plan to incorporate the relevant findings of any comprehensive *infrastructure* Master Plans related to Municipal Water and Sanitary Sewer Services, Drainage, Stormwater Management, and/or Mobility and Active Transportation.

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### 9.2 MUNICIPAL WATER AND SANITARY SEWER SERVICES

#### 9.2.1 INTENT

a) The provision of safe, reliable and cost-effective municipal water and sanitary sewer services is necessary to enable the Town to carry out critical, important and/or desirable functions related to the continued operation, maintenance, safety, security and well-being of the Town and its residents. The objectives of this Official Plan related to municipal water and sanitary sewer services, include:

- i.) Direct and accommodate expected growth within the ~~Urban~~ Settlement Areas in a manner that makes efficient use of existing *infrastructure* and is consistent with the policies of this Official Plan;
- ii.) Ensure that all water and sewage systems are provided in a manner that can be sustained by the water resources upon which such services rely, are financially sustainable, comply with all regulatory requirements and promote water conservation and water use efficiency; and,
- iii.) Support the improvement and extension of municipal sanitary sewage and water supply services, in accordance with the provisions of this Official Plan and other relevant Town, County and Provincial policies and regulations, and within the financial capabilities of the Town and on the basis of the approved capital budget program.

#### 9.2.2 GENERAL POLICIES

a) In general, new *development* will be directed to the ~~Urban~~ Settlement Areas, as identified on Schedules A, B1, B2 and B3. Higher order forms of servicing, including full municipal water and sanitary sewer services are the preferred form of service *infrastructure*, and will be required for all residential, commercial, industrial and institutional *developments* in the Town's ~~Urban~~ Settlement Areas.

b) The extension of municipal sewer and water services should only support *development* within the ~~Urban~~ Settlement Areas. Where appropriate, such extensions will form part of a comprehensive planning study or a detailed secondary planning process for these areas, and be in accordance with the following:

i.) The extension will serve growth in a manner that is consistent with the *intensification* and density targets of this Official Plan; and,

ii.) A comprehensive water or wastewater master plan or equivalent, informed by *watershed* planning.

c) The Town will encourage and promote water conservation practices in order to free up capacity within the municipal water and sanitary sewage treatment systems and to make them work more efficiently. The Town shall promote water conservation by:

i.) Encouraging *development* proposals that minimize additional demands for water from the Town's water system; and,

ii.) Directing and accommodating expected growth in a manner that promotes the efficient use of existing Town sewage services and Town water services.

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d) It is important to relate system performance and capacity to growth management objectives to avoid future limitations on growth and to allow enough time to plan for the minimum of three to five years it can take to complete system expansions or upgrades. The Town will not award capacity allocation for growth beyond the uncommitted reserve capacity in the respective water and sewage treatment systems. As such, the Town will maintain up-to-date records of:

- i.) The reserve capacity of water and sanitary sewage treatment facilities;
- ii.) The amount of unconnected servicing commitments to zoned land/ *development*; and,
- iii.) The uncommitted reserve capacities.

#### 9.2.3 POLICIES FOR THE ~~Urban~~ SETTLEMENT AREAS

a) Municipal sewage services and municipal water services are the preferred form of servicing for new growth opportunities within the ~~Urban~~ Settlement Areas. *Intensification* and *redevelopment* within the ~~Urban~~ Settlement Areas shall be on existing municipal sewage services and municipal water services.

b) In order to promote ongoing growth within the Town, the existing water treatment and sewage treatment systems serving the ~~Urban~~ Settlement Areas will be maintained, upgraded and replaced when required.

c) New *development* is permitted within the ~~Urban~~ Settlement Areas only if there is confirmation, to the satisfaction of the Town, of sufficient reserve sewage system capacity and reserve water system capacity within municipal sewage services and municipal water services. Further:

- i.) The Town shall only approve new *development* within the ~~Urban~~ Settlement Areas that can be allocated Town sewage and water capacity or servicing allocation, in conformity with Town policies, procedures and By-laws;
- ii.) The assignment of servicing allocation to any specific *development* proposal is at the sole discretion of the Town and furthermore, depending on the amount of servicing allocation and *infrastructure* available, not all *development* proposals may be able to proceed and/or be approved;
- iii.) The Town may assign preliminary Town water and sewer servicing allocation for Draft Plans of Subdivision within the ~~Urban~~ Settlement Areas at the time of Draft Plan Approval;
- iv.) If a Draft Plan of Subdivision or Condominium is not registered within three years from the date of Draft Plan Approval, or the Draft Plan has not proceeded to the satisfaction of the Town within the term of Draft Plan Approval, the Town, at the time of considering extension of the Draft Plan Approval, may revoke the preliminary assignment of municipal servicing allocation, in whole or in part; and,
- v.) Prior to revoking allocation, the Town shall afford the developer an opportunity to address the Town on the matter. Servicing allocation shall be formally assigned at the time of the execution of the subdivision agreement and/or condominium agreement.

d) *Development* within the ~~Urban~~ Settlement Areas shall be designed and constructed in accordance with a Functional Servicing Report or Reports dealing with sewage and water systems. A Functional Servicing Report shall

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be prepared in accordance with criteria established by the Town and shall be submitted prior to, or concurrently with *development* applications. These Reports shall be prepared to provide for the continuous, orderly extension of services in a cost-effective manner, to the satisfaction of the Town.

e) The cost of providing full municipal services to facilitate the *development* of lands within the ~~Urban~~ Settlement Areas shall not impose a financial burden on existing taxpayers. Accordingly, such costs shall be recovered through *Development* Charges, or be the responsibility of the developer, as defined in the *Development* Charges Study and By-Law. In some circumstances, the Town may consider costs the responsibility of the developer(s), and may arrange cost-sharing agreements, best effort recoveries, or front ending opportunities with future benefiting parties.

#### 9.2.4 POLICIES FOR THE RURAL/AGRICULTURAL AREA

a) While *development* on full municipal services within the ~~Urban~~ Settlement Areas is preferred, within the Rural/Agricultural Area identified on Schedule A, the Town may choose to permit private communal sewage services and/or individual on-site sewage services, where municipal sewage services are not provided, in conformity with the policies of this Official Plan.

b) Individual on-site sewage services may only be permitted where site conditions are suitable for the long-term provision of such services with no *negative impacts*.

c) For any private sewage treatment system, all requirements of the Town shall be met, including the receipt of an Environmental Compliance Approval (ECA) and Use Permit necessary for the installation of a Class IV system (septic tanks with tile bed), or equivalent, for all existing or newly created lots to be serviced with individual private sewage treatment systems. In addition, the location of a spare area for the *development* of a subsequent tile field shall be provided on each lot and approved by the Town.

### 9.3 STORMWATER MANAGEMENT FACILITIES

#### 9.3.1 INTENT

a) Appropriate stormwater management is necessary to control erosion, flooding, and to protect *watercourses* and water bodies from pollutants. The objectives of this Official Plan related to stormwater management facilities include:

- i.) Ensure that the impacts on streams and the shore land systems from urban *development* are appropriately managed in order to protect water quality, fish and *wildlife habitat* and to prevent erosion and flooding; and,
- ii.) Consult with the appropriate agencies having jurisdiction to ensure that *development* will be provided with adequate stormwater management facilities and outlet drainage.

#### 9.3.2 GENERAL POLICIES

a) The Town shall require appropriate stormwater management facilities downstream of new *developments* to mitigate the impacts of stormwater quality and quantity.

b) Stormwater management shall:

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- i-) Minimize, or, where possible, prevent increases in contaminant loads;
- ii-) Minimize changes in water balance and erosion;
- iii-) Not increase risks to human health and safety and property damage;
- iv-) Maximize the extent and function of vegetative and pervious surfaces; and,
- v-) Promote stormwater management best practices, including stormwater attenuation and re-use, and low impact *development*.

#### 9.3.3 POLICIES FOR THE ~~Urban~~ SETTLEMENT AREAS

- a) The Town will develop stormwater master plans or equivalent for its serviced ~~Urban~~ Settlement Areas that:
  - i-) Are informed by *watershed* planning;
  - ii-) Protect the *quality and quantity of water* by assessing existing stormwater facilities and systems;
  - iii-) Characterize existing environmental conditions;
  - iv-) Examine the cumulative environmental impacts of stormwater from existing and planned *development*, including an assessment of how extreme weather events will exacerbate these impacts and the identification of appropriate adaptation strategies;
  - v-) Incorporate appropriate low impact *development* and *green infrastructure*;
  - vi-) Identify the need for stormwater retrofits, where appropriate;
  - vii-) Identify the full life cycle costs of the stormwater *infrastructure*, including maintenance costs, and develop options to pay for these costs over the long-term; and,
  - viii-) Include an implementation and maintenance plan.
- b) Stormwater Management Plans shall be required for large-scale *development*, including new *development* consisting of more than ~~four~~five lots and/or units, and commercial, industrial or institutional *developments*, proceeding by way of a secondary plan, plan of subdivision, vacant land plan of condominium or site plan. Stormwater management will be undertaken in accordance with the Province's Stormwater Management ~~Plan~~Planning and Design Manual and in keeping with the Town's standards. A Stormwater Management Plan shall:
  - i-) Incorporate an integrated treatment approach to minimize stormwater management flows and reliance on end-of-pipe controls through measures including source controls, lot-level controls and conveyance techniques, such as grass swales, where appropriate;

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- ii-) Identify the specific location of permanent end of pipe facilities, the areas they will service, and considerations for their size, shape and design criteria;
  - iii-) Evaluate, at appropriate geographic scales, predicted changes in the water balance between *pre-development* and *post-development* conditions, and evaluate how such changes will be minimized;
  - iv-) Evaluate, at appropriate geographic scales, anticipated changes in phosphorus loadings between *pre-development* and *post-development*, and evaluate how phosphorus loading will be minimized;
  - v-) Establish planning, design, and construction practices to minimize vegetation removal, grading and soil compaction, sediment erosion, and impervious surfaces;
  - vi-) Align with the stormwater master plan for the Urban-Settlement Area, where applicable, and is informed by a subwatershed plan or equivalent; and,
  - vii-) Offer specific direction on how end of pipe stormwater management works shall be designed to satisfy, at a minimum, the *enhanced* protection level specified by the Town and the Ministry of the Environment ~~and~~ Climate Change.
- c) Stormwater management facilities, including stormwater management ponds and inland drains/corridors, may be permitted in all designations within the defined Urban-Settlement Areas, subject to the satisfaction of the Town, including confirmation that there are no *negative impacts* on adjacent *key natural heritage features* and their associated *ecological functions*.

#### 9.3.4 POLICIES FOR THE RURAL/AGRICULTURAL AREA

- a) In the Rural/Agricultural Area, best practices for stormwater management will be incorporated, including the use of tree cover and natural vegetation and other permeable surfacing that reduces run off and facilitates *groundwater recharge*, grading and drainage to control erosion and siltation.

#### 9.3.5 DESIGN POLICIES

- a) Stormwater management facilities will be key features within the community, contributing to the appearance and ambience, while achieving functional objectives related to flow moderation and water quality.
- b) Stormwater management facilities will be designed to be naturalized, constructed with gentle slopes and in accordance with the following policies:
  - i-) Native species and flood tolerant water's edge plants, including a mixture of herbaceous and woody vegetation, shall be planted to stabilize the banks of ponds. The perimeter of the permanent pool shall be planted with emergent, strand and submergent species to improve the aesthetics and *enhance* the performance of the facility;
  - ii-) Ponds are envisioned to blend with the natural landscape, therefore, geometric forms and standard slope gradients will be avoided in favour of organic shapes and land form grading designed to replicate natural land forms in the area. Inlet and outlet structures should be concealed using a combination of planting, grading and natural stone;



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- iii-) Where there is a need to discourage public access to areas around the perimeter of the ponds, living fences and barrier plantings will be utilized in place of fencing. Barrier plantings will be installed along the crest of steep slopes, adjacent to deep-water areas and around inlet and outlet structures; and,
  - iv-) Ponds will not be fenced, but rather will be designed with trails, overlooks and interpretive signage so that they are an integral part of the parks, open space and trails network.
- c) The Town will encourage the implementation of Low Impact *Development* (LID) Standards that emphasize the use of bio-swales, innovative stormwater practices, at-source infiltration and greywater re-use system. Other innovative design approaches include:
- i-) Retain stormwater on-site through rainwater harvesting, on-site infiltration, and evapotranspiration;
  - ii-) Inclusion of third pipe greywater systems and rain water harvesting for watering lawns and gardening, to reduce demand on potable water use;
  - iii-) Direct flow to landscaped areas and minimize the use of hard surfaces in order to reduce the volume of runoff into the storm drainage system;
  - iv-) Store snow piles away from drainage courses, storm drain inlets, and planted areas; and,
  - v-) Use infiltration trenches, dry swales and naturalized bioswales to improve on-site infiltration.

## 9.4 MOBILITY AND ACTIVE TRANSPORTATION

### 9.4.1 INTENT

- a) The Town's transportation system, depicted on Schedules ~~E4D1~~ and ~~E2D2~~, moves people and goods via roads, sidewalks, bicycle routes and multi-use trails. It is the intent of this Plan to develop a multi-modal transportation system that is safe, efficient, economical, convenient and comfortable for all users, while respecting the heritage assets, natural features and *character* of the Town. The objectives of this Official Plan related to transportation, include:
- i-) Develop and maintain multi-modal transportation routes throughout the Town, with linkages to external transportation systems, to facilitate community *development* and to ensure access to goods, services, and amenities for the residents, visitors and businesses of the Town;
  - ii-) Ensure the transportation system is interconnected, efficient, safe, and supportive of all modes of travel, with dedicated facilities for vehicles, pedestrians and cyclists, where applicable;
  - iii-) *Enhance* active transportation facilities with streetscape elements such as benches, waste receptacles, bicycle racks, crosswalks, pedestrian-scaled lighting, and shade;
  - iv-) Integrate the multi-modal transportation system with existing and planned land use patterns and with higher order transit systems throughout the County, and reduce the reliance on single-occupant automobiles; and,

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- v.) Prioritize connecting the three ~~Urban~~ Settlement Areas of Alliston, Beeton and Tottenham with a multi-modal link to facilitate travel by alternative modes, including transit and active transportation.

#### 9.4.2 GENERAL POLICIES

- a) New facilities or major improvements to the existing transportation system will only occur where such improvements are consistent with the planned *character* of the community. Major capacity improvements to the existing road system will only occur when the need exists and all reasonable transportation demand management options, including smart transportation technologies, have been previously considered and/or implemented.
- b) *Enhanced* mobility options for all residents and visitors will be achieved by adopting a complete streets approach to the design of new streets, as well as the refurbishment or reconstruction of any right-of-way in the Town. Complete streets are designed to support the safe and comfortable movement of all modes of travel, and people of all ages and mobility. Within the Town, the context of the roadway and the surrounding community shall dictate which complete streets elements can be accommodated, such as, but not limited to cycling facilities and sidewalks. To support the implementation of the transportation policies in this Official Plan, the Town may develop a Complete Streets Policy, and supporting design guidelines.
- c) Transportation facilities will be planned, designed and constructed to minimize the effects of noise, fumes and vibration on existing and planned residential *development*.
- d) The Town will work in partnership with private developers, adjacent municipalities, the County and the Province to provide a transportation system that integrates a range of travel modes to move people and goods.

#### 9.4.3 POLICIES FOR ROADS

- a) The road network, for purposes of right-of- way protection, is shown on Schedule D2. The road network is intended to provide for the efficient and safe passage of pedestrians and cyclists, and provide for the balanced usage of motor vehicles.
- b) All road improvements and new road projects shall be undertaken in accordance with the provisions of the Municipal Engineers Association's Municipal Class Environmental Assessment (Municipal Class EA).
- c) All proposed *development* located adjacent to and in the vicinity of a Provincial highway within the Ministry of Transportation's Permit Control Area under the *Public Transportation and Highway Improvement Act* will also be subject to the approval of the Ministry of Transportation. Early consultation with the Ministry of Transportation is encouraged to ensure the integration of municipal planning initiatives with Provincial transportation planning. Proposed *development* adjacent to a County Road will also be subject to Simcoe County requirements.
- d) In designing, building and maintaining roads within the Town, the following policies shall be applied to new and existing roads:
  - i.) Alignment, boulevard, and centre median *development* should be an aesthetic consideration during the design of all roadways;
  - ii.) Landscaping and planting should be used to establish a uniform and coordinated street image along arterial and collector roads;

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- iii-) The roadway function (Arterial, Collector or Local Road), as identified on Schedule D1, should be used as a guide to determine the number, frequency and location of permitted driveway and street intersections, in accordance with sound traffic engineering principles that maximize safety and protect the capacity and operational characteristics of the overall road network;
- iv-) Sidewalks, walkways, and bikeways shall be considered as integral parts of all new *developments*, to facilitate cycling and pedestrian modes of transportation within and between residential neighbourhoods, recreational and community facilities. Sidewalks shall be provided along both sides of all new Arterial and Collector Roads. Sidewalk are preferred along both sides of Local Roads and are required on one side;
- v-) The use of cul-de-sacs is discouraged within the Town and, wherever possible, crescents and modified grid systems should be used when designing and constructing new roads in order to promote and facilitate walking within neighbourhoods and the efficiency of a future public transit system. Where cul-de-sacs are required to be used within new *developments*, they should be designed in such a manner as to not exceed 40 residential units;
- vi-) The needs of slow-moving farm vehicles/equipment shall be considered in support of a viable agricultural economy; and,
- vii-) Alternative design standards should be considered by *Council* in those instances where such innovation is required to protect important *natural heritage features* or to achieve other urban design objectives.

### **Provincial Roads and County Roads**

- e) There are two Provincial highways in New Tecumseth: Highway No. 89, and Highway No. 9. The former is considered to be a "connecting link" where it crosses through Alliston and is, thus, under the jurisdiction of the Town.
- f) There are five County roads; No. 1, No. 10, No. 14, No. 15 and No. 27 in the Town of New Tecumseth. Portions of County roads, No. 1, and No. 10 have connecting link status. Where they pass through Alliston, Beeton and Tottenham they are under the jurisdiction of the Town. ~~The Town further has an Uploading Agreement in place for the future uploading of 5<sup>th</sup> Line and Industrial Parkway from the Town to the County. As such, the right of way corridors for these roads are being review during the development review process to ensure that the County right of way and setback requirements are being considered.~~
- g) ~~The Provincial and County policies regarding right of way widths,~~ g) The Town has a Best Efforts Agreement in place for the potential future uploading of 5th Line (from County Road 10 east to the boundary with Bradford West Gwillimbury) and Industrial Parkway (from County Road 10 west to Highway 89) from the Town to the County. As such, the right-of-way corridors for these roads shall be reviewed in accordance with the County's Official Plan, By-laws and Transportation Master Plan to ensure that County requirements are met with respect to road widenings, setbacks and entrance permits. In particular, through the *development review process*, the Town shall require the appropriate road widenings to achieve the road widths required by the County, being 30.5 metres for 5th Line and 40 metres for Industrial Parkway, and the required sights triangles, in accordance with the County of Simcoe Transportation Master Plan and Official Plan, as amended.

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- h) The Provincial and County policies regarding right-of way-widths, daylight triangles and the design standards, operation, maintenance and control of access to and from land adjacent to Provincial Highways or County roads shall prevail over the policies of this Plan.
- h*i*) Provincial Highways provide strategic links to the road network. The primary function is to carry traffic into, through and out of the Town and County.
- h*ii*) County roads are strategic links in the road network whose primary function as arterial roads is to carry relatively high volume of long distance traffic within and through New Tecumseth and to provide access to Provincial Highways.
- h*iii*) Any *development* within the Ministry of Transportation's permit control will require ~~ministry~~Ministry review, approval and permits.

### **Town Roads**

- k) All municipal roads in the Town of New Tecumseth are classified as either Arterial, Collector or Local Roads.
- i-*i*) The function of Arterial Roads is to serve the major flow of traffic between ~~S~~ettlement ~~A~~reas in the Town by providing for the movement of traffic as opposed to providing access to abutting land uses.
- ii-*i*) The function of Collector Roads is to combine service to through traffic and access to the abutting land uses in urban areas by collecting traffic from the local streets and carrying it to the Arterial Roads.
- iii-*i*) The function of Local Roads is to provide direct access to land uses along urban streets and in the *rural area*.
- iv-*i*) All new roads shall be constructed to Town of New Tecumseth Standards. Unless otherwise permitted by this Plan, the minimum right-of-way width for all Town roads is twenty (20) metres.
- v-*i*) Where traffic demand warrants, *Council* may require a wider right-of-way in accordance with the need.
- vi-*i*) Existing rights-of-way which are presently below the standards set by this Plan will be improved to meet those standards when and where possible.
- vii-*i*) In order to ensure the co-ordination of road patterns in areas of new *development*, particularly on the periphery of existing built-up areas, the Town shall require the preparation of a Neighbourhood Plan or Secondary Plan. Plans of Subdivision and Condominium shall conform to these Plans, where they exist.
- viii-*i*) Town and County services such as snowplowing, garbage collection and road maintenance will be provided only on roads which have been assumed by the Town, or which will be assumed by the Town. Town and County services may be provided prior to road assumption, at such time as the first occupancy is granted. *Council* will consider the assumption of new roads by by-law only if:
- The road connects to an existing public road;
  - The road allowance meets the ~~Town's~~Town's minimum width requirements, and is dedicated to the Town; and,

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- The road is built to Town standards by or at the expense of the present owners.
- ix-) Where a property is located in a Site Plan Control area the *Council* will require, as a condition of Site Plan approval, the dedication of property abutting roads for future rights-of-way widths specified on Schedules D1 and D2 and in accordance with this Section of the Official Plan,
- x-) *Council* will require, as a condition of Site Plan or Draft Plan approval, the dedication of additional property for daylighting triangles at road intersections; and
- xi-) Schedules E+D1 and ~~E2 attached to D2~~ of this Official Plan identifies the right-of-way widths for all roads, excluding Local Roads, under the jurisdiction of the Town of New Tecumseth. Where deemed necessary, *Council* may require road widenings in addition to the rights-of-way widths specified on Schedules E+D1 and E+D2 to provide for auxiliary turning ~~lands~~lanes, or to provide appropriate access or where cut and fill requirements cannot be achieved within the specified rights-of-way to accommodate the necessary side slopes and/or retaining walls.

#### 9.4.4 POLICIES FOR ACTIVE TRANSPORTATION

- a) This Official Plan shall provide for a balanced transportation system that promotes active transportation facilities to encourage walking and cycling. To promote active, healthy living, the Town shall require that all *development* within the ~~Urban~~ Settlement Areas contribute to the creation of a walkable and connected community with multiple destinations within walking distance of all residents. The Town will support walking and cycling as attractive modes of transportation by:
  - i-) Using a complete streets approach to the design of new streets, as well as the refurbishment or reconstruction of any right-of-way in the Town;
  - ii-) Requiring the *development* of high-quality bicycle and pedestrian facilities on public rights-of-way in new *developments*, and ensuring those facilities create linkages to key destinations, as well as the sidewalk and trail systems;
  - iii-) Ensuring all *developments* are planned, designed and developed to ensure the safety and efficient movement of cyclists and pedestrians, with a highly inter-connected street network;
  - iv-) Prioritizing safety considerations for pedestrians and cyclists when designing new or upgraded intersections;
  - v-) Minimizing vehicle crossings of multiuse trails, and implementing the highest safety standards for crossings that cannot be avoided; and,
  - vi-) Including supportive *infrastructure* for active transportation such as bicycle-activated street lights, *enhanced* street crossings, pedestrian rest areas, and bicycle parking in the design of new and reconstructed streets.
- b) Sidewalks, bike lanes and multi-use paths will connect to the street network and to community amenities and will ensure that corridors between key destinations are fully accessible and support active transportation.
- c) Pedestrian circulation will generally be on sidewalks or multi-use trails adjacent to roads and shall be separated from the road by a landscaped boulevard. Exceptions may be considered where insufficient right-of-way

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widths exist, or other terrain constraints exist. Landscaped buffers shall not be required in the ~~Urban~~-Settlement Areas.

d) Active transportation routes, such as sidewalks, bike lanes, trails, and multi-use paths will include streetscaping elements that promote pedestrian and cyclist comfort and safety and are designed to *enhance* accessibility for all residents and will comply with the *Accessibility for Ontarians with Disabilities Act (AODA)*, Integrated Accessibility Standards Regulation (IASR) and Town standards. Such streetscape elements may include, but are not limited to, benches, waste receptacles, bicycle racks, crosswalks, pedestrian-scaled lighting, and street trees.

e) The planning, design and *development* of bicycle facilities shall utilize the design standards outlined in the Ontario Traffic Manual (OTM). Bicycle circulation will generally be provided on bicycle lanes, cycle tracks, or multi-use paths.

f) To protect the safety of pedestrian and cyclists, the Town will endeavour to utilize traffic calming initiatives such as:

- i-) Street design that discourages vehicle speeding through ROW design, complimentary streetscape design, building proximity to the street and boulevard street tree planting;
- ii-) Minimize traffic lane widths by establishing maximum widths;
- iii-) Minimize number of traffic lanes in the roadway; and/or,
- iv-) Promote on-street parking.

#### 9.4.5 POLICIES FOR REDUCING AUTO-RELIANCE

a) The Town will encourage the use of commuter carpools to reduce the number of vehicle trips and vehicle kilometers travelled by residents, businesses and visitors to the Town.

b) Appropriate transportation demand management measures to reduce single occupancy automobile trips may be identified in future transportation studies and in *development* applications. This could include preferential carpool parking, bicycle facilities, alternative work arrangements, transportation and land use integration, roadway access management, intersection optimization and access to high order transit facilities within the County.

#### 9.4.6 RAIL SERVICE

- a) It shall be the policy of *Council* to support rail service to industrial areas in the Town. Rail sidings shall be encouraged in the industrial areas to serve more than one industry.
- b) It shall be the policy of *Council* to protect and encourage the use of abandoned rail lines for tourism purposes, future linkages and as service corridors where such use should not have a *negative impact* on the farming community.
- c) Railway crossings shall be improved where traffic volumes, sight lines or other factors indicate the need for such improvement.

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- d) *Development*, particularly residential *development*, adjacent to rail lines shall be set back from the rail line and suitable screening, berms and/or security fencing shall be provided. The implementing zoning by-law shall include appropriate provisions.
- e) Prior to residential *development* and other similar sensitive uses occurring in areas substantially impacted by the operation of rail line traffic, a study Noise and Vibration Study shall be carried out in accordance with the standards recommended by the Ministry of the Environment ~~and Climate Change, to the satisfaction of the Town in consultation with the appropriate railway.~~

#### 9.4.7 PARKING

- a) *Council* will require that all *developments* incorporate sufficient off-street parking spaces to meet the anticipated needs of the proposed land use, in order to maintain safe and convenient transportation corridors Town-wide. In the case of *development* in the Downtown Core Commercial designation, the Town may accept cash-in-lieu of parking in accordance with the Town's cash-in-lieu by-law. The Town's Comprehensive Zoning By-law will establish the minimum number of spaces required for each type of land use.

Design standards for the location, layout, construction, lighting and landscaping of off-street parking areas will be applied through the site plan control review and approval process. The intent of such standards will be to achieve safe access, efficient usage, improved aesthetics and reduced impacts on adjacent land uses and transportation corridors. Key design elements that will be considered by the Town include:

- i.) Appropriate building orientation, including building entrance locations;
  - ii.) Clearly defined pedestrian access, connectivity and circulation routes; and,
  - iii.) Tree planting and other landscaping elements, including landscaped islands.
- b) The Town's Comprehensive Zoning By-law shall establish the minimum number of bicycle parking spaces required for each type of land use within the ~~Urban~~ Settlement Areas. All *development* within the ~~Urban~~ Settlement Areas shall include parking for bicycles, as follows
- i.) Provide bicycle parking at institutional, retail, commercial and *employment areas*, as well as at other destinations to promote purposeful cycling;
  - ii.) Provide bike storage sheltered from weather for 15% of total building occupants for all multiple and apartment form residential *developments*;
  - iii.) For non-residential *development*, place accessible and secure bike racks at the front of buildings; and,
  - iv.) Provide bicycle racks in all public parks.

#### 9.4.8 GOODS MOVEMENT

- a) The Town may identify priority routes for goods movement through the Multi-Modal Active Transportation Master Plan, to be implemented through a future Amendment to this Official Plan.

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## 9.5 ENERGY GENERATION AND TRANSMISSION

- a) The Town supports the establishment and use of alternative energy sources in accordance with the *Green Energy Act*.

### 9.5.1 POLICIES

- a) The Town shall encourage energy efficiency and improved air quality through land use and *development* patterns which:

- i.) Promote compact form and a structure of centres and corridors;
- ii.) Focus major employment, commercial and other travel-intensive land uses on sites that are well served by the existing road network;
- iii.) Create employment opportunities in proximity to housing to shorten commute journeys and decrease transportation congestion; and,
- iv.) Promote *development*, design and building orientation which maximizes the use of alternative or renewable energy, such as solar and wind energy, and the mitigating effects of vegetation.

- b) For any proposed electricity generation facilities and transmission and distribution systems, the Town shall require the proponent to proceed through an Environmental Assessment process under the *Environmental Assessment Act*, or, at a minimum, through a land use planning approval process under the *Planning Act*, or both. The approvals process will evaluate and assess:

- i.) Whether the nature, scale and impact will be appropriate, understood and, where possible, how any identified impacts can be mitigated;
- ii.) The impact on the views and community *character* in the vicinity, ensuring no undue adverse impacts are created;
- iii.) A full exploration of the environmental, health and economic impacts of such facilities;
- iv.) An appropriate proposal evaluation framework, including a review of a full range of alternatives to the proposal;
- v.) An inclusive and transparent public consultation process; and,
- vi.) Rights to appeal to an appropriate court or tribunal any decision to proceed with any form of energy generation and transmission facilities.

Further, the Town may impose limits on the extent, height and location of any proposed electricity generation facilities and transmission and distribution systems. The Town, in partnership with the Province, as appropriate, shall ensure that the necessary agreements are in place to deal with ongoing operation and maintenance of any green energy facilities, as well as appropriate protocols for their ultimate decommissioning.



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## 9.6 UTILITIES

### 9.6.1 INTENT

a) Public and private utilities, utility facilities and services are necessary to enable the Town, other government agencies and departments as well as private interests to carry out critical, important or desirable functions related to the continued operation, maintenance, safety, security and well-being of the Town and its residents. It is the objective of the Town that required public and private utilities are provided for all of the Town's residents and businesses in an efficient, cost effective and environmentally responsible manner.

### 9.6.2 POLICIES

- a) The Town shall ensure that utility services are readily available to all *development* at levels necessary to ensure the safety and convenience of the residents and businesses of the Town.
- b) The Town shall promote utilities to be planned for and installed in common trenches, where feasible, and in a coordinated and integrated manner in order to be more efficient, cost effective and to minimize disruption.
- c) Utility services shall be developed to be *compatible* with the general *character* of the surrounding uses and minimize visual impact, where feasible.
- d) Every effort will be made to ensure that utilities and services are provided in suitable locations to minimize land use conflicts as well as to efficiently and safely serve the residents and businesses of the Town.
- e) Where public and/or private utility *infrastructure* is permitted and deemed necessary by the Town, it shall be provided in advance of, or concurrent with, any new *development*, to the satisfaction of the Town.
- f) Public and private utilities are permitted in all land use designations subject to any regulatory requirements such as the provisions of the *Environmental Assessment Act*. Certain public or private utilities may be prohibited in certain zones in the Implementing Zoning By-law for social, environmental and/or public safety reasons.
- g) Where companies subject to federal or provincial control propose new utility installations, it is the policy of this Plan to encourage where feasible and appropriate:
- i-) The screening of antennas and towers from view from roads or scenic vistas through landscaping, fencing or other architectural screening;
  - ii-) The use of innovative design measures such as the integration of such uses with existing buildings and/or streetscape features such as gateways, lamp posts and signs;
  - iii-) The co-location clustering of different utilities to minimize impacts, in consultation with the affected utility agency or company;
  - iv-) The use of existing *infrastructure* where possible such as water towers or utility poles; and,
  - v-) The siting of utilities away from *sensitive land uses*.

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- h) In addition to the above, the need to site utilities within the municipal right-of-way shall be considered when planning for road widenings or new roads.
- i) Corridors and rights-of-way for *infrastructure*, including transportation, transit and electricity generation facilities and transmission and distribution systems shall be protected. *Development* that could preclude or negatively affect the use of the corridor for the purpose for which it is identified shall not be permitted.
- j) New *development* proposed on adjacent lands to existing or planned *infrastructure* corridors and transportation facilities should be *compatible* with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, mitigate or minimize *negative impacts* on and from the corridor and transportation facilities.
- k) Secondary uses, such as active and passive recreation, agriculture, community gardens, other utilities and uses such as parking lots and *outdoor storage* that are accessory to adjacent land uses, are encouraged on hydro corridor lands, where *compatible* with surrounding land uses. However, a proponent should be aware of the primacy of the electricity transmission and distribution facilities and that secondary uses require technical approval from Hydro One Networks Inc.

## 9.7 SPECIAL PROVISIONS FOR TRANSPORTATION, INFRASTRUCTURE AND UTILITIES ON THE OAK RIDGES MORAINÉ

- a) Transportation, *infrastructure* and utilities in the “Oak Ridges Moraine Natural Linkage Area” and “Oak Ridges Moraine Countryside Area”, designation include the following:
  - i-) Public highways;
  - ii-) Transit lines, railways and related facilities;
  - iii-) Gas and oil pipelines;
  - iv-) Sewage and water service systems and lines and stormwater management facilities;
  - v-) Power transmission lines;
  - vi-) Telecommunications lines and facilities, including broadcasting towers;
  - vii-) Bridges, interchanges, stations and other structures, above and below ground, that are required for the construction, operation or use of the facilities listed in (i) to (vi) in Section 7.2 a) and
  - viii-) Rights-of-way required for the facilities listed in clauses (i) to (vii) in Section 7.2a)
- b) In the “Oak Ridges Moraine Natural Linkage Area”, an application for transportation, *infrastructure* or utilities use shall not be approved unless:
  - i-) The need for the project has been demonstrated and there is no reasonable alternative; and

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- ii.) The applicant demonstrates that the requirements of Section 41 of the ~~Oak Ridges Moraine Conservation Plan~~ORMCP will be satisfied, to the extent that is possible while also meeting all applicable safety standards;
- c) On lands designated “Oak Ridges Moraine Natural Linkage Area” and “Oak Ridges Moraine Countryside Area” and “Oak Ridges Moraine Tottenham Rural Settlement” on ~~Appendix D1 Schedule A1~~, all new transportation, *infrastructure* and utilities uses and all upgrading or extension of existing transportation, *infrastructure* and utilities uses, including the opening of a road within an unopened road allowance, but not including a storm water management pond, may be permitted to cross a *key natural heritage feature* or a *key hydrological feature* only if the applicant demonstrates that:
- i.) The need for the project has been demonstrated and there is no reasonable alternative;
  - ii.) The applicable provisions of Section 41 of the ~~Oak Ridges Moraine Conservation Plan~~ORMCP have been satisfied.
- d) On lands designated “Oak Ridges Moraine Natural Linkage Area” and “Oak Ridges Moraine Countryside Area”, service and utility trenches for transportation, *infrastructure* and utilities, where permitted, shall be planned, designed and constructed so as to keep disruption of the natural groundwater to a minimum.
- e) Transportation, *infrastructure* and utilities on the Oak Ridges Moraine shall be subject to the provisions in Section 41 of the ~~Oak Ridges Moraine Conservation Plan~~ORMCP.

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## 10.0 [Implementation and Interpretation](#)

### 10.1 INTRODUCTION

a) The implementation section contains policies pertaining to the administration and implementation of this Official Plan. The *Planning Act* contains a number of tools that are intended to be used by municipalities to administer and implement an Official Plan. This section of the Plan contains the policies that set out how these tools are to be utilized by *Council* to meet the goals and objectives of this Plan.

### 10.2 AMENDMENTS TO THIS OFFICIAL PLAN

- a) It is the intent of this Official Plan to serve as the basis for managing change in the Town until 2031.
- b) Any Amendment shall conform to the overall intent of this Official Plan, County of Simcoe Official Plan and Provincial Plans as set out in the community vision, goals, and strategic objectives of this Official Plan.

### 10.3 TECHNICAL AMENDMENTS

- a) *Council* may eliminate notice to the public and a public meeting for a minor Official Plan Amendment and/or minor Amendment to the Zoning By-law that:
- i.) Changes the numbers of sections or the order of sections in this Official Plan and/or Zoning By-law, but does not add or delete sections;
  - ii.) Consolidates previously approved Official Plan Amendments and/or Zoning By-law Amendments in a new document without altering any approved policies or maps;
  - iii.) Corrects grammatical or typographical errors in this Official Plan and/or the Zoning By-law that do not affect the intent of the policies or maps; and,
  - iv.) Rewords policies or re-illustrates mapping to clarify the intent and purpose of this Official Plan and/or Zoning By-law or make it easier to understand without affecting the intent or purpose of the policies or maps.
- b) In all other instances, notification to the residents of the Town of public meetings held by *Council* shall be given in accordance with the procedures of the *Planning Act*.

### 10.4 PUBLIC PARTICIPATION

- a) It is a policy of this Official Plan that public participation be an integral component of any land use planning process. On this basis, before making any planning decision, *Council* shall be satisfied that:
- i.) Adequate public notice in accordance with the *Planning Act* has been given;

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- ii-) Enough information to enable a person to reasonably understand the nature of the proposal and its impacts is available prior to any public meeting;
  - iii-) All public and agency comments have been assessed and analyzed by staff; and,
  - iv-) Decisions will appropriately balance the overall public interest against the private interest expressed in the application.
- b) Proponents shall be encouraged to pre-consult with neighbouring landowners to obtain their views before a formal application is submitted.
- c) The Town of New Tecumseth recognizes its Duty to Consult with Indigenous communities and the requirement under the Provincial Policy Statement that it be implemented in a manner that is consistent with the recognition and affirmation of existing Aboriginal and treaty rights in section 35 of the *Constitution Act, 1982*. As such the Town will, through ongoing dialogue with Indigenous communities having interest, ensure that they are consulted in an appropriate manner.

## 10.5 COMPLETE APPLICATIONS

### Overview

- a) This Official Plan is not a static document. Amendments to this Plan are sometimes required, provided that the Amendment conforms to the general intent, goals and objectives of this Official Plan. In some cases, this Official Plan requires that an Amendment be obtained to provide for the *development* of a specific use. Amendments to the Implementing Zoning By-law are more common and are often intended to implement the policies of the Official Plan on a specific property or in a specific area. To create new conveyable parcels of land in the Town, an application for Plan of Subdivision or Consent has to be submitted and then approved.
- b) To ensure that *Council* can make an informed decision on any of the above applications and in order to ensure that the public understands the implications of the application, technical studies are required.
- c) The *Planning Act*, permits municipalities to set out what their requirements are in the form of technical studies and plans to support an application to amend the Official Plan or the Zoning By-law, and approve a Plan of Subdivision or Consent. Once this required information has been submitted, the application is then deemed to be “complete” in accordance with the *Planning Act*, with this date being the date on which the processing time frame in the *Planning Act* begins. In addition, applicants cannot appeal a non-decision on their application once the application is complete until the processing time frames set out in the *Planning Act* have elapsed.

### Minimum Submissions Requirements

- d) The following are the minimum submissions requirements for Official Plan Amendment, Zoning By-law Amendment, Plan of Subdivision/[Condominium](#) and Consent applications:
- i-) The minimum submission requirements for an Official Plan Amendment in accordance with Section 22(4) of the *Planning Act* are articulated in Schedule 1 of *Ontario Regulation 543/06*.

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- ii-) The minimum submission requirements for a Zoning By-law Amendment application as set out in Schedule 34(10.1) of the *Planning Act* is articulated in Schedule 1 of *Ontario Regulation 545/06*.
- iii-) The minimum submission requirements for a Plan of Subdivision or Plan of Condominium application as set out in Section 51(17) of the *Planning Act* are articulated in Schedule 1 of *Ontario Regulation 544/06*.
- iv-) The minimum submission requirements for a Consent application as set out in Section 53(2) of the *Planning Act* are articulated in Schedule 1 to *Ontario Regulation 547/06*.

### **Supplemental Submission Requirements**

e) This section lists the studies, plans or items required to support an application for Official Plan Amendment, Zoning By-law Amendment, Plan of Subdivision/Condominium or Consent, in addition to the minimum submission requirements identified in this Section. The determination of which studies, plans or items are required shall be made at the pre-consultation phase.

f) The following may be required to support an application for Official Plan Amendment, Zoning By-law Amendment, Plan of Subdivision/Condominium, or Consent:

- i-) Land Use Planning Report;
- ii-) Market Impact Study;
- iii-) Neighbourhood Plan;
- iv-) Block Plan;
- v-) Urban Design Plan;
- vi-) *Agricultural Impact Assessment*;
- vii-) Environmental Impact Study/Natural Heritage Evaluation;
- viii-) Environmental Site Assessment;
- ix-) Master Servicing Plan;
- x-) Stormwater Management Report;
- xi-) Servicing Study;
- xii-) Transportation and Traffic Impact Assessment;
- xiii-) Archaeological Assessment;
- xiv-) Cultural Heritage Impact Statement;

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- xv-) Land Use Compatibility Assessment;
- xvi-) Sub Watershed Study;
- xvii-) Financial Impact Assessment;
- xviii-) Water Resource Management Report;
- xix-) Tree Preservation Study;
- xx-) Master Environmental Servicing Plan (MESP);
- xxi-) Site Plan;
- xxii-) Acoustical Study;
- xxiii-) Natural Hazard Assessment;
- xxiv) Hydrological Evaluation;
- xxv) Proposed Strategy for Consulting with the Public;
- xxvi) Written notice from the *Risk Management Official* under Section 59 of the Clean Water Act;
- ~~xxiv-xxvii~~) Any other studies, plans or items required by the policies of an approved Secondary Plan; and,
- ~~xxv-xxviii~~) Any other studies required by the County of Simcoe Official Plan which are not reflected in the above list,.

### **Pre-Consultation**

g) Prior to the submission of an application for Official Plan Amendment, Zoning By-law Amendment, Plan of Subdivision/Condominium, Minor Variance or Consent, applicants are required to meet with appropriate Town Staff, the County and relevant agencies, including the applicable conservation authorities, to determine what studies, plans and items are required to support an application in accordance with this Section of this Official Plan.

h) The intent of the pre-consultation process is to determine the scale and scope of any required study, plan or item with this scale and scope being dependent on the size of the proposal, its relationship to adjacent land uses and the type(s) of planning approval(s) required. The details of the pre-consultation process shall be included in a Town By-law.

### **Flexibility**

i) While it is the intent of the Town to require the studies, plans and items listed above in support of *development* applications, this Section should not be interpreted as being all inclusive. On this basis, the specific requirements for a particular application may be modified depending on the scale of the proposal, its location, ~~its~~

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[location](#) in relation to other land uses and whether the proposal implements other planning approvals that may have been obtained prior to the consideration of the specific application.

j) In addition, there may be certain public interest objectives in certain cases which necessitate the waiving of the submission of required studies, provided there are appropriate mechanisms in place to ensure that the information required to assess the impacts of a specific *development* proposal in these cases can be assessed. The most appropriate way for this to occur is through the use of a Holding provision in accordance with the policies of this Official Plan.

#### Quality of Supporting Studies, Plan or Items

k) All studies required by the Town shall be carried out by qualified professionals retained by, and at the expense of the proponent. The Town may require peer reviews of the studies by an appropriate public agency or by a professional consultant retained by the Town at the proponent's expense. Alternatively, studies may be carried out by a qualified professional retained by the Town at the expense of the proponent.

## 10.6 NEIGHBOURHOOD PLANS

a) Neighbourhood Plans are policy plans outlining a *development* framework for a new *development* area where no Secondary Plan exists and is not required. Neighbourhood Plans may be required when the proposed *development* is deemed to be an infill situation and not an extension to an existing developed area (except in the case of hamlets).

b) The primary purpose of Neighbourhood Plans is to anticipate the impacts of the proposed land use pattern and proposed road and servicing systems on existing and future *development* areas as a result of new *development* proposals, as well as to co-ordinate *development* where multiple land ownership exists. Neighbourhood Plans will be prepared at the request of *Council* to guide *development* along a preferred course, and to enable adequate consideration of a specific *development* proposal.

c) *Council* shall hold a public meeting(s) to discuss the Neighbourhood Plan with all constituents of the Town where it is deemed by *Council* that the scale and complexity of a Neighbourhood Plan make it necessary.

d) After considering the opinions expressed by the public, *Council* shall amend the Neighbourhood Plan if appropriate and adopt it by resolution.

e) All new *development* is encouraged to be consistent with the Neighbourhood Plan.

## 10.7 BLOCK PLANS

a) To provide greater certainty on *infrastructure* delivery and service delivery *enhancements*, a Secondary Plan may require the preparation of implementing Block Plans. The intent of a Block Plan would be to coordinate the delivery of services and *infrastructure*, the progression of *development*, the overall layout of arterial, collector and strategic local roads and the location, configuration character, size and urban form of parks, institutional, commercial and industrial sites for predefined sub-areas within applicable secondary plans, and the layout/function of open space corridors, *valleylands*, woodlots and other natural features, including stormwater facilities.



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## 10.8 ~~Urban~~ SETTLEMENT AREA BOUNDARY EXPANSIONS

### Timing of Consideration

- a) The expansion of any ~~Urban~~ Settlement Area ~~boundary shall~~ may be considered by ~~County~~ Council following the completion of the ~~County MCR~~ Municipal Comprehensive Review ~~currently being carried out by the County,~~ where it has been demonstrated that there is a need for an expansion. The boundaries of Alliston, Beeton and Tottenham ~~Urban~~ Settlement Areas are shown on Schedule A to this Plan.
- b) ~~The Town may consider~~ Urban ~~provide input or make requests for~~ Settlement Area boundary expansions based on the objectives included in this Official Plan. These objectives are intended to guide the Town in making requests or providing input to the County, and may be different from the criteria used by the County in determining the need for an expansion through its MCR ~~Municipal Comprehensive Review.~~
- c) In providing input to the County during the ~~MCR~~ Municipal Comprehensive Review process, the Town shall seek to have population and employment growth allocated to the Town's ~~Urban~~ Settlement Areas to achieve their planned function as complete communities.
- d) In addition, Settlement Area boundary expansions amounting to no larger than 40 hectares of land, or Settlement Area boundary adjustments may be considered by the Town in advance of the MCR process, subject to the criteria set out in sections 2.2.8.4, 2.2.8.5, 2.2.8.6 of the Growth Plan.

### General Objectives

- d) The overall intent of the Town is to work towards the creation of a complete community within each ~~Urban~~ Settlement Area as defined by the Provincial Growth Plan for the Greater Golden Horseshoe.
- e) The ~~Town's~~ Town's long term prosperity, environmental health and social well being depends on wisely managing change and promoting efficient land use and *development* patterns. On this basis, ~~Urban~~ Settlement Area expansions may be considered, provided the urban expansion is identified as required through the County's *MCR* and is consistent with the ~~Town's~~ Town's objective of creating a complete community. Factors to consider in this regard include:
- i-) The extent to which a full range of services are and will become available to residents of the community so that the need to travel to other urban areas for these services or amenities is minimized and maximizing the use of *infrastructure* and the ability of expansions areas to be services as cost effectively as possible;
  - ii-) The extent to which the urban expansion will provide opportunities for a wide range of job opportunities and multiple options with respect to housing types and provides a range of economic, health and social benefits through the promotion of community hubs and accessible greens spaces;
  - iii-) The extent to which the long term financial impact on the Town resulting from the urban expansion is minimized, when taking into account the cost of the required *infrastructure* upgrades and the *enhanced* service delivery that results;

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- iv-) The priority of directing a significant portion of population and employment growth forecasted to Alliston as a Primary Settlement Area;
  - v-) The extent to which the ~~Urban~~ Settlement Area expansion will assist in combating climate change by reducing dependence on automobiles and reducing commute times and travel distances between residential areas and *employment areas* through transit-supportive urban *development*; and,
  - vi-) The *development* of a strategy by the Town to achieve the *intensification* targets identified in the Growth Plan by identifying *strategic growth areas*.
- f) In addition to the above, the timing of the expansion and the phasing of *development* within the expansion area shall occur in a manner that does not adversely affect the achievement of the *intensification* and density targets in this Official Plan.

### Locational Objectives

- g) In addition, the expansion of any ~~Urban~~ Settlement Area boundary may be considered provided the following objectives are met:
- i-) The expansion area is a logical extension to the existing built-up area and the expansion area should not be separated from existing *development* by undevelopable lands, unless such lands are within a *significant natural heritage feature*. Factors to consider in this regard include, but are not limited to the following:
    - The distance the expansion area is located from the current limits of existing and approved *development*;
    - The extent to which *significant natural heritage features* or natural hazard areas affect the potential integration of the expansion area with existing *development*; and,
    - The extent to which the expansion area rationalizes the shape of the urban area to maximize *infrastructure* efficiencies.
  - ii-) The expansion area has to be easily integrated with the fabric of the existing built-up area from a neighbourhood, transportation and open space perspective and of sufficient scale to promote the *development* of a complete community. Factors to consider in this regard include, but are not limited to the following:
    - The nature, location and number of minor and major road and pedestrian connections between the expansion area and the existing built-up area; and,
    - The ability of the existing open space network in the built-up area to be integrated with such lands in the expansion area in a manner that provides for the seamless integration of the open space network.
  - iii-) The expansion area should only include lands within the Agricultural designation if no reasonable alternative exists and provided the impact of new *development* on *agricultural uses* outside of the expansion area is minimized. Factors to consider in this regard include, but are not limited to the following:
    - The actual amount of *prime agricultural land* that will be lost if the expansion is approved;
    - The extent to which the expansion area includes non-prime agricultural lands;

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- The impact of new *development* in the expansion area on the viability of existing agricultural operations adjacent to the expansion area;
- The impact of new *development* on the ability of existing operations in the area to expand and/or otherwise meet the needs of the market in the future;
- The impacts of the new *development* on the agricultural *infrastructure* in the area such as municipal drains and sources of water supply;
- The impact of the additional traffic resulting from *development* on the use of rural roads in the area for farm equipment;
- The extent to which the location of the expansion area will support a future logical expansion and a further potential impact on agriculture in the future;
- The extent to which the approval of the expansion area can contribute to the viability of surrounding agricultural operations from an *infrastructure* perspective;
- The extent to which existing agricultural operations within the expansion area can continue to operate until the lands are required;
- How *development* in the expansion area can be phased to minimize impacts on adjacent *agricultural uses*;
- The extent to which the expansion area may separate agricultural areas from agricultural support services; and,
- The findings of an *Agricultural Impact Assessment*.

iv.) *Development* in the expansion area shall not have a *negative impact* on the *Natural Heritage System* and key hydrologic areas. Factors to consider in this regard include, but are not limited to the following:

- The nature and extent of the *significant natural heritage feature*;
- The significance of the *natural heritage feature* in relation to other *significant natural heritage features* in the area;
- The impact of *development* on the diversity and *connectivity* of natural features in the area;
- The means by which the long term *ecological function* and biodiversity of the *natural heritage system* will be maintained, restored or where possible improved;
- The extent to which linkages and related functions among *surface water features*, ground water features, hydrologic functions and *natural heritage features* and areas is maintained and where possible improved;
- The extent to which potential *negative impacts* can be mitigated;
- The opportunities that may exist to integrate the *natural heritage feature* into the Town'sTown's open space network;
- The potential for acquisition of the affected *natural heritage feature* by a public authority or other public agency or non-profit group dedicated to conserving and protected environmentally sensitive lands; and,
- Where applicable, the proposed expansion will meet the requirements of the Oak Ridges Moraine Conservation Plan.

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- v-1] The expansion area can be appropriately serviced from a technical viability perspective and the required *infrastructure* and *public service facilities* would be financially viable over the full life cycle of these assets. Factors to consider in this regard include, but are not limited to the following:
- The ability of the sewage treatment plant to accommodate the effluent from the new *development*;
  - The extent to which water and wastewater services can be extended to under-serviced areas as a result of the expansion;
  - The extent to which the expansion of the servicing *infrastructure* will have social and environmental impacts, and the alignment of the expansion with water and waste water master plans, or equivalent;
  - The cost of the required upgrades to the Town in relation to the net benefit to the Town accruing from the additional assessment; and,
  - The cost of providing sewage and water services to the expansion area on a per capita basis after it has been developed.
- vi-1] The expansion area has to be easily accessed by existing arterial roads and will not contribute to traffic congestion within the existing community. Factors to consider in this regard include, but are not limited to the following:
- The nature of the improvements required to the arterial road system;
  - The benefits to existing residents resulting from improvements to the existing arterial road system;
  - The impact the improvements may have on the *rural character* of adjacent lands and other cultural heritage features;
  - The extent to which the improvements will provide more options for existing residents to travel through and to their community;
  - The impact of the amount of traffic to be generated on existing arterial roads within and outside of the established community and outside; and,
  - The measures that will be undertaken to mitigate traffic impacts on the existing community and adjacent lands.
- vii-1] The expansion has to be located so that it can benefit from existing community facilities or alternatively, be serviced by new community facilities that are developed in a timely manner. Factors to consider in this regard include, but are not limited to the following:
- The location of existing community facilities and their capacity for use;
  - The means by which residents in the expansion area can potentially access existing community facilities that have the capacity to accommodate additional users;
  - The extent to which the expansion area will necessitate the establishment of new community facilities;
  - The timing of the *development* of required new facilities in relation to the timing of *development*; and,
  - The means by which the cost of developing new community facilities will be funded and the impact of any municipal component on the finances of the Town.
- viii-1] The expansion has to be located in close proximity to *employment areas* or alternatively, includes an adequate supply of appropriately sized and located employment lands to foster live-work relationships within the existing community. Factors to consider in this regard include, but are not limited to the following:

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- The proximity of the expansion area to existing *employment areas*;
  - The potential for integrating the residential areas within the expansion area with new or existing *employment areas*;
  - The extent to which the expansion area will promote additional live/work opportunities in the Town;
  - The extent to which live/work opportunities are proposed within the expansion area itself; and,
  - The location of the expansion area in relation to arterial roads that would transport residents to jobs in the community and beyond.
- ix-) The expansion area has to support the introduction of public transit in the future. Factors to consider in this regard include, but are not limited to the following:
- The extent to which the density of *development* in the expansion area will support public transit;
  - The location of the expansion area in relation to the major arterial roads that are most likely to be the site of public transit;
  - The extent to which the design of *development* within the expansion area supports the use of efficient public transit; and,
  - The potential for including lands for public transit facilities and other *infrastructure* to support public transit within the expansion area.
- x-) The expansion area, by virtue of its location, will not detract from the planned function of the Downtown Core Commercial designation. Factors to consider in this regard include, but are not limited to the following:
- The distance between the expansion area and the Downtown Core Commercial designation;
  - The nature of the commercial uses proposed in conjunction with the expansion area and the potential impact of the new commercial uses on the planned function of the Downtown Core Commercial designation; and,
  - The extent to which the location of the expansion area has an impact on traffic patterns in the potential impact that change will have on the number of residents who use and/or rely on businesses and services in the Downtown Core Commercial designation.
- xi-) The expansion area should avoid areas of *mineral aggregate resources*.

### **Infrastructure and Financial Considerations**

h) New *development* in urban expansion areas is required to coincide with and support required *infrastructure development*, including the building of roads, schools, parks and the introduction of transit services and facilities, an increase in public servicing levels such as fire and police services and the timely *development* of water and waste water servicing *infrastructure*. On this basis a key component of any decision on where urban expansion should occur is the ability for *development* in the expansion area to be appropriately phased to encourage the *development* of public facilities in appropriate locations at key points in the *development* process to meet the needs of present and future residents. In this regard, *development* in new urban expansion areas shall only proceed when:

- i-) Appropriate *infrastructure* staging plans have been prepared;

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- ii-) A secondary plan that contains policies that articulate what *infrastructure* upgrades and service delivery *enhancements* may be required at various stages in the *development* process is in effect;
- iii-) A financial plan for the urban expansion area has been approved with relevant aspects of the financial plan incorporated within the secondary plan;
- iv-) The Town has in full force and affect a *Development Charges* By-law enacted under the *Development Charges Act, 1997* or any successor legislation identifying and imposing charges applicable to the lands in the urban expansion area;
- v-) Landowners within the urban expansion area have entered into an agreement or agreements amongst themselves to address the distribution of all costs of *development* including those which may not be recoverable by the Town under the *Development Charges Act, 1997* or any successor legislation particularly the provision of community and *infrastructure* facilities such as parks, roads, road improvements, external services, stormwater management facilities, public/private utilities and schools; and,
- vi-) Landowners within the urban expansion area have entered into an agreement or agreements or have made other satisfactory arrangements with the Town for the provision of funds or the provision of services or both.

## 10.9 PHASING OF DEVELOPMENT

- a) It is the intent of this Plan to encourage the timely provision of *infrastructure* as urban *development* occurs. On this basis, the identification of *infrastructure* upgrades and service delivery requirements should be carried out as early as possible in the planning process for potential urban expansion areas. This long range planning should take the full build out of any potential urban expansion area into account and attempt to rationalize how long it will take for the area to be developed. External factors should also be considered, most notably the capacity of arterial roads located within, adjacent to and in the vicinity of thea potential urban expansion area. In addition, population and employment forecasts should also be considered. [This information will help to inform the County's MCR process.](#)
- b) It is not the intent of this policy to require the establishment of a rigid set of criteria to be included within the Secondary Plan. Rather, the intent of the policy is to provide a general understanding of how and when *infrastructure* is to be upgraded and when service delivery is to be *enhanced*. Given that it is at times difficult to anticipate the timing of private *development*, flexibility is required to respond to changing circumstances in a manner that does not affect the basic intent of the overall phasing plan for any potential urban expansion area and the financial plans and studies that support the phasing plan.

## 10.10 SITE PLAN CONTROL

- a) Section 41 of the *Planning Act* permits a municipality to require, as a condition of *development* or *redevelopment*, a site plan and agreement setting out the various aspects and conditions of *development*. The *Planning Act* requires that proposed site plan control areas be shown or described in the Official Plan.
- b) The entire Town of New Tecumseth, with the exception of land used for agricultural or horticultural purposes and single or semi-detached dwellings is designated as a Site Plan Control Area.
- c) The general objectives of site plan control are:

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- i-) To protect existing adjacent uses from new *development* where it is likely that the new use would have a detrimental impact either visually or physically on the existing use or uses;
  - ii-) To ensure adherence to proper *development* standards and to encourage aesthetic design and proper landscaping;
  - iii-) To ensure the safe and efficient movement of both vehicular and pedestrian traffic as it relates to *development*;
  - iv-) To ensure the conveyance of any required land and easements to the municipality for maintenance or improvement of drainage works, *watercourses*, public utilities, roadways and similar undertakings;
  - v-) To ensure proper grading, storm drainage, stormwater management and maintenance in regard to surface water and public utilities;
  - vi-) To control the placement of buildings and related site facilities; and,
  - vii-) Where possible, ensuring energy efficiency is an aspect of site plan control.
- d) In areas designated as site plan control areas under a by-law passed in accordance with Section 41 of the *Planning Act*, *Council* or a Committee of *Council* or an official delegated by *Council*, may require, as a condition of *development* or *redevelopment*, the entering into of an agreement between the Town and the landowner. Such an agreement may stipulate, through the text of the agreement and/or through the use of plans and drawings, the location of all buildings and structures to be erected and show or describe the location of all works and facilities to be provided, or any other items provided for under Section 41 of the *Planning Act*, as amended.
- e) Where Site Plans about Provincial highways or County roads approval of those agencies will be required.
- f) Matters relating to exterior design, including without limitation the character, scale, appearance and design features of buildings, and their sustainable design, but only to the extent that it is a matter of exterior design may be considered as part of a Site Plan Approval process, provided Urban Design Reports have been prepared and approved by the Town.
- g) Sustainable design elements, which include trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities may be required on a public right-of-way, depending on a proposed *development's* location and the identified need for such sustainable design elements in Urban Design Guidelines that have been approved by the Town.
- h) In addition to the other requirements of this section, facilities that are intended to provide access to buildings and other components of a land use for persons with disabilities may be considered and required as a part of a Site Plan Approval process.
- i) The *development* of less than twenty-five (25) dwelling units may also be subject to Site Plan Control. Plans of Condominium shall also be subject to Site Plan Control.
- j) Any *development* requiring the approval of a *Planning Act* application and/or the issuance a building permit pursuant to the *Ontario Building Code Act*, and located with ninety (90) metres of the boundary of a *key natural*

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*heritage feature* or hydrologically *sensitive feature* and their minimum *vegetation protection zones* on lands subject to Section 4.5 (Oak Ridges Moraine) is subject to Site Plan Control.

### 10.11 ZONING BY-LAWS

- a) No Zoning By-law or Zoning By-law Amendment shall be passed by *Council* that does not conform with this Official Plan. It is intended that Amendments to the Zoning By-law shall be approved by *Council* in order to zone land in accordance with the policies contained in this Official Plan and to establish regulations for the purpose of controlling the use of land, location, scale and use of buildings and structures.
- b) It is not the intent of this Official Plan to zone all lands in accordance with the land use designations until such time as the policies of this Official Plan can be met. Lands may remain zoned for their existing uses pending future rezoning for the respective uses as designated in this Official Plan. However, lands may be pre-zoned in accordance with the land use designations provided that *Council* is satisfied that it will further the goals and strategic objectives of this Plan.

#### 10.11.1 TEMPORARY USE

##### **Purpose of a Temporary Use By-law**

- a) *Council* may pass By-laws permitting the temporary use of lands, buildings or structures, which may not conform to this Official Plan, subject to the criteria contained in this Section of this Official Plan. These temporary uses may be authorized for a specific time period up to three (3) years and should be applied where it is considered inappropriate by the Town to permit the proposed use on a permanent or continuing basis and where alternatives such as relocation are not practical.
- b) A *Garden Suite* may be permitted on a property for up to twenty (20) years. Subsequent By-laws granting extensions of up to three (3) years may be passed. However, once the By-law has lapsed, the use must cease, otherwise it will be viewed as contravening the implementing Zoning By-law.

##### **Criteria**

- c) Prior to the approval of a temporary use Zoning By-law, *Council* shall be satisfied that the proposed use:
  - i-) Is 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;
  - ii-) Will not prejudice the long term intent of or the orderly *development* contemplated by the provisions and land use designations contained in this Official Plan;
  - iii-) Is *compatible* with adjacent land uses and the *character* of the surrounding neighbourhood;
  - iv-) Will not require the extension or expansion of existing municipal services;
  - v-) Will not cause traffic hazards or an unacceptable level of congestion on surrounding roads;



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- vi-1 Will provide required parking facilities entirely on-site or alternatively, cash-in-lieu of parking is provided in accordance with the Town's cash-in-lieu by-law; and,
- vii-1 Shall generally be beneficial to the neighbourhood or the community as a whole.

#### 10.11.2 HOLDING PROVISIONS

##### Objectives

- a) Council 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 policies applying to the land use designations in this Official Plan. The objective of utilizing a Holding Provision is to ensure that:
- i-1 The appropriate phasing of *development* or *redevelopment* occurs;
  - ii-1 *Development* does not proceed until community services and facilities such as water and wastewater services, stormwater management and utilities are available to service the *development*;
  - iii-1 *Development* does not proceed until the environmental suitability of the lands for the intended use has been confirmed and, if necessary, the remediation of the lands to the applicable land use criteria;
  - iv-1 *Development* does not proceed until adequate transportation facilities and/or access arrangements are available;
  - v-1 Agreements respecting the design of the proposed *development* and/or the services that are to be provided by Council and/or the County of Simcoe are entered into; and,
  - vi-1 Where a holding symbol is applied after November 16, 2001 to lands located on the Oak Ridges Moraine, it shall not be removed until conformity with the [Oak Ridges Moraine Conservation Plan \(ORMCP\)](#) has been demonstrated to the satisfaction of the Town.

##### Applicability to Existing Uses

- b) 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.

##### Council Review

- c) An application for removing the holding symbol will be reviewed by Council in consideration that the identified conditions specified in the Zoning By-law have been met and that the applicable objectives of this section have been satisfied.

#### 10.11.3 HEIGHT AND DENSITY BONUSING

##### Bonusing Triggers

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a) Council may pass a By-law pursuant to the *Planning Act* that increases the maximum density and/or height permitted by the Implementing Zoning By-law if the increase will represent good planning principles and will result in the provision of a significant public benefit. Significant public benefits may include the:

- i-) Provision of long-term care facilities or retirement homes;
- ii-) Provision of needed community facilities;
- iii-) Provision of parkland over and above what would be required by this Official Plan;
- iv-) Dedication of lands that are the site of a *natural heritage feature* and related buffers;
- v-) Provision of public transit facilities;
- vi-) Conservation/*enhancement*/restoration of a significant built heritage feature;
- vii-) Provision of affordable, assisted or accessible housing;
- viii-) Provision of *enhanced* streetscaping;
- ix-) Provision of public works *enhancements* beyond those required to service the *development*;
- x-) Provision of *enhanced* energy conservation methods and innovative designs;
- xi-) Provision of improvements to public access and connections to community facilities, open space, natural areas and the Boyne River, including multi-use pathways and a trails system;
- xii-) Provision of parkland improvements, including to the Tottenham Conservation Areas;
- xiii-) Provision of public art;
- xiv-) Any other public benefit that has been identified in a *Council*-initiated study; or,
- xv-) A cash equivalent to help the Town achieve any of the above public benefits.

### Criteria

b) It is the intent of this Official Plan that there has to be a clear and measurable public benefit achieved by the granting of a height and/or density bonus. Prior to granting a bonus, *Council* shall be satisfied that:

- i-) The proposed *development* will conform with the *development* policies of the applicable designation of this Official Plan;
- ii-) The built form conforms with the urban design policies of this Official Plan;

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- iii-) The use will contribute to the vibrancy of the urban area; and,
- iv-) The *development* of the use will facilitate the *development* or establishment of other uses in the area, thereby furthering the objectives of this Official Plan.
- c) It is the intent of this Official Plan that each request for a bonus shall be carefully considered on a case-by-case basis. The approval of one request by *Council* shall not be considered a precedent for other requests.

### Implementation

- d) A site-specific Zoning By-law passed by *Council* shall establish detailed *development* standards that would apply when a bonus is awarded and the relationship between these standards and the conditions that must be met.
- e) In the granting of a height and/or density bonus, the Town may require the owner to enter into one or more agreements with the Town dealing with facilities, services or other matters to be provided.

#### 10.11.4 INTERIM CONTROL BY-LAWS

- a) *Council* may pass Interim Control By-laws to restrict the use of land in a defined area for a period of up to one year in order to provide *Council* with the time to study a particular land use planning issue. Prior to the enactment of an Interim Control By-law, *Council* shall adopt a resolution that identifies the land use planning issue and authorizes a review of the land use planning issue.
- b) The interim control by-law shall identify the permitted land uses during the period which the By-law is in force.
- c) In the event that the review or study related to the Interim Control By-law has not been finalized within one year, *Council* may amend the Interim Control By-law in order to extend the period of time for which it is in effect, provided that the total period of time it is in effect does not exceed two years from the date of passing of the Interim Control By-law.
- d) No notice or hearing is required prior to the passing of an Interim Control By-law, however, notice of the passing of the Interim Control By-law shall be in the manner prescribed in the *Planning Act* and associated provincial regulations.

### 10.12 DIVISION OF LAND

- a) This section is intended to contain policies that are to be considered with every application to subdivide land in the Town. Regard shall also be had to the specific policies dealing with lot creation in each land use designation in addition to other policies in this Official Plan.

#### 10.12.1 PREFERRED MEANS OF LAND DIVISION

- a) Land division by Plan of Subdivision, rather than by consent, shall be required if:
  - i-) The extension of an existing public road or the *development* of a new public road is required to access the proposed lots; or,

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- ii-) The area that is proposed to be developed is not considered to be infilling; or,
  - iii-) A Plan of Subdivision is required to ensure that the entire land holding or area is developed in an orderly and efficient manner;
  - iv-) More than four lots including the retained lands are being created and/or the owner is retaining sufficient lands for the *development* of additional lots; or,
  - v-) Where agreements or conditions are required by the Town or agencies with regard to the lands proposed to be retained.
- b) Provided that insofar as above, the Town may not require a plan of subdivision subject to the satisfaction of the applicable authorities that appropriate arrangements and/or agreements can be made with the applicant.

### 10.12.2 NEW LOTS BY CONSENT

#### General Criteria

- a) Prior to issuing provisional consent for a new lot for any purpose, the approval authority shall be satisfied that the lot to be retained and the lot to be severed:
- i-) Front on and will be directly accessed by a public road that is maintained on a year-round basis;
  - ii-) Do not have direct access to a Provincial Highway or County Road, unless the Province or the County supports the request.
  - iii-) Will not cause a traffic hazard;
  - iv-) Have adequate size and frontage for the proposed use in accordance with the Comprehensive Zoning By-law;
  - v-) Notwithstanding iv. above, where a zoning by-law amendment or minor variance is required, approval of such amendment or variance shall be included as a condition of the approval of the consent;
  - vi-) Can be serviced with an appropriate water supply and means of sewage disposal, preferably through full municipal services;
  - vii-) Will not have a *negative impact* on the drainage patterns in the area;
  - viii-) Will not restrict the *development* of the retained lands or other parcels of land, particularly as it relates to the provision of access, if they are designated for *development* by this Plan;
  - ix-) Will not have a *negative impact* on the *significant* features and functions of any *key natural heritage feature* located within the EP1 and EP2 designations in the area;
  - x-) Will not have a *negative impact* on the quality and quantity of groundwater available for other uses in the area;

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- xi-) Will conform to Section 51 (24) of the Planning Act, as amended; and,
- xii-) Will have sufficient developable area outside the flooding and *erosion hazard* limits of *watercourses*.

- b) Provisional consent may be granted subject to appropriate conditions of approval for the severed and/or retained lot.

#### 10.12.3 BOUNDARY ADJUSTMENTS

- a) A consent may be permitted for the purpose of modifying lot boundaries, provided no new building lot is created. In reviewing an application for such a boundary adjustment, the approval authority shall be satisfied that the boundary adjustment will not affect the viability of the use of the properties affected as intended by this Plan. In addition, the approval authority shall be satisfied that the boundary adjustment will not affect the viability of the agricultural parcels affected.

#### 10.12.4 TECHNICAL SEVERANCES

- a) Consents may be granted for the purpose of creating an easement or right-of-way, where such severance does not result in the creation of a new lot.

- b) The creation of new lots to correct a situation where two or more lots have merged on title may be permitted anywhere in the Town except on lands designated Agricultural, provided the approval authority is satisfied that the new lot:

- i-) The merging of the lots was unintentional and was not merged as a requirement of a previous planning approval;
- ii-) Is generally of the same shape and size as the lot which once existed as a separate conveyable lot;
- iii-) Can be adequately serviced by on-site sewage and water systems;
- iv-) Fronts on and will be directly accessed by a public road that is maintained year-round by a public authority;
- v-) There is no public interest served by maintaining the property as a single conveyable parcel; and,
- vi-) Will conform to the access policies of the relevant road authority.

#### 10.12.5 LOTS FOR INFRASTRUCTURE

- a) The creation of new lots for *infrastructure* may be permitted in all land use designations subject to compliance with all Provincial Plans. *Infrastructure* is only permitted in environmental designations in accordance with any required environmental assessment and subject to the policies of this Official Plan. In considering the creation of a new lot for *infrastructure*, the Town must be satisfied that:

- i-) The area of the proposed lot is minimized and reflects what is required for the use; and,

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- ii-) The implementing zoning by-law, as a condition of Provisional Consent, only permits uses that are related to the utility on the lot.

#### 10.12.6 SUBDIVISION DEVELOPMENT POLICIES

- a) This section is intended to contain general Plan of Subdivision policies that are to be considered with every application for Plan of Subdivision. Regard should also be had to the specific policies dealing with lot creation in each land use designation.
- b) Prior to the consideration of an application for Plan of Subdivision, *Council* shall be satisfied that:
  - i-) The approval of the *development* is not premature and is in the public interest;
  - ii-) The lands will be appropriately serviced with *infrastructure*, schools, parkland and open space, community facilities and other amenities;
  - iii-) The density of the *development* is appropriate for the area;
  - iv-) The subdivision, when developed, will be easily integrated with other *development* in the area; and,
  - v-) The proposal conforms to Section 51 (24) of the *Planning Act*, as amended.

#### 10.13 COMMUNITY IMPROVEMENT AREAS

##### Background and Purpose

- a) All or a portion of any community may be designated by by-law as a "Community Improvement Project Area" as provided for under Section 28(2) of the *Ontario Planning Act* for which the following goals and objectives constitute the purpose of the designation:
  - i-) To protect and *enhance* the aspects of a neighbourhood or area that the residents value highly;
  - ii-) To improve the quality of the housing stock and to stimulate community pride, ownership and occupancy;
  - iii-) To eliminate the deficiencies in municipal services and community facilities wherever it is physically and economically feasible;
  - iv-) Improve the physical and aesthetic amenities of the public streetscapes thereby stimulating private investment in revitalization; and,
  - v-) Improve parking, transportation and pedestrian patterns to make them more *compatible* with surrounding uses.

[New Tecumseth Official Plan – June 2019](#)**Selection Criteria**

b) The criteria for the evaluating and selecting residential project areas eligible for community improvement will take into account, among other items deemed appropriate by the Town, the following:

- i-) The portion of the housing stock that is in need of rehabilitation, whether interior or exterior.
- ii-) Where there is a deficiency or deterioration in one or more of the following municipal services or community facilities:
  - Sewer and watermains;
  - Roads and streets;
  - Curbs and sidewalks;
  - Street lighting and utilities;
  - Public indoor/outdoor leisure and recreational facilities;
  - Public open space and parkland;
  - Public social facilities such as community centres, libraries, clinics, day care facilities, youth centres and centres for the aged.
- iii-) The area is potentially stable in terms of land use and densities and there are no indications of major *redevelopment* plans other than those in the form of improvements that would change the basic *character* of the area such as industrial *development* in a residential area.
- iv-) The area is for the most part residential and appropriately zoned.
- v-) The Municipality intends to adopt and enforce a Property Standards By-law.
- vi-) The area exhibits problems of vehicular and pedestrian traffic circulation and/or parking deficiencies.
- vii-) There is insufficient quantity of housing to meet assisted housing needs of the Town.

c) The criteria for the evaluating and selecting commercial project areas eligible for community improvement will take into account, among other items deemed appropriate by the Town, the following:

- i-) There is a deficiency or deterioration in one or more of the municipal services.
- ii-) The area exhibits problems with traffic circulation and/or parking deficiencies.
- iii-) The area contains land use conflicts between non-compatible uses or under utilization of land which may detract from the viability of the area.
- iv-) The area is an older, predominantly commercial or industrial area, which is stable in terms of land use and economic viability.

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- v-) The area exhibits symptoms of physical, functional and/or economic decline in the form of, for example, buildings in need or rehabilitation, decrease in retail sales, high vacancy rate or declining tax base.
- vi-) There is a demonstrated interest in community improvement by the private sector and reflected commitment and endorsement of people who live and/or do business in the area.
- vii-) There are vacant land parcels or properties having future (re)development potential in the area.
- viii-) The area is deficient in amenities conducive to a pleasant shopping environment (i.e. streetscapes)
- ~~ix-)~~ix-) The area is defined in whole or in part as a Business Improvement Area (BIA) under Section 217 of *The Municipal Act*.

### Phasing of Improvements

- d) Community improvement activities may be phased in order to prevent unnecessary hardship for the residents, the business community and the Town. Phasing will establish a natural and logical sequence of improvements based on appropriate engineering and planning studies.

## 10.14 LEGAL NON-CONFORMING USES

- a) It is the intention and expectation of the Town that legal nonconforming uses, buildings, or structures will eventually cease to exist and be replaced by uses, buildings or structures that conform to the intent of this Official Plan and comply with the Zoning By-law.
- b) The use of lands, buildings and/or structures which do not conform to the Zoning By-law but which were in lawful existence prior to the approval of the Zoning By-law, and which continue to be used for such a purpose, will be recognized as legal nonconforming uses. If such legal non-conforming uses cease for a period of up to one year, then the rights derived from such uses will terminate.
- c) Notwithstanding any other policy in this Section, a legal nonconforming use(s) destroyed by fire or natural disaster may be rebuilt provided that the dimensions of the building and/or structure are not substantially increased and the use of the building and/or structure is not substantially altered and all applicable approvals are obtained.
- d) The Town may recognize uses that exist at the time of the approval of this Official Plan and which do not have a *negative impact* on the environment and do not pose a significant threat to health and safety. This will be done by means of appropriate site specific Zoning By-laws. Such specific zoning will not be considered to be in contravention of the policies of this Official Plan and will:
  - i-) Only be accomplished by the adoption of a site specific Zoning By-law which will incorporate specific and appropriate regulations relative to the existing specific use and site; and,
  - ii-) Be restricted to the property boundaries of the land parcel identified at the time of approval of this Official Plan.



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- e) The Town may, without an Amendment to this Plan, consider passing a Zoning By-law Amendment pursuant to the *Planning Act* to allow for an extension to a non-conforming use. Prior to such approval, *Council* shall be satisfied that:
- i.) The size of the extension or enlargement of the non-conforming use will not adversely affect the welfare of the neighbourhood in which it is located and is in proportion to the size of the use as it existed at the date of the enactment of the implementing Zoning By-law;
  - ii.) The proposed extension is *compatible* with the *character* of the surrounding area in relation to noise, vibration, fumes, dust, smoke, odours, lighting and traffic generation;
  - iii.) The proposed extension will not prejudice the long term intent of or the orderly *development* contemplated by the provisions and designations contained in this Plan;
  - iv.) Site planning and design will minimize the impact of the proposed extension on neighbouring conforming uses and includes, where appropriate, measures such as fencing, landscaping, and setbacks through the use of Site Plan Control;
  - v.) Adequate water and wastewater servicing is available; and,
  - vi.) That such land, building or structure continues to be used in the same manner and for the same purpose as it was used on the day such by-law was passed.
- f) On the Oak Ridges Moraine the Town may amend a By-law passed under Section 34 of the *Planning Act* to permit the extension or enlargement of any land, building or structure used for any purpose prohibited by the By-law and/or which does not conform to the provisions of this Official Plan, provided that the relevant policies of this Official Plan are satisfied.

## 10.15 NON COMPLYING BUILDINGS, STRUCTURES OR LOTS

- a) A non-complying building, structure or lot is such that it does not comply with the regulations of the implementing Zoning By-law. A non-complying building or structure may be enlarged, repaired or renovated provided that the enlargement, repair or renovation:
- i.) Does not further increase a situation of non-compliance;
  - ii.) Complies with all other applicable provisions of this Official Plan and the implementing Zoning By-law;
  - iii.) Does not increase the amount of floor area in a required yard or setback area;
  - iv.) Will not pose a threat to public health or safety; and,
  - v.) Complies with the applicable policies and provisions of the relevant Conservation Authority, if located within an area regulated by the Conservation Authority.
- b) A non-complying lot in existence prior to the effective date of the Implementing Zoning By-law that does not meet the lot area and/or lot frontage requirements contained within the implementing Zoning By-law, may be used and

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buildings thereon may be erected, enlarged, repaired or renovated provided the use conforms with the applicable policies of this Official Plan and the Implementing Zoning By-law, and the buildings or structures comply with all of the other provisions of the Implementing Zoning By-law.

## 10.16 LAND USE COMPATIBILITY – NOISE, DUST, VIBRATION, ODOURS

a) It is recognized that some uses may be sensitive to the odour, noise, vibration or other emissions associated with facilities, such as highways, railway corridors, various type of industries, and sewage treatment facilities. It is the policy of this Plan that incompatible land uses shall be separated or otherwise buffered from each other in accordance with Ministry of the Environment ~~and Climate Change~~ or appropriate provincial government guidelines as applicable and relevant.

b) Where a proposed *development* is likely to be adversely affected by existing uses in the area, a feasibility study that assesses these adverse impacts may be required in accordance with the Ministry of the ~~Environment and Climate Change's~~ Environment's guidelines. A noise, vibration, odour and/or particulate impact assessment may be required as part of the feasibility study. Such a study shall be prepared to the satisfaction of *Council* and the appropriate agencies and shall include recommendations on how the impacts can be mitigated.

c) The approval of *development* proposals shall be based upon the achievement of adequate separation distances and the recommendations of the required studies.

d) *Development* adjacent to a railway corridor shall ensure that appropriate safety measures, such as setbacks, berms and security fencing are provided to the satisfaction of *Council* in consultation with the appropriate railway company.

e) New or enlarged livestock buildings and facilities shall comply with the Minimum Distance Separation Two (MDS II) calculation. In addition, the location of new dwellings and the creation of new lots shall comply with Minimum Distance Separation One (MDS I). The MDS Guidelines shall be implemented through provisions in the Implementing Zoning By-law.

## 10.17 CONTAMINATED OR POTENTIALLY CONTAMINATED SITES

a) If the site of a proposed use or *development* is in the opinion of the Town or other approval authority known or suspected to be contaminated, *Council* shall require that prior to permitting *development* on the site, that the following be completed to the satisfaction of the ~~town~~ Town or other approval authority:

i.) The proponent shall prepare environmental assessment studies in accordance with Ministry of the Environment ~~and Climate Change~~ guidelines, to determine the nature and extent of the contamination and the identification of a remedial plan and post clean-up conditions as deemed necessary for the proposed use; and,

ii.) Where the need for remediation is identified, the site shall be restored in accordance with the remedial plan before *development* occurs to ensure that there will be *adverse effects* on the proposed use or adjacent land uses.

[New Tecumseth Official Plan – June 2019](#)**10.18 PROPERTY MAINTENANCE AND OCCUPANCY STANDARDS**

- a) In order to encourage the rehabilitation of existing buildings and property, it is a policy of *Council* to develop appropriate standards to ensure that the detracting influence of substandard structures is minimized. Without limiting the generality of the foregoing, the Municipality may pass by-laws which prescribe standards for the maintenance and occupancy of property.
- b) A Maintenance and Occupancy Standards By-Law passed under the [Ontario Building Code Act](#) will have regard to appropriate standards for the following matters:
- i-) Maintenance of yards, fences, vacant land, parks, waterfront areas, *accessory buildings*, sewage and drainage systems, safe passage, access and egress, garbage disposal, and external storage;
  - ii-) Maintenance of all buildings and structures including: walls, floors, ceilings, doors, windows, roofs, foundations, insulation, access and egress, heating, lighting, plumbing and electrical systems, general sanitation, and pest prevention; and,
  - iii-) Establishment of occupancy standards including: kitchen and bathroom facilities, heat, light and ventilation systems, size dimension of floor space of habitable rooms, and fire protection standards.
- c) The following criteria shall guide the preparation of an implementing property standards by-law:
- i-) Property standards should apply equitably to all buildings, structures, and properties within the Municipality;
  - ii-) Application of the standards should ensure the rehabilitation of the major structural and functional components of buildings;
  - iii-) Provision should be made for the use of emergency powers to require remedial repairs immediately where there is an imminent danger to the health or safety of any person;
  - iv-) Regard should be had for the suitability of standards for municipal participation in provincially sponsored community improvement programs; and.
  - v-) Provision should be made for effective by-law administration and enforcement.
- d) Any Maintenance and Occupancy Standards By-Law, apart from prescribing the standards for the maintenance and occupancy of property, may also require substandard properties to be repaired and maintained to comply with the standards, prohibit the use of substandard property, and require the demolition and clearing of such property where the owner does not repair and maintain it.
- e) The Town will appoint a Property Standards Officer who will be responsible for administering and enforcing the Maintenance and Occupancy Standards By-Law. It will also appoint a Property Standards Committee, in accordance with the *Planning Act*, for the purpose of hearing appeals against an order of the Property Standards Officer.

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f) Complementary to the enforcement of minimum standards on private properties, the Town will undertake to keep in a well maintained condition all Town owned properties and structures and to provide or maintain in good repair such municipal services as roads, sidewalks, water and sewage facilities, etc.

g) *Council* will further support property maintenance and safe occupancy by applying for available government programs, where appropriate, and making the residents aware of these programs through education and awareness efforts.

## 10.19 WASTE DISPOSAL SITES

a) Known existing and former waste disposal sites are shown on Schedules A, B1, B2 and B3. The *development* of new uses or new or enlarged buildings or structures within ~~at~~the *waste management assessment area* of 500 metres from the fill area, if known, of a closed site or approximately 470 metres from the property boundary, if the fill area is not known, may be permitted, provided an assessment is completed to determine:

i.) The impact of any methane gas migration within 150 metres of the property boundary of the *waste disposal site*;

ii.) Whether the proposed use will be adversely affected by noise, odour, dust or other nuisance factors from the *waste disposal site*;

iii.) Potential traffic impacts;

iv.) Whether the proposed use will be adversely affected by ground and surface water contamination by leachate migrating from the *waste disposal site*; and,

v.) The impact of the proposed use on leachate migration from the landfill site.

b) The assessment is intended to address these matters and other items outlined in the ~~Province's~~Province's guideline D-4, April 1994, or its successor as required to ensure that the proposed land uses are *compatible* in nature and do not adversely impact upon each other.

c) The studies required to support a *development* application within the *waste management assessment area* shall be based on the type and/or scale of the *development* proposed or the studies may be waived as appropriate by the D-4 approval authority. The nature of the required studies may vary from site to site and their scope shall be determined by the D-4 approval authority at the time the *development* is proposed. Where studies are required, they shall identify the remedial measures, if any, needed to ensure the elimination or safe containment of identified hazards to the satisfaction of the D-4 approval authority.

d) A Holding provision may be applied in the implementing zoning by-law where *Council* has determined the land use for an area or parcel of land, but *development* of the lands for the intended use is premature until verification is provided to the approval authority that the site is suitable for the intended use. The lifting of a Holding provision permitting the *development* of the new use or *development* within the *waste management assessment area* shall not occur until *Council* is satisfied that all of the studies required by the D-4 approval authority have been completed and implemented.

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### 10.20 PUBLIC USES

- a) *Public uses* are permitted in all land use designations, however, some *public uses* may be prohibited in certain zones within the Implementing Zoning By-law for social, environmental and/or public safety reasons.
- b) The Implementing Zoning By-law shall contain regulations that control the siting of all public buildings, *accessory uses*, parking and *outdoor storage* associated with any *public uses*, to the satisfaction of the Town.

### 10.21 EXCESS SOIL

- a) In accordance with the Town's *Site Alteration* and *Fill By-law*, the Town shall require the use of best practices for the management of excess soil generated and fill received during *development* or *site alteration*, including *infrastructure development*.

### 10.22 INTERPRETATION

#### General

- a) This Official Plan is a statement of policy. It is intended as a guide to *Council*, however, some flexibility in interpretation may be permitted provided that the general intent is maintained.

#### Interpretation of Land Use Designation Boundaries

- b) The external boundaries of the ~~Urban~~ Settlement Areas as shown on Schedules B1, B2 and B3 to this Plan are fixed and inflexible. Expansions to ~~Urban~~ Settlement Areas shall only occur in accordance with ~~a Municipal Comprehensive Review carried out by the County and~~ the policies of this Official Plan.
- c) The boundaries between land uses designated on the Schedules to this Official Plan are approximate except where they meet with roads, railway lines, rivers, pipeline routes, transmission lines, lot lines or other clearly defined physical features and in these cases, are not open to interpretation. Where the general intent of this Official Plan is maintained to the satisfaction of the Town, minor adjustments to boundaries will not require an Amendment to this Plan.
- d) It is recognized that the boundaries of the *Natural Heritage System* may be imprecise and subject to change. The Town shall determine the extent of the environmental areas on a site-by-site basis when considering *development* proposals, in consultation with the appropriate agencies having jurisdiction. Any minor refinement to the boundary of the EP1 designation or the EP2 Overlay designation shall not require an Amendment to this Plan.
- e) The *Natural Heritage System* is articulated on Schedules A, B1, B2 and B3 within the EP1 designation and the EP2 Overlay designation. Appendix A identifies the individual features that comprise *Natural Heritage System*. Where there is a conflict between Schedules A, B1, B2 and B3 and Appendix A, Schedules A, B1, B2 and B3 shall prevail.
- f) Where a lot is within more than one designation on the Schedules to this Official Plan, each portion of the lot shall be used in accordance with the applicable policies of that designation.

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### Road Locations

g) The location of the roads as indicated on Schedules ~~E4D1~~ and ~~E2D2~~ shall be considered as approximate. Amendments to this Official Plan will not be required in order to make minor adjustments or deviations to the locations of roads provided that the general intent of this Official Plan is maintained.

### Legislation

h) Where this Official Plan makes reference to a Provincial Act, Provincial Plans or Ontario Regulation, to the *minimum distance separation formulae* or the Provincial Policy Statement, such reference shall include any subsequent amendments or replacements.

### Accessory Uses

i) Whenever a use is permitted in a land use designation, it is intended that uses, buildings or structures normally incidental, and accessory to that use are also permitted.

### Oak Ridges Moraine

j) For terms in Sections 4.6, 5.5.2, 6.2.8 and 9.7 of this Plan, reference should be made to the definitions included in the Oak Ridges Moraine Conservation Plan, ~~(ORMCP)~~, *Ontario Regulation 140/02*.

k) In accordance with Section 33 of the ~~Oak Ridges Moraine Conservation Plan~~~~ORMCP~~, the Official Plan shall not be more restrictive than the ~~Oak Ridges Moraine Conservation Plan~~~~ORMCP~~ with respect to *agricultural uses, mineral aggregate operations and wayside pits*.

l) For lands located on the Oak Ridges Moraine where there is a conflict between this Official Plan and the ~~Oak Ridges Moraine Conservation Plan~~~~ORMCP~~, *Ontario Regulation 140/02* the ~~Oak Ridges Moraine Conservation Plan~~~~ORMCP~~, *Ontario Regulation 140/02*, prevails to the extent of the conflict. For purposes of clarification, this Official Plan does not conflict with the ~~Oak Ridges Moraine Conservation Plan~~~~ORMCP~~ where this Official Plan is more restrictive than the ~~Oak Ridges Moraine Conservation Plan~~~~ORMCP~~.

m) With respect to lands located on the Oak Ridges Moraine, the Province of Ontario has prepared technical papers to provide guidance on the interpretation and application of the provisions in the ~~Oak Ridges Moraine Conservation Plan~~~~ORMCP~~. The technical papers prepared by the Province are to be consulted and used where applicable in the interpretation of the policies of this Official Plan. These papers may be amended from time to time to by the Province of Ontario to incorporate new information and improved approaches as they are developed.

n) The boundary of the Oak Ridges Moraine as defined in *Ontario Regulation 01/02* and shown on the Schedules to this Plan and the “Oak Ridges Moraine Natural Linkage Area” land use designations on Appendix D1 to this Plan shall not be further defined. The “Oak Ridges Moraine Countryside Area” and “Oak Ridges Moraine Tottenham Rural Settlement” designations on Appendix D1 may be further defined in a manner that is consistent with the policies of the land use designations based on the results of the Province of Ontario’s ten year review of the ~~Oak Ridges Moraine Conservation Plan~~~~ORMCP~~ and the review of the County of Simcoe and Town of New Tecumseth Official Plans.

[New Tecumseth Official Plan – June 2019](#)**Exceptions**

- ~~9.9~~) Nothing in this Official Plan applies to prevent:
- ~~i.)~~ The use of any land building or structure for a purpose prohibited by this Official Plan, if the land, building or structure was lawfully used for that purpose on November 15, 2001 and continues to be used for that purpose; or
  - ~~ii.)~~ The erection or use for a purpose prohibited by this Official Plan of a building or structure for which a permit has been issued under subsection 8(2) of the *Building Code Act, 1992* on or before November 15, 2001 if:
    - The permit has not been revoked under subsection 8(10) of the ~~building~~*Building Code Act, 1992*; and,
    - The building or structure when erected is used and continues to be used for the purpose for which it was erected.
  - ~~iii.)~~ The expansion of an existing building or structure on the same lot, or the expansion of an existing *institutional use*, if the applicant demonstrates that:
    - There will be no change in use; and,
    - The expansion will not adversely affect the ecological integrity of the Plan Area.
  - ~~iv.)~~ The reconstruction, within the same locations and dimensions, of an existing building or structure that is damaged or destroyed by causes beyond the owner's control, and the reconstructed building or structure shall be deemed to be an existing building or structure if there is no change in use and no *intensification* of the use.
  - ~~v.)~~ The conversion of an existing use to a similar use, if the applicant demonstrates that the conversion:
    - Will bring the use into closer conformity with this Plan and the ~~Oak Ridges Moraine Conservation Plan~~*ORMCP*; and,
    - Will not adversely affect the ecological integrity of the ~~Oak Ridges Moraine Conservation Plan Area~~*ORMCP*.
  - ~~vi.)~~ If an existing use has *adverse effects* on the ecological integrity of the ~~Oak Ridges Moraine Conservation Plan~~*ORMCP* Area, any application to expand the building, structure or use or to convert the existing use to a similar use shall be considered with the objective of bringing the use into closer conformity with this Plan and the ~~Oak Ridges Moraine Conservation Plan~~*ORMCP*.
  - ~~vii.)~~ In this Official Plan:
    - "Existing" means lawfully in existence on November 15, 2001, and for greater certainty does not include a use, building or structure that is in existence on that date without being lawful; and,

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- “Institutional use” includes, without limitation, a long-term care facility, hospital, school, university or college.
- viii-) In accordance with Section 7 of the [Oak Ridges Moraine Conservation PlanORMCP](#) nothing in this Official Plan applies to prevent the use, erection or location of a single dwelling if:
  - The use, erection and location would have been permitted by the applicable zoning by-law on November 15, 2001; and,
  - The applicant demonstrates, to the extent possible, that the use, erection and location will not adversely affect the ecological integrity of the [Oak Ridges Moraine Conservation PlanORMCP](#) Area.
- ix-) In accordance with Section 8 of the [Oak Ridges Moraine Conservation PlanORMCP](#), nothing in this Official Plan applies to prevent the use, erection or location of a building or structure if,
  - The use, erection and location were authorized by the approval of an application that was commenced before November 17, 2001 and approved after that date; or,
  - The use, erection and location were authorized by the approval of an application that was commenced after November 17, 2001 and decided in accordance with subsection 17(1) of the *Oak Ridges Moraine Conservation Act*.
- x-) An application for site plan approval under the *Planning Act* is not required to comply with this Official Plan where the application:
  - Relates to land in respect of which any of the following was commenced before November 17, 2001 and approved after that date:
    1. An application for an amendment to a Zoning By-law;
    2. An application for approval of a Plan of Subdivision; and,
    3. An application for approval or exemption from approval for a Plan of Condominium.
- xi-) A recreational trail system shall be established to provide continuous access and travel along the [Oak Ridges Moraine Conservation PlanORMCP](#) Area, accessible to all including persons with disabilities. Where this trail or trails connecting to it are located in this Plan, they may be permitted in the “Oak Ridges Moraine Natural Linkage Area”, “Oak Ridges Moraine Countryside Area” or “Oak Ridges Moraine [Tottenham Rural Settlement Area](#)” designations on [Appendix D1Schedule A1](#), subject to the provisions of Section 39 of the [Oak Ridges Moraine Conservation PlanORMCP](#).



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## 11.0 DEFINITIONS

### Accessory Building or Structure

Means a detached building or structure, the use of which is naturally and normally incidental to, subordinate to, or exclusively devoted to the principal use or building, and located on the same lot and that is not used for human habitation.

### Accessory Use

Means a use, customarily and normally subordinate to, incidental to and exclusively devoted to the principal use and located on the same lot.

### Adjacent Lands

Means those lands, contiguous to a specific *Natural Heritage Feature* where it is likely that *development or site alteration* would have a *negative impact* on the feature or area.

### Adverse effects:

Means, pursuant to the *Environmental Protection Act* one or more of:

- i. Impairment of the quality of the natural environment for any use that can be made of it;
- ii. Injury or damage to property or plant or animal life;
- iii. Harm or material discomfort to any person;
- iv. An adverse effect on the health of any person;
- v. Impairment of the safety of any person;
- vi. Rendering any property or plant or animal life unfit for human use;
- vii. Loss of enjoyment or normal use of property; and
- viii. Interference with normal conduct of business.

### Agricultural Condition

Means:

- i. In regard to specialty crop areas, a condition in which substantially the same areas and same average soil capability for agriculture are restored, the same range and productivity of specialty crops common in the area can be achieved, and where applicable, the microclimate on which the site and surrounding area may be dependent for specialty crop production will be maintained or restored; and,

### [New Tecumseth Official Plan – June 2019](#)

- ii. In regard to *prime agricultural land* outside of specialty crop areas, a condition in which substantially the same areas and same average soil capability for agriculture are restored.

#### **Agricultural Impact Assessment**

A study that evaluates the potential impact of non-agricultural *development* on agricultural operations and recommends ways to avoid or, if avoidance is not possible, minimize and mitigate such impacts.

#### **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.

#### **Agricultural Research and Training Establishments**

Means land and/or buildings utilized by a public or private organization for agricultural related training, evaluation, testing contributing to education, knowledge and improvement in agriculture and agri-business.

#### **Agricultural Source Material**

Means any of the following treated or untreated materials, other than compost that meets the Compost Guidelines in the *Nutrient Management Act*, or a commercial fertilizer, if they are capable of being applied to land as nutrients:

- i. Manure produced by farm animals, including associated bedding materials;
- ii. Run-off from farm-animal yards and manure storages;
- iii. Wash waters from agricultural operations that have not been mixed with human body waste;
- iv. Organic materials produced by intermediate operations that process materials described in a), b) or c) above; or,
- v. Anaerobic digestion output if,
  - 1. The anaerobic digestion materials were treated in a mixed anaerobic digestion facility;
  - 2. At least 50%, by volume, of the total amount of anaerobic digestion materials were on-farm anaerobic digestion materials; and,
  - 3. The anaerobic digestion materials did not contain sewage bio-solids or human body waste.

#### **Agricultural Uses**

Means the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

[New Tecumseth Official Plan – June 2019](#)**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 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.

**Animal Kennel**

Means a building or structure or part thereof used for the raising or boarding of dogs, cats, or other household pets.

**Archaeological Resource**

Includes artifacts, archaeological sites and marine archaeological sites. The identification and evaluation of such resources are based upon archaeological fieldwork in accordance with the *Ontario Heritage Act*.

**Areas of Archaeological Potential**

Means areas with the likelihood to contain *archaeological resources*. Criteria for determining archaeological potential are established by the Province, but municipal approaches which achieve the same objectives may also be used. Archaeological potential is confirmed through archaeological fieldwork in accordance with the *Ontario Heritage Act*.

**Area of Natural and Scientific Interest**

Means an area 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.

**Bed and Breakfast Establishments**

Means a single detached dwelling in which rooms are provided with or without meals for hire or pay for the traveling public.

**Brownfield sites**

Means undeveloped or previously developed properties that may be contaminated. These are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

**Built Heritage Resources**

Means one or more significant buildings, structures, monuments, installations or remains associated with architectural, cultural, social, political, economic or military history and identified as being important to a community. These resources may be identified through designation or heritage conservation easement under the *Ontario Heritage Act*, or listed by local, provincial or federal jurisdictions.

[New Tecumseth Official Plan – June 2019](#)**Character**

Means the aggregate of the distinct features that work together to identify a particular area or neighbourhood. The distinct features may include the built and natural elements of an area.

**Compatible**

Means *development* or *redevelopment* which may not necessarily be the same as or similar to the existing *development* in the vicinity, but shall *enhance* the *character* of the community, while not creating any undue, adverse impacts on adjacent properties.

**Connectivity**

Means the degree to which *natural heritage features* are connected to one another by links such as plant and animal movement corridors, hydrological and nutrient cycling, genetic transfer, and energy flows through food webs.

**Conservation Use**

Means an area of land that is generally left in its natural state and which is used to preserve, protect and/or improve components of the *natural heritage system* of other lands for the benefit of man and the natural environmental and which may include, as an *accessory use*, hiking trails and/or cross country ski trails, buildings and structures such as nature interpretation centres and public information centres.

**Contaminated Sites**

Means property or lands that have not been rehabilitated and for reasons of public safety or environmental quality, are unsafe for use as a result of human activities, particularly those activities that have left a chemical or radioactive residue.

**Council**

Means the Municipal *Council* of the Corporation of the Town of New Tecumseth.

**Cultural Heritage Landscape**

Means a defined geographical area of heritage significance which has been modified by human activities and is valued by a community. It involves a grouping(s) of individual heritage features such as structures, spaces, archaeological sites and natural elements, which together form a *significant* type of heritage form, distinctive from that of its constituent elements or parts. Examples may include, but are not limited to, *Heritage Conservation Districts* designated under the *Ontario Heritage Act*; and villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways and industrial complexes of cultural heritage value.

**Cultural Heritage Resources**

Means those things left by a people of a given geographic area, and includes:

- i. Built heritage, such as buildings, structures, monuments or remains of historical, cultural or architectural value, and including *Protected Heritage Property*;

### [New Tecumseth Official Plan – June 2019](#)

- ii. *Cultural heritage landscapes*, such as rural, hamlet or urban uses of historical or scenic interest; and,
- iii. *Archaeological resources*.

### [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 local municipality, within which the property is located, is the D-4 Approval Authority.](#)

### **Day Nursery**

Means a building or structure or part thereof where more than 5 children are provided with temporary care and/or guidance for a continuous period, not exceeding twenty-four hours and are licensed in accordance with the Day Nurseries Act.

### **Delineated Built Boundary**

The limits of the developed urban area as defined by the Minister in consultation with affected municipalities for the purpose of measuring the minimum *intensification* target in this Plan.

### **Delineated Built-up Area**

All land within the *delineated built boundary*.

### **Dense Non Aqueous Phase Liquid (DNAPL)**

Shall mean chemicals that are both denser than water and do not dissolve readily in water. Because of these traits, DNAPLs tend to sink below the water table and only stop when they reach impenetrable bedrock. This makes them difficult to locate and clean up. Examples of DNAPLs include: 1,4-Dioxane, Tetrachloroethylene (Perchloroethylene {PCE}), Trichloroethylene (TCE), Vinyl Chloride (VC) and Polycyclic Aromatic Hydrocarbons (PAHs).

### **Designated and available**

Means lands designated in this Plan for urban residential use.

### **Designated Greenfield Area**

Lands within ~~Settlement Areas~~ but outside of *delineated built-up areas* that have been designated in an official plan for *development* and are required to accommodate forecasted growth to the horizon of this Plan. Designated greenfield areas do not include excess lands.

### **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:

- i. Activities that create or maintain *infrastructure* authorized under an environmental assessment process; and,

[New Tecumseth Official Plan – June 2019](#)

- ii. Works subject to the *Drainage Act*.

**Drinking Water Threat**

Shall mean an existing activity, possible *future activity* or existing condition that results from a past activity, (a) that adversely affects or has the potential to adversely affect the quality or quantity of any water that is or may be used as a source of drinking water, or (b) that results in or has the potential to result in the raw water supply of an existing or planned drinking-water system failing to meet any standards prescribed by the regulations respecting the quality or quantity of water, and includes an activity or condition that is prescribed by the regulations as a drinking water threat.

**Drive-Through Service Facility**

Means a building or structure or part thereof where goods or services are offered to the public within a parked or stationary vehicle by way of a service window.

**Ecological Functions**

Means the natural processes, products or services that living and non-living environments provide or perform within or between species, *ecosystems* and landscapes. These may include biological, physical, and socio-economic interactions.

**Ecosystem**

Means systems of plants, animals, and micro-organisms, together with the non-living components of their environment and related ecological processes, critical for the functioning of the biosphere in all its diversity.

**Endangered Species**

Means a species that is listed or categorized an Endangered Species on the Ministry of Natural Resources and Forestry's official species at risk list, as updated and amended from time to time.

**Enhance**

Means, as applied to the natural heritage/environmental policies of this Plan, strengthening the components of a natural area through management measures to increase stability, biodiversity and long-term viability.

Means, in other respects, to complement and strengthen the *character* of the Town, community, neighbourhood, site or structure.

**Employment Area**

Means those areas designated in the Official Plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities. For the purposes of this Plan, lands within the Employment Area One and Employment Area Two designations are considered to be the Town's employment area.

[Employment Land Employment](#)

## [New Tecumseth Official Plan – June 2019](#)

[Means jobs accommodated in primarily low-rise industrial-type building space and multiples, the vast majority of which are located within business parks and industrial areas.](#)

### [Erosion Hazard](#)

[Means the loss of land, due to human or natural processes, that poses a threat to life and property. The \*erosion hazard\* limit is determined using considerations that include the 100 year erosion rate \(the average annual rate of recession extended over an one hundred year time span\), an allowance for slope stability, and an erosion/erosion access allowance.](#)

### **Existing Threat, Activity & Uses**

An existing threat, activity and/or use are defined as:

- i. A use, a building or structure that is used and continues to be used for the purpose for which it was erected;
- ii. A minor alteration or replacement building or structure that has the same capacity as an existing lawful building or structure and provides greater protection to sources of drinking water and where there is no change in use and where the replacement structure will bring the building or structure into closer conformity with the Source Protection Plan;
- iii. An activity that is presently occurring or has occurred within the last ten years from the date of approval of the source protection plan; and,
- iv. Where an existing activity is permitted an expansion, alteration or replacement of a use, activity, building or structure that reduces the risk of contaminating drinking water shall be permitted.

### **Fisheries Management**

Means the management of *fish habitat* and fish population for the purpose of sustaining and improving the quality and quantity of fish.

### **Fish Habitat**

As defined in the *Fisheries Act*, means 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.

### **Floodplain**

For river stream, and small inland lake systems, means the area, usually low lands adjoining a *watercourse*, which has been or may be subject to *flooding hazards*.

### **Flooding Hazard**

Means the inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water:

- i. Along the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes, the flooding hazard limit is based on the one hundred year flood level plus an allowance for wave uprush and other water-related hazards;

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- ii. Along river, stream and small inland lake systems, the flooding hazard limit is the greater of:
  - 1. The flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific *watershed* and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
  - 2. The one hundred year flood;
  - 3. A flood which is greater than 1. or 2. of this definition which was actually experienced in a particular *watershed* or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources; and,
  - 4. Except where the use of the one hundred year flood or the actually experienced event has been approved by the Minister of Natural Resources as the standard for a specific *watershed* (where the past history of flooding supports the lowering of the standard).

### **Floodproofing Standard**

Means the combination of measures incorporated into the basic design and/or construction of buildings, structures, or properties to reduce or eliminate *flooding hazards*, wave uprush and other water-related hazards along the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes, and *flooding hazards* along river, stream and small inland lake systems.

### **Floodway**

For river, stream and small inland lake systems, means the portion of the flood plain where *development* and *site alteration* would cause a danger to public health and safety or property damage.

Where the one zone concept is applied, the floodway is the entire contiguous flood plain.

Where the two zone concept is applied, the floodway is the contiguous inner portion of the flood plain, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the two zone concept applies, the outer portion of the flood plain is called the flood fringe.

### **Forest Management or Forestry**

Means the management of *woodlands*, including *accessory uses* such as the construction and maintenance of forest access roads and maple syrup production facilities,

- i. For the production of wood and wood products, including maple syrup;
- ii. To provide outdoor recreation opportunities;
- iii. To maintain, and where possible improve or restore, conditions for wildlife; and,
- iv. To protect water supplies.



[New Tecumseth Official Plan – June 2019](#)**Future Threat, Activity & Uses**

A future threat, activity and/or use are defined as:

- i. A new building or structure at a location in a *vulnerable* area that commences after the Source Protection Plan takes effect;
- ii. New structures or buildings for a new land use that did not exist on the day before the Source Protection Plan comes into effect;
- iii. An activity that has not occurred within the last ten years from the date of the approval of the Source Protection Plan;
- iv. New agricultural activities on lands that had not been previously used or zoned for any agricultural purposes in the past ten years within *vulnerable* areas; and,
- v. An expansion, alteration or replacement of a use, activity, building or structure that does not reduce the risk of contaminating drinking water is considered a future activity and subject to the future policy.

For clarity, a future threat, activity or use does not include a change in land ownership, the rotation of agricultural lands among crop or fallow conditions provided the lands are zoned for *agricultural uses* and remain zoned for *agricultural uses*.

**Garden Suite**

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

**Groundwater Discharge**

Means water that travels from under the ground to the surface and which forms part of the base flow of rivers and streams.

**Groundwater Recharge**

Means the replenishment of subsurface water:

- i. Resulting from natural processes, such as the infiltration of rainfall and snowmelt and the seepage of surface water from lakes, streams and *wetlands*; and,
- ii. Resulting from human intervention, such as the use of stormwater management systems.

**Hazardous Lands**

Means property or lands that could be unsafe for *development* due to naturally occurring processes. Along the shorelines of the Great Lakes - St. Lawrence River System, this means the land, including that covered by water, between the international boundary, where applicable, and the furthest landward limit of the *flooding hazard*, *erosion hazard* or dynamic beach hazard limits. Along the shorelines of large inland lakes, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit of the *flooding hazard*, *erosion hazard* or dynamic beach hazard limits. Along river, stream and small inland lake systems, this means the land, including that covered by water, to the furthest landward limit of the *flooding hazard* or *erosion hazard* limits.

[New Tecumseth Official Plan – June 2019](#)**Heritage Attributes**

Means the principal features, characteristics, context and appearance that contribute to the cultural heritage significance of a *protected heritage property*.

**Heritage Conservation District**

Means an area defined by the Town to be of unique *character* to be conserved through a designation By-law pursuant to Part V of the Ontario Heritage Act.

**Highly Vulnerable Aquifer**

Shall mean an aquifer that can be easily changed or affected by contamination from both human activities and natural processes as a result of:

- i. Its intrinsic susceptibility, as a function of thickness and permeability of overlaying layers; or,
- ii. By preferential pathways to the aquifer.

**Hydrological Functions**

Means the functions of the hydrological cycle that include the occurrence, circulation, distribution, and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment including its relation to living things.

**Industrial Use**

Means a building or structure or part thereof used primarily for the purpose of manufacturing, processing, fabrication, assembly, treatment, packaging, and incidental storage of goods and materials and may include accessory sales and distribution of such products.

**Infrastructure**

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

**Intensification**

Means the *development* of a property, site or area at a higher density than currently exists through:

- i. *Redevelopment*, including the reuse of *brownfield sites*;
- ii. The *development* of vacant and/or underutilized lots within previously developed areas;
- iii. *Infill development*; and,

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- iv. The expansion or conversion of existing buildings.

### Institutional Use

Means a use that caters to the social, educational and/or religious needs of humans.

### Key ~~Hydrological~~Hydrologic Feature

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.

### Long Term Care Facility

Means a building or structure or part thereof used to provide health care under medical supervision for twenty-four or more consecutive hours, to two or more persons.

### Major Development

Shall mean the construction of a building or building on a lot with the ground floor area cumulatively equal to ~~500m<sup>2</sup>~~500 square metres (5,382ft<sup>2</sup>), 382 square feet), and any other impervious surface. Note: single detached residential properties are exempt from the definition.

### 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.~~

### Mineral Aggregate Operation

Means:

- i. Lands under license or permit, other than for *wayside pits* and quarries, issued in accordance with the Aggregate Resources Act; and,
- ii. 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.

[New Tecumseth Official Plan – June 2019](#)**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*.

**Mineral Aggregate Resource Conservation**

Means:

- i. The recovery and recycling of manufactured materials derived from mineral aggregates (e.g. glass, porcelain, brick, concrete, asphalt, slag, etc.), for re-use in construction, manufacturing, industrial or maintenance projects as a substitute for new mineral aggregates; and,
- ii. The wise use of mineral aggregates including utilization or extraction of on-site *mineral aggregate resources* prior to *development* occurring.

**Minimum Distance Separation (MDS) Formulae**

Means formulae developed by the Province to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

**Motor Vehicle Body Shop**

Means a building or structure or part thereof used for the painting and/or repairing of the interior and/or exterior and/or the undercarriage of motor vehicle bodies. Car washes are not an *accessory use*.

**Motor Vehicle Repair Establishment**

Means a building or structure or part thereof used for the repairing of motor vehicles, but shall not include the sale of motor vehicle fuels. Car washes are not an *accessory use*.

**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 this Plan.

**Natural Heritage Features**

Means features and areas, including *significant wetlands*, *fish habitat*, *significant woodlands*, *significant valleylands*, *significant habitat of endangered and threatened species*, *significant wildlife habitat*, and *significant areas of natural and scientific interest* that are important for their environmental and social values as a legacy of the natural landscapes of an area.

**Natural Heritage System**

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Means a system made up of *natural heritage features* and areas, and linkages intended to provide *connectivity* (at the regional or site level) and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and *ecosystems*. These systems can include *natural heritage features* and areas, federal and provincial parks and conservation reserves, other *natural heritage features*, lands that have been restored or have the potential to be restored to a natural state, areas that support hydrologic functions to continue. The Province has a recommended approach for identifying *natural heritage systems*, but municipal approaches that achieve or exceed the same objective may also be used.

### **Natural Self-Sustaining Vegetation**

Means vegetation dominated by native species that can grow and persist without direct human management, protection, or tending.

### **Negative Impact**

- i. In regard to policy 2.2, of the Provincial Policy Statement (2005) degradation to the *quality and quantity of water, sensitive surface water features and sensitive ground water features*, and their related hydrologic functions, due to single, multiple or successive *development or site alteration* activities;
- ii. In regard to *fish habitat*, the harmful alteration, disruption or destruction of *fish habitat*, except where, in conjunction with the appropriate authorities, it has been authorized under the *Fisheries Act*, using the guiding principle of no net loss of productive capacity;
- iii. in regard to other *natural heritage features* and areas, as set out in policies 2.1.3 and 2.1.4 of the Provincial Policy Statement (2005) degradation that threatens the health and integrity of the natural features or *ecological functions* for which an area is identified due to single, multiple or successive *development or site alteration* activities;
- iv. In respect of the commercial hierarchy in this Plan, means a detrimental effect on planned function that leads to or contributes to urban blight; and,
- v. In all other respects, means a deleterious effect or result on an adjacent use, the enjoyment of a neighbouring property or on the public realm that cannot be reasonably mitigated through the use of planning controls such as setbacks, buffering, fencing, and landscaping.

### New Economy

Means activities based on knowledge and information, rather than traditional industries such as manufacturing.

### **Non-Agricultural Source Material**

Shall mean materials from non-agricultural sources that can be applied to agricultural lands. The *Nutrient Management Act* (Table 1, 2 and 3 of Schedule 4) stipulates land application standards based on the quality and category of NASM being applied. The act identifies three categories of NASMs:

\_\_\_\_\_ Category 1:- \_\_\_\_\_unprocessed plant material (e.g. vegetable culls).

Category 2:- \_\_\_\_\_processed plant material (e.g. organic waste materials from a bakery)

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Category 3:- pulp and paper biosolids and animal-based materials (e.g. organic residual material from meat processing plant) and municipal sewage biosolids

#### **Non-Major Development**

*Non-major development* is considered to be anything not captured in the definition of *major development*.

#### **Normal Farm Practices**

Means a practice, as defined in the *Farming and Food Production Protection Act, 1998*, that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or makes use of innovative technology in a manner consistent with proper advanced farm management practices. Normal farm practices shall be consistent with the *Nutrient Management Act, 2002* and regulations made under that Act.

#### **On-farm Diversified Uses**

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

#### **Organic Solvent**

Shall mean a substance, usually a liquid, capable of dissolving another liquid. Organic solvents include carbon tetrachloride, chloroform, methylene chloride (dichloromethane) and pentachlorophenol.

#### **Outdoor Storage**

Means an area of land used in conjunction with a business located within a building or structure on the same lot, for the storage of goods and materials.

#### **Place of Worship**

Means a building or structure or part thereof used by a charitable religious group(s) for the practice of religious rites.

### [Population-Related Employment](#)

[Means employment that exists in response to a resident population that is primarily not located in employment areas or major office jobs. This category includes retail, education, health care, local government and work at home employment.](#)

#### **Portable Asphalt Plant**

Means a facility:

- i. 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,

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- ii. Which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

**Portable Concrete Plant**

Means a building or structure:

- i. With equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and
- ii. Which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

**Prime Agricultural Area**

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

**Prime Agricultural Land**

Means land that includes specialty crop areas and/or Canada Land Inventory Classes 1, 2 and 3 soils, in this order for priority protection.

**Private Home Daycare**

Means the use of a dwelling unit for the temporary care and custody of not more than five children who do not live in the dwelling unit and who are under ten years of age for reward or compensation for a continuous period not exceeding twenty-four hours.

**Protected Heritage Property**

Means real property designated under Parts IV, V or VI of the Ontario Heritage Act; heritage conservation easement property under Parts II or IV of the Ontario Heritage Act; and property that is the subject of a covenant or agreement between the owner of a property and a conservation body or level of government, registered on title and executed with the primary purpose of preserving, conserving and maintaining a cultural heritage feature or resource, or preventing its destruction, demolition or loss.

**Public Service Facilities**

Lands, 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, and cultural services. Public service facilities do not include *infrastructure*.

**Public uses**

Means:

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- i. Uses carried out by Federal or Provincial ministries or companies that are regulated by the Federal and/or Provincial governments and which include such services as gas, telephone, internet and cable services;
- ii. Uses carried out by the County of Simcoe and the Town of New Tecumseth; and,
- iii. Public roads and railway lines.

### **Quality and Quantity of Water**

Means as measured by indicators such as minimum base flow, depth to water table, aquifer pressure, oxygen levels, suspended solids, temperature, bacteria, nutrients, hazardous contaminants and hydrologic regimes.

### **Redevelopment**

Means the creation of new units, uses or lots on previously developed land in existing communities, including *brownfield sites*.

### **Renewable Energy Systems**

Means the production of electrical power from an energy source that is renewed by natural processes including, but not limited to, wind, water, a biomass resource or product, or solar and geothermal energy.

### **Residence Surplus to a Farm Operation**

Means an existing habitable farm residence that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation).

### **Residential Intensification**

Means *intensification* of a property, site or area which results in a net increase in residential units or accommodation and includes:

- i. *Redevelopment*, including the *redevelopment* of *brownfield sites*;
- ii. The *development* of vacant or underutilized lots within previously developed areas;
- iii. *Infill development*;
- iv. The conversion or expansion of existing industrial, commercial and institutional buildings for residential use; and,
- v. The conversion or expansion of existing residential buildings to create new residential units or accommodation, including accessory apartments, secondary suites and rooming houses.

### **Retail Use**

Means a use conducted in a building or structure or part thereof in which goods, wares, merchandise, substances, articles or things are displayed, rented or sold directly to the general public.

### **Retirement Home**



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Means a building or structure or part thereof providing accommodation primarily for retired persons or couples where each private bedroom or living unit has a separate private bathroom and separate entrance from a common hall but where common facilities for the preparation and consumption of food are provided, and common lounges, recreation rooms and medical care facilities may also be provided.

#### **Risk Management Official**

Shall mean the person responsible for preparing, negotiating and establishing Risk Management Plans and evaluating risk assessments under Part IV of the *Clean Water Act*, similar to the way in which building officials make decisions on building permits. An individual cannot be appointed as a Risk Management Official unless they have the qualifications prescribed by the regulations, which state that the individual completes a ministry-approved training course.

#### **Rural Areas**

Means a system of lands within municipalities that may include rural settlement areas, *rural lands*, prime agricultural areas, *natural heritage features* and areas, and resource areas.

#### **Rural Lands**

Means lands which are located outside Settlement Areas and which are outside prime agricultural areas.

#### **School, Commercial**

Means a building or structure or part thereof used as a school conducted for gain, including a studio of a dancing teacher or a music teacher, an art school, a golf school, school of calisthenics, business or trade school and any other such specialized school.

#### **School, Private**

Means a building or structure or part thereof used as an academic school which secures the major part of its funding from sources other than government agencies.

#### **Second units**

Self-contained residential units with a private kitchen, bathroom facilities and sleeping areas within dwellings or within structures ancillary to a dwelling (e.g., above laneway garages).

Second units are also referred to as secondary suites, basement apartments, accessory apartments, granny flats, in-law apartments, or nanny suites.

#### **Sensitive**

In regard to *surface water features* and ground water features, means areas that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.

#### **Sensitive Land Use**

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Means buildings or structures or parts thereof, amenity areas or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more *adverse effects* from contaminant discharges generated by a major nearby facility. *Sensitive land uses* may be part of the natural or built environment. Examples include residences, day nurseries and educational and health facilities.

### Service Commercial Use

Means a building or structure or part thereof where clerical, business, professional and administrative services such as banking, accounting, insurance, investment and financial planning, land use planning, engineering or architectural services or the services of other consultants are provided and may include personal service uses such as florists, dry cleaning, tailors, travel agents, hair salons, diet centres, day spas, tanning parlours, shoe repair and video stores, but shall not include any Adult Entertainment Use.

### Significant

Means:

- i. In regards to *wetlands* and areas of natural and scientific interest, an area 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;
- ii. In regards to the habitat of *endangered species* and *threatened species*, means the habitat, as approved by the Ontario Ministry of Natural Resources and Forestry, that is necessary for the maintenance, survival, and/or the recovery of naturally occurring or reintroduced populations of endangered and/or *threatened species*, and where those areas of occurrence are occupied or habitually occupied by the species during all or any part(s) of its life cycle;
- iii. In regards to woodland areas, means treed areas in accordance with the definition of *Woodlands* with the distinctions listed below. Although these are general characteristics of *woodlands*, they are not the only factors to be considered in determining the level of significance and protection.

\_\_\_\_ Significant Woodland Policy Area 1: generally larger *woodlands* (10 ha. or greater) that are often associated with *surface water features*.

\_\_\_\_ Significant Woodland Policy Area 2: generally medium-sized *woodlands* (4-10 ha.) that may be associated with *surface water features*.

- iv. In regards to other features and areas identified in Section 4.0 of this Plan, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or *natural heritage system*. Criteria for determining significance may be recommended by the Province, but municipal approaches that achieve the same objective may also be used;
- v. In regard to cultural heritage, resources that are valued for the important contribution they make to our understanding of the history of a place, an event, or a people; and,
- vi. In the Lake Simcoe Region Conservation Authority area, the term “Significant” includes *key natural heritage features* and *key hydrological/hydrologic features*.

### Significant Groundwater Recharge Area

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Shall mean the area where an aquifer is replenished from:

- i. Natural processes, such as the infiltration of rainfall and snowmelt and the seepage of surface water from lakes, streams and *wetlands*;
- ii. From human interventions, such as the use of storm water management systems; and,
- iii. Whose recharge rate exceeds a threshold specified in the regulations.

### **Site Alteration**

In areas outside of the Greenbelt means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

### **Stable Top of Bank**

Means the line which defines the transition between tableland and sloping ground at the crest of a slope associated with a *watercourse*, as determined by an approved Geotechnical Study and/or by the appropriate Conservation Authority.

### **Strategic Growth Areas**

Within *Settlement Areas*, nodes, corridors, and other areas that have been identified by municipalities or the Province to be the focus for accommodating *intensification* and higher-density mixed uses in a more compact built form. *Strategic growth areas* include urban growth centres, major transit station areas, and other major opportunities that may include infill, *redevelopment*, *brownfield sites*, the expansion or conversion of existing buildings, or *greyfields*. Lands along major roads, arterials, or other areas with existing or planned frequent transit service or higher order transit corridors may also be identified as *strategic growth areas*.

### **Stream Corridor**

Means an area of land on both sides of a stream that contribute to the *ecological functions* of the stream.

### **Strip Development**

Means lot creation in the non-urban Designations:

- i. Along roads that are part of the originally surveyed concessions and side roads grid or are other more recently surveyed arterial or collector roads which are not part of an internal local road system designed specifically to provide groups of residential, commercial, industrial, or similar lots with access; and,
- ii. 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.

### **Surface Water Feature**

Means water-related features on the earth's surface, including headwaters, rivers, stream channels, inland lakes, seepage areas, recharge/discharge areas, springs, *wetlands*, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics.

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### **Threatened Species**

Means a species that is listed or categorized as a *Threatened Species* on the Ontario Ministry of Natural Resources and Forestry's official species at risk list, as updated and amended from time to time.

### **Undelineated Built-up Area**

Settlement Areas for which the Minister has not delineated a built boundary pursuant to this Plan.

### **Universal Physical Access**

Means housing designs that incorporate the following principles and features:

- i. Universality – same means for all users;
- ii. Flexibility – providing choice in methods of use and adaptable to the needs of the user;
- iii. Low physical effort – usable with a minimum of effort and fatigue;
- iv. Accessibility – providing for adequate sight lines, reach, hand grip and use of helpful devices;
- v. Safety – minimal consequences of errors with fail-safe features;
- vi. Simplicity – minimal complexity and accommodating a wide range of skills and abilities; and,
- vii. Perceptible information – communicating necessary information effectively and in various ways.

### **Valleylands**

Means a natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year.

Within areas of conservation authority jurisdiction, all lands below/within the *stable top of bank*, predicted top of stable slope, flood plain limit, or predicted meander belt limit, as prescribed in Section 2b) of each conservation authority's Regulation of Development, Interference with *Wetlands* and Alterations to Shorelines and Watercourses regulation under the *Conservation Authorities Act*.

### **Vegetation Protection Zone**

Means a vegetated buffer area surrounding a *Natural Heritage Feature* or Hydrologic Feature within which only those land uses permitted within the feature itself are permitted. The width of the vegetation protection zone is to be determined when new development or site alteration occurs within 120 metres of a *Natural Heritage Feature* or Hydrologic Feature, and is of sufficient size to protect the feature and its functions from the impacts of the proposed change and associated activities that will occur before, during, and after, construction, and where possible, restore or enhance the feature and/or its function.

### **Vulnerable**

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Means surface and groundwater that can be easily changed or impacted by activities or events, either by virtue of their vicinity to such activities or events or by permissive pathways between such activities and the surface and/or groundwater.

#### **Waste Disposal Site**

Means any land upon, into or through which, a building or structure in which, waste is deposited, disposed of, handled, stored, transferred, treated or processed and includes an operation carried out or machinery or equipment used in connection with the depositing, disposal, handling, storage, transfer, treatment or processing of waste.

#### **[Waste Management Assessment Area](#)**

[Means the lands generally within 500 metres of a waste disposal site, or more specifically, the area shown on Schedule A of this Official Plan. The Waste Management Assessment Area \(formerly called the D-4 Assessment Area\) may vary according to the actual waste cell location, depth and type of waste and existing conditions. The County will also prepare and make available for information purposes, a map showing the Waste Management Assessment Areas for all waste disposal sites.](#)

#### **Watercourse**

Means a natural depression in which is situated a continuous or intermittent flow of water sufficient to form and maintain a defined channel, with bed and banks; but generally not including *wetland* flow or modified/constructed drainage features such as swales, agricultural drains or roadside ditches.

#### **Watershed**

Means an area that is drained by a river and its tributaries.

#### **Watershed Plan**

A *watershed plan* provides a framework for integrated decision-making for the management of human activities, land, water, aquatic life and aquatic resources within a *watershed*. It includes matters such as a water budget and conservation plan; land and water use management strategies; an environmental monitoring plan; requirements for the use of environmental management practices and programs; criteria for evaluating the protection of water quality and quantity, and hydrologic features and functions; and targets for the protection and restoration of riparian areas.

#### **Wayside Pit or Quarry**

Means a temporary pit or quarry opened and used by or for a public authority solely for purpose of a particular project or contract of road construction and which is not located within the right-of-way.

#### **Wellhead Protection Area**

Shall mean the surface and subsurface area surrounding a water well or a well field that supplies a municipal residential water system or other designated system through which contaminations are reasonably likely to move so as to eventually reach the water well, wells or cone of influence as related to quantity.

#### **Wetland**

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Means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water-tolerant plants. The four major types of *wetlands* are swamps, marshes, bogs and fens.

Periodically soaked or *wetlands* being used for agricultural purposes which no longer exhibit *wetland* characteristics are not considered to be *wetlands* for purposes of this definition.

#### **Wildlife Habitat**

Means areas where plants, animals and other organisms live and find adequate amounts of food, water, shelter and space to sustain their populations. Specific wildlife habitats of concern, may include areas where a species concentrate at a vulnerable point in their annual or life cycle and an area that is important to a migratory or non-migratory species.

#### **Woodlands**

Means treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of *wildlife habitat*, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. *Woodlands* include treed areas, woodlots or forested areas and vary in their level of significance at the local, regional and provincial levels.