

# OFFICIAL PLAN

THE CORPORATION OF  
THE TOWNSHIP OF SEVERN



**CONSOLIDATION SEPTEMBER, 2010**

## **TOWNSHIP OF SEVERN OFFICIAL PLAN**

### **OFFICE CONSOLIDATION SEPTEMBER, 2010**

This is the Official Plan of the Corporation of the Township of Severn as adopted by Council on July 7, 2005 by By-law 2005-90; and

as approved by the County of Simcoe on April 25, 2006; and

as approved by the Ontario Municipal Board on June 11, 2010.

This version of the Official Plan includes the following amendments:

Official Plan Amendment No. 1, adopted by Severn Township Council on January 4, 2007 by By-law 2007-24; approved by the County of Simcoe on March 14, 2007. (Appendix 1)

Official Plan Amendment No. 2, adopted by Severn Township Council on May 3, 2007 by By-law 2007-70; approved by the County of Simcoe on August 15, 2007. (Appendix 2)

Official Plan Amendment No. 3, adopted by Severn Township Council on April 3, 2008 by By-law 2008-24; approved by the County of Simcoe on October 15, 2008. (Appendix 3)

Official Plan Amendment No. 4, adopted by Severn Township Council on September 4, 2008 by By-law 2008-68; approved by the County of Simcoe on May 13, 2009. (Appendix 4)

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## INTRODUCTION

An Official Plan is a general land use guide, which is intended to serve as the basis for making land use decisions and managing change in any Township in Ontario. 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 Township*”. In preparing this Official Plan, Council has been consistent with matters of Provincial interest as set out in Section 2 of the *Planning Act* and as listed below:

- The protection of ecological systems, including natural areas, features and functions;
- The protection of the agricultural resources of the Province;
- The protection, conservation and management of natural resources and the mineral resource base;
- The conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;
- The supply, efficient use and conservation of energy and water;
- The adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- The minimization of waste;
- The orderly development of safe and healthy communities;
- The adequate provision and distribution of educational, health, social, cultural and recreational facilities;
- The adequate provision of a full range of housing;
- The adequate provision of employment opportunities;
- The protection of the financial and economic well-being of the Province and its municipalities;
- The co-ordination of planning activities of public bodies;
- The resolution of planning conflicts involving public and private interests;
- The protection of public health and safety;
- The appropriate location of growth and development.

## Introduction (cont'd)

Section 27 of the *Planning Act* requires the Township of Severn Official Plan to conform to the County of Simcoe Official Plan (COP). The intent of the COP is to generally set out how growth and development, natural resources and the natural environment are to be managed throughout the County. The intent of the Severn Official Plan is to refine and expand upon the general policy direction contained within the COP in a manner that reflects the Township's character, role and location within the County of Simcoe

The Official Plan process has resulted in the development of a Land Use Vision for the future of the Township that is expressed in this Plan. This Vision is based on the following planning principles:

- Protect and/or enhance the natural environment and cultural heritage features of the Township;
- Manage growth by directing it to appropriate locations;
- Protect and enhance the character of both developed and undeveloped areas in the Township;
- Protect good agricultural land and mineral aggregate resource land from incompatible development;
- Provide appropriate municipal services to support an excellent quality of life;
- Foster the development of a prosperous economy by encouraging appropriate economic development in the best locations; and,
- Deliver responsive and effective local government.

A number of comprehensive Studies were prepared prior to the writing of this Plan. These Studies dealt with the growth management, housing, transportation system, and the agricultural area.

The goals, objectives and policies contained in this Plan are intended to guide the decisions of public authorities and private interests until 2023, which is the planning period established by this Plan. All new public works and the passage of any zoning by-law must conform to this Official Plan. This Plan applies to all lands within the Township of Severn.

## THE STRUCTURE OF THE PLAN

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

**Part A** (Vision, Goals and Strategic Objectives and Land Use Concept) contains the Vision of the Township. This Vision was prepared by Council and is based on an understanding of past and future trends and the wishes of the Township's residents. The goals and strategic objectives that form the basis of the Plan support the Vision. These goals and strategic objectives also establish a framework for the remaining policies in the Plan. This section of the Plan also describes how it is to be implemented through a series of land use designations.

**Part B** (General Development Policies) contain policies that apply to the entire Township of Severn and provide general guidelines for the consideration of development and planning applications

**Part C** (Land Use Policies) contains policies that apply to the various land use designations within the Township as set out in the Land Use Schedules.

**Part D** (Overlay Designations) contains the policies dealing with overlay designations as set out in the Land Use Schedules to the Plan in relation to aggregate potential areas, waste disposal assessment areas, groundwater protection zones, and flood plains.

**Part E** (Secondary Plans) contains more detailed planning policies for specific geographic areas in the Township and includes the Secondary Plan for the North of Division Road area.

**Part F** (Transportation and Servicing) contains the policies that address sewage and water servicing, roads and transportation, stormwater management and drainage, and utility policies.

**Part G** (Plan Implementation and Administration) describes how the Vision, Goals, Objectives and Policies of the Official Plan will be implemented.

The policies of this Official Plan are also implemented on the following schedules:

Schedule A	- North Land Use
Schedule A	- South Land Use
Schedule A1	- Coldwater Settlement Area
Schedule A2	- Washago Settlement Area
Schedule A3	- Westshore Settlement Area
Schedule A4	- Port Severn Settlement Area

## Structure of Plan (cont'd)

Schedule A5	- Ardtrea Settlement Area
Schedule A6	- Bass Lake Settlement Area/Marchmont Settlement Area
Schedule A7	- Fesserton Settlement Area
Schedule A8	- Severn Falls Settlement Area
Schedule A9	- South of Division Road Secondary Plan
Schedule A10	- South of Division Road Special Policy Area
Schedule B	- Transportation and Servicing
Schedule B1	- South of Division Road – Roads Plan
Schedule C	- Aggregate Resource Potential Area
Schedule D	- Waste Disposal Assessment Area
Schedule D1	- Flood Proofing Area - Coldwater
Schedule E	- Agricultural Land Classification
Schedule F	- Environmentally Sensitive Areas



**PART A**

**VISION, GOALS AND OBJECTIVES,  
AND LAND USE STRUCTURE**

## **A1 THE VISION**

The primary purpose of the Official Plan is to provide the basis for managing growth that will support and emphasize the Township's unique character, diversity, civic identity, rural lifestyle and heritage features and to do so in a way that has the greatest positive impact on the quality of life in Severn. The Official Plan is one of a series of municipal policies, guidelines and regulations that will direct the actions of the Township and shape growth and development. The Official Plan establishes a vision for the future land use structure of the Township and, as a result, is intended to serve as the basis for managing change over the next twenty years.

The Township of Severn is a community of several smaller communities and rural areas that have a distinctive and enviable identity that comes from the beauty and tranquility of the rural setting, vast woodlands, rivers and valleys. It is a place where residents enjoy safe family living, scenic beauty and active community life. The community recognizes the unique attributes that set it apart from other places and is passionate about preserving the small Township character and rural feeling. The preservation and enhancement of these features while keeping pace with the diverse needs of the community is at the forefront of the Township's Vision for its future.

There has been much discussion on how the Township should grow and evolve over the next twenty years. The Township undertook, in 1998, a community consultation process to develop a vision for the Township in 2020. Titled "Vision 2020", the community consultation process identified the type of Township the residents wanted the Township to be in 2020 and established a series of goals and objectives to achieve this "Vision 2020". The Township sees its goal as achieving a Township that is safe, friendly and a healthy place to live, work, and play. The Township and its citizens view its long-term future to be more self-reliant and supports managed growth that preserves the unique features of the community, uses land wisely, elevates the quality of the built environment and provide diverse economic opportunities. The aim is to provide choices for employment, housing, shopping and services. The intent is to diversify and create a more vibrant local economy through collaborative partnerships with existing businesses and through proactive efforts to attract new industries and services.

The Township and its residents view community services as being fundamental to maintaining and enhancing the quality of life for all age groups. The citizens provide vitality to the community by their committed volunteerism. Severn enjoys a thriving rural community and community cultural events, which provides a balance with the abundance of passive and active recreational and leisure pursuits. The Township and its citizens recognize the need for new and enhanced community services and physical infrastructure to support the existing and changing population.

The Township has a number of important environmental and topographical features that contribute to the 'sense of place' felt by many of the Township's residents. These features include the Severn River system, the Coldwater and North River systems, Lake Couchiching,

the Uthoff trail, and the vast forest tracts, smaller woodland areas and wetland areas that support diverse wildlife communities. The protection of these attributes is a key underlying principle in this Official Plan and for this reason, this Official Plan establishes as a fundamental principal that significant natural heritage features and their ecological function be a primary consideration when making all land use and public works decisions.

As with the County of Simcoe Official Plan, this Official Plan recognizes and enshrines the concept of natural heritage identification and preservation and the need to preserve and protect or enhance certain natural features and functions. These include components of the extensive Greenland system, which is made up of portions of environmentally sensitive areas, wetlands, woodlands, and streams and valley systems. Other lands to be preserved in large measure so that they will always form part of the Township's landscape include the rural area, significant woodlands and major open space areas.

The agricultural areas of the Township are also considered to be an important component of what makes up the character of the community. These areas must be protected for future agricultural use so that they can continue to serve an important role in the local economy. The fragmentation of agricultural areas and the introduction of incompatible uses in these areas will be strongly discouraged by the Official Plan.

The Township is also characterized by substantial reserves of mineral aggregate resources. These areas must be protected and made available for future use in accordance with Provincial Policy. Aggregate extraction is an important component of the Township economy.

The Township is made up of four main settlement areas (Coldwater, Washago, Westshore, and Port Severn), five rural settlement areas, a rural/agricultural area, and a large Greenland system. This Official Plan directs the majority of new residential and employment growth to the settlement areas. It is the intent of this Official Plan to ensure that the Township of Severn has enough land to 2023 to accommodate expected employment and residential growth. The *Simcoe County Population, Household & Employment Forecasts* indicate that the Township of Severn will have a population of 19,400 people in 2026, which is an increase of approximately 8,300 people from 2001. The majority of this population will reside in the four main settlement areas and the five rural settlement areas.

The rural area serves a vital natural function as a source of habitat, clean water and food and is considered an asset to the community. This Official Plan establishes the long-term role and function of the rural area within the Township. It is the intent of the Township to encourage development in the rural area that is compatible with the character, role and function of the area. It is also the intent of this Plan to permit the continued functioning of natural systems, maintain the rural pattern of large land holdings and a landscape dominated by open fields and forests. The protection of the rural area is an important element of the permanent community structure.

Encouraging additional economic development in the Township is also a key goal of this Official Plan. The establishment of a positive business environment that provides jobs and

prosperity to Township residents is a key component of this Plan. On this basis, this Plan encourages the development of additional uses in the rural area to provide appropriate opportunities for rural residents. In addition, this Plan also encourages, through a flexible policy regime, opportunities for additional development in the settlement areas.

The new Official Plan assumes that the high quality of life now enjoyed by the Township's residents can be maintained and enhanced if the Township's distinct small community and rural character is maintained and enhanced. However, change is inevitable and it must be managed in an efficient and orderly manner to maximize the benefits of new development and minimize the impacts. It is therefore the intent of this Plan to provide Council with the tools to consider and mitigate the impacts of change on the qualities that make the Township a desirable place to live.

## **A2 GOALS AND OBJECTIVES**

### **A2.1 NATURAL HERITAGE**

#### **A2.1.1 Goal**

It is the goal of this Plan to protect and enhance significant natural heritage features and ecological functions in the Township.

#### **A2.1.2 Objectives**

- a) To ensure that the protection of significant environmental features and their associated ecological functions is considered in all land use decisions.
- b) To ensure that a thorough understanding of the natural environment, including the values, opportunities, limits and constraints that it provides, guides land use decision-making in the Township.
- c) To require that land use planning contributes to the protection, improvement or restoration of water and related resources and aquatic ecosystems on an integrated watershed management basis.
- d) To minimize potential negative impacts to the water quality and hydrological and hydrogeological characteristics of sensitive surface water features and sensitive groundwater features.
- e) To not permit development or site alteration within significant habitat of endangered species and threatened species, within significant wetlands or within significant coastal wetlands.
- f) Development and site alteration shall not be permitted within significant woodlands, significant valleylands, significant wildlife habitat or significant areas of natural and scientific interest unless it can be demonstrated that

such development or site alteration will not have a negative impact on the relevant feature or its ecological function.

- g) To protect, improve or restore surface and groundwater resources in sufficient quality and quantity to meet existing and future needs on a sustainable basis.
- h) The Township shall protect, improve or restore the quality and quantity of water by:
  - i) promoting the efficient and sustainable use of water resources, including practices for water conservation and sustaining water quality, and
  - ii) maintaining linkages and related functions among surface water features, ground water features, hydrologic functions and natural heritage features and areas.
- i) The Township generally seeks to protect other natural heritage features which are not found to be significant. The merits of protection of these features relative to the merits of development or site alteration shall be assessed on a case by case basis through completion of an Environmental Impact Study and, if applicable, consideration of any proposed means of mitigation, remediation and possible ecological enhancements.

## **A2.2 GROWTH AND SETTLEMENT**

### **A2.2.1 Goal**

It is the goal of this Plan to direct most forms of development to settlement areas where full wastewater and water services are available or the community has developed as a settlement area and to support the efficient use of land in these areas.

### **A2.2.2 Objectives**

- a) To direct the majority of new residential and employment growth to settlement areas.
- b) To restrict the amount of development in the Rural area, by permitting limited development in the form of individual lots through the process of infilling.
- c) To permit development that maintains and enhances settlement area character and scale in accordance with the policies contained within this Plan and approved Secondary Plans.

- d) To prohibit the development of new residential subdivisions outside of the existing settlement areas.
- e) To encourage the more efficient use of land in the settlement areas, where appropriate.
- f) To encourage development and redevelopment in the Township's commercial corridors that incorporates excellence in site planning and design and complements the location and character of the Township.
- g) To encourage the establishment of an optimum balance between residential and non-residential assessment in the Township.
- h) To ensure that all development is appropriately phased and in conjunction with required infrastructure improvements where appropriate.
- i) To ensure that the use of existing infrastructure and public service facilities should be optimized, wherever feasible, before consideration is given to developing new infrastructure and public service facilities.
- j) Impacts from any new or expanding non-agricultural uses on surrounding agricultural operations and lands should be mitigated to the extent feasible.

### A2.2.3

#### **Identifying a Settlement Area or Expansion of a Settlement Area**

The Township may identify a settlement area or allow the expansions of or identification of settlement area only at the time of a comprehensive review and only where it has been demonstrated that:

- a) Sufficient opportunities for growth are not available through intensification, redevelopment and designated growth areas to accommodate the projected needs over the identified planning horizon;
- b) The infrastructure and public service facilities which are planned or available are suitable for the development over the long term and protect public health and safety;
- c) In prime agricultural areas:
  - i) the lands do not comprise specialty crop areas;
  - ii) there are no reasonable alternatives which avoid prime agricultural areas, and
  - iii) there are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas, and

- d) Impacts from new or expanding settlement areas on agricultural operations which are adjacent or close to the settlement area are mitigated to the extent feasible.

The Township shall apply the policies regarding wise use and management of resources and protecting public health and safety.

## **A2.3 SETTLEMENT AREAS**

### **A2.3.1 Goal**

It is the goal of this Plan to protect and enhance the character of existing settlement areas and to maintain them as diverse, liveable, safe, thriving and attractive communities.

### **A2.3.2 Objectives**

- a) To encourage the further development and use of the lands within the Settlement Areas, as appropriate.
- b) To ensure that all new development within a settlement area has a positive contribution on urban life in the Township.
- c) To ensure that the character and stability of existing and well established settlement areas are maintained and enhanced by ensuring that development and redevelopment is compatible, in terms of built form, with the character of adjacent buildings and neighbourhoods and the scale and density of existing development.
- d) To encourage a high quality of site and building design for all forms of development within the Settlement Areas.
- e) To exercise appropriate municipal development control in order to achieve a consistently high standard of site, building and landscape design.
- f) To ensure that new development areas are integrated into the fabric of the existing community.
- g) To ensure that Settlement Areas are compact, pedestrian-friendly with the mix of housing types, community facilities, commercial uses and open spaces.

## **A2.4 RURAL AREAS**

### **A2.4.1 Goal**

It is the goal of this Plan to protect, maintain and enhance the rural open space character of lands outside of the *Settlement Areas*.

### **A2.4.2 Objectives**

- a) To ensure that development minimizes the negative impact on the open and natural character of the rural area.
- b) To restrict development that requires the expansion of urban services into the rural area.
- c) To discourage the intrusion of land uses that are incompatible with the rural character and/or resource activities of the area.
- d) To encourage the development of passive low-intensity recreational uses such as four season trails in the rural areas of the Township, provided the use has a minimal impact on the character of the rural area and is properly sited.

## **A2.5 AGRICULTURE**

### **A2.5.1 Goal**

It is the goal of this Plan to preserve areas demonstrating high capability for agricultural production for that purpose.

### **A2.5.2 Objectives**

- a) To ensure that agriculture remains an integral part of the economy of the Township.
- b) To ensure that non-agricultural uses are not permitted except as permitted by Provincial Policy.
- c) To encourage the establishment of farm-related uses and other secondary uses on farm properties to improve the viability of area farms.
- d) To encourage the establishment of uses and activities on farm properties that highlight the importance of agriculture and its history in the Township.
- e) To encourage the maintenance of the character of agricultural areas by maintaining farm buildings and other elements of the built and natural landscapes that contribute to that character.



## **A2.6 CULTURAL HERITAGE**

### **A2.6.1 Goal**

It is the goal of this Plan that the Township's cultural heritage resources be identified, conserved and enhanced whenever practical and that all new development occur in a manner which respects the Township's cultural heritage.

### **A2.6.2 Objectives**

- a) To enhance the character of the Township by protecting and maintaining the Township's cultural heritage resources.
- b) To encourage the retention of cultural heritage resources wherever possible to provide continuity between the past and the present.
- c) To foster civic pride by recognizing the contribution that cultural heritage resources make to the rural and urban fabric of the Township.
- d) To use cultural heritage resources as a tool to attract additional economic development, increase tourism opportunities and enhance the character and vitality of neighbourhoods and districts.
- e) To encourage the further appreciation of the Township's history by educating the public on the Township's history and achievements.
- f) To ensure that the nature and location of cultural heritage and archaeological resources are known and considered before land use decisions are made.
- g) To conserve significant cultural heritage resources.
- h) To encourage development that is adjacent to significant cultural heritage resources to be of an appropriate scale and character.
- i) To develop a comprehensive inventory of the Township's built heritage and cultural heritage landscape resources.
- j) To consult and seek the advice of Heritage Committee's and other established heritage organizations when making decisions regarding the conservation of cultural heritage resources in the Township.

## **A2.7 ECONOMIC DEVELOPMENT**

### **A2.7.1 Goal**

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

### **A2.7.2 Objectives**

- a) To facilitate opportunities to provide a range of goods and services to the public within Severn.
- b) To establish, maintain and enhance 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 Township and the wider area.
- c) To encourage wherever possible through the land use planning process the retention and expansion of existing businesses in the Township.
- d) To ensure that a sufficient supply of serviced employment generating lands is available for development at all times.
- e) To carefully monitor local and County trends with respect to the supply of land for employment to ensure that an adequate supply in appropriate locations is available at all times.
- f) To encourage further industrial development in the Settlement Areas on the basis of full or partial services, as appropriate.
- g) To protect lands that have the potential of being used for agricultural purposes or aggregate extraction purposes from incompatible development to ensure that farming operations and aggregate extraction operations can operate with the maximum degree of flexibility and efficiency.
- h) To encourage the development of home-based businesses provided the proposed use is compatible with adjacent uses.
- i) To encourage the protection of the Township's natural attributes, such as its rural character and its Natural Heritage System, to ensure that the recreational and tourism uses that rely upon these attributes continue to thrive.
- j) To improve the aesthetic quality of the retail corridors in the Township to ensure that they function as attractive destinations for shoppers from the Township and the surrounding area.

## **A2.8 INFRASTRUCTURE**

### **A2.8.1 Goal**

It is the goal of this 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.

### **A2.8.2 Objectives**

- a) To ensure that consideration is given to the economics of providing services to the people of the Township 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.
- b) To ensure that all necessary infrastructure required to serve the settlement areas is built as necessary prior to, or coincident with, new development.
- c) To establish an integrated transportation system that safely and efficiently accommodates various modes of transportation including automobiles, trucks, cycling and walking.
- d) To establish a comprehensive system of truck routes to adequately accommodate truck traffic generated from Aggregate Extraction operations located in the Township.
- e) To carefully control the street pattern within new development areas that is based on pattern of arterial, collector and local roads.

## **A2.9 HOUSING**

### **A2.9.1 Goal**

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

### **A2.9.2 Objectives**

- a) To ensure that there is a ten year supply of land designated and available for residential development and a three year supply of residential lots at all times, provided that there is sufficient water and wastewater capacity available to service development in the Settlement Areas.

- b) To encourage and support opportunities for mixed-use development in appropriate locations that assist in the achievement of residential intensification and affordable housing.
- c) To 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.
- d) To ensure that a full range of housing opportunities are available for residents in the Township.
- e) To encourage the development of seniors housing in the Township.
- f) To encourage the provision of additional rental housing, within the financial capabilities of the Township, through the use of financial incentives to the private sector and the entering into of public/private partnerships.
- g) To participate in County, Provincial and/or Federal housing programs that support appropriate housing development in the Township.

## **A2.10 MINERAL AGGREGATE RESOURCES**

### **A2.10.1 Goal**

It is the goal of this Plan to ensure that mineral aggregate resources are protected for long term use while ensuring that extraction occurs in a manner that minimizes potential impacts on the environment and character of the Township.

### **A2.10.2 Objectives**

- a) To ensure that as much of the mineral aggregate resource located in the Township as is realistically possible is made available to supply mineral aggregate needs provided the extraction can occur such that environmental and social impacts are minimized in accordance with Provincial standards and regulations.
- b) To encourage the proper management of mineral aggregate operations to minimize potential negative environmental and social impacts.

## **A2.11 COMMUNITY IMPROVEMENTS**

### **A2.11.1 Goal**

To encourage those community improvements which encompass both public and private sector opportunities for the maintenance, improvement, rehabilitation and redevelopment of the physical environment and, thereby, accommodate identifiable social and economic priorities throughout the Township.

## A2.11.2 Objectives

- a) To undertake public investment in the improvement of community services which promotes the development and the maintenance of an attractive atmosphere for private sector investment.
- b) To identify those deficiencies in the public infrastructure which represent realistic and attainable opportunities for community improvement and which stimulate economic development and create long term employment opportunities, together with a stronger municipal assessment base.
- c) To implement community improvements in a planned, coordinated manner which respond to local problems, priorities and financial resources and, thereby, optimize the results associated with municipal capital expenditures.
- d) To improve and maintain the quality of the physical environment by reducing land use conflicts, improving the level of municipal services available, and by the adoption of planning policies which serve to stabilize the use of lands.
- e) To provide an appropriate level of recreational and community facilities in keeping with the needs of area residents.
- f) To maximize the benefits to be derived by the use of funding from senior levels of government.
- g) To provide for the phasing of community improvements in the manner which ensures a logical sequence of events without unnecessary hardship for residents and businesses within the area affected.

## A3 LAND USE CONCEPT

The land use designations in this Plan are divided into three broad categories. The *Environmental Protection Area* and *Greenland* applies to lands throughout the Township that are considered to be important from a natural heritage perspective. The *Settlement Area* applies to the 8 settlement areas in the Township including the existing shoreline communities. The *Agricultural/Rural Area* applies to lands outside of the *Settlement Areas* excluding the *Environmental Protection Area* and *Greenland*.

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

### **A3.1 NATURAL HERITAGE SYSTEM**

The land use designations within the *Natural Heritage System* are described below:

#### **A3.1.1 Greenland**

The Greenland designation is where the natural heritage features, ecological functions and the biodiversity of the natural heritage system within the Township are located. The Greenland designation mapped on Schedule A is based on the Greenland designation mapped in the County of Simcoe Official Plan and the related natural heritage system. The Environmentally Sensitive Areas mapped on Schedule F are included in the Greenland designation in this Plan.

#### **A3.1.2 Environmental Protection Area**

This designation applies to lands which were designated Environmental Protection in the Official Plans that comprised the former municipalities of the Township of Severn. These lands are comprised of intermittent or permanent streams together with a ten (10) metre setback from the top of bank.

### **A3.2 SETTLEMENT AREA**

The land use designations within the *Settlement Areas* are described below:

#### **A3.2.1 Settlement Living Area**

This designation applies to lands that are primarily used for residential purposes in the settlement areas.

#### **A3.2.2 Settlement Employment Area**

This designation applies to lands that are primarily used for commercial and industrial uses within the defined settlement areas.

#### **A3.2.3 Open Space**

This designation applies to public open space uses located within the defined settlement areas.

### **A3.3 AGRICULTURAL/RURAL AREA**

The land use designations within the *Agricultural/Rural* category are described below:

### A3.3.1 **Prime Agricultural Area**

This designation applies to areas that are predominantly utilized for agricultural purposes and which have an agricultural character. The *Prime Agricultural Area* primarily consists of lands, which are Classes 1, 2 or 3 for potential agricultural capability according to the Canada Land Inventory. The lands within this designation are considered by this Plan to be the Prime Agricultural Area of the Township.

### A3.3.2 **Rural Area**

This designation generally applies to lands that are the site of agricultural and rural land uses. The *Rural Area* consists of lands that have more varied Classes for potential agricultural capability according to the Canada Land Inventory than the Agricultural Area.

### A3.3.3 **Shoreline Residential Area**

This designation applies to the existing shoreline residential areas outside the defined settlement areas along Lake Couchiching, along the Severn River, and on certain lakes such as Sparrow Lake.

### A3.3.4 **Country Residential Area**

This designation only applies to lands that have been generally developed as a Country Residential or, Draft Approved plan of subdivision, or approved through a site-specific Official Plan Amendment prior to the adoption of this Plan.

### A3.3.5 **Licensed Pit or Quarry**

This designation only applies to lands that are currently used and/or licensed for aggregate extraction by the Ministry of Natural Resources.

### A3.3.6 **Major Recreation Area**

This designation applies to lands that are the site of the larger and land-intensive outdoor recreational uses in the Township.

### A3.3.7 **Highway Employment Area**

This designation applies to the East Service Road between Quarry Road and Port Severn and the Highway No. 11 corridor in the Township that is the site of considerable existing commercial and industrial uses.

**PART B**

**GENERAL DEVELOPMENT POLICIES**



## **B1 GENERAL POLICIES**

- B1.1 It shall be a policy of the Township to ensure that all development and/or site alteration occurs in accordance with the land use designations shown on the attached schedules and with the policies of this Plan. No zoning by-law shall be approved and no public works shall be undertaken which do not comply with the provisions of this Plan without an Official Plan amendment.
- B1.2 The Township will ensure through the adoption of zoning by-laws under the Planning Act, that adequate standards are required for all development and/or site alteration relating to off-street parking and loading requirements and other similar criteria, including landscaping and adequate buffering, and controls regulating the height, bulk, location, size, floor area, spacing and character of buildings.
- B1.3 Where, under the policies of this Plan a land use is permitted, uses normally accessory to such use are also permitted.
- B1.4 Prior to development and/or site alteration occurring, and before any land subdivision or consent for a land severance is permitted, or any amendment to a zoning by-law is made, it shall be established to the satisfaction of the Township and all other bodies having jurisdiction, that:
- a) Soil and drainage conditions are suitable to permit the proper siting of buildings;
  - b) Suitable arrangements have been made for water supply, sewage disposal, storm drainage and all other necessary public services;
  - c) No traffic hazards will ensue because of excess traffic generation, or limited sight lines on curves or grades;
  - d) The land fronts on an improved public road, on a road which is maintained by the Township and which meets municipal standards, or in the case of residential development on existing lots on a private road in accordance with the relevant policies of this Plan. Limited creation of new lots on private roads will be considered only in shoreline residential designation areas, but only subject to Council approval;
  - e) The potential impact of all adjacent land uses upon the proposed use has been adequately investigated;
  - f) Appropriate action is taken to minimize any adverse effects of the proposed use on adjacent lands and/or to afford protection from any such effects and an adequate buffer distance is provided between the use and adjacent uses in accordance with the policies of the Plan;

- g) The Minimum Distance Separation Formula are complied with; and,
- h) All new development and/or site alteration permitted by the land use policies and designations of this Plan shall have regard for the cultural and natural heritage resources and, if appropriate and to the extent practical, shall, incorporate these resources into any plan that may be prepared for such new development and/or site alteration within the Township.

B1.5 In the course of considering a development proposal, Council may undertake, or direct to be undertaken, planning studies to ensure that the objectives and policies of this Plan are met. Such studies may include the ecological, social and economic impacts on the Township and its residents as set out in Section B10 of this Plan. Council may refuse developments which may have significant adverse impacts or may require agreements or remedial works to offset such impacts.

B1.6 Certain areas and types of development in the Township shall be subject to the site plan control provisions of the Planning Act. The specific land uses and designations which may be subject to site plan control and the associated policies are outlined in Section G of this Plan.

B1.7 All development and site alteration in the Township shall have regard to, and comply with Local, County and Provincial by-laws and policies, and where required, submit the appropriate studies, and/or applications for approval, and enter into agreements, as necessary, the County of Simcoe Road and Entrance By-laws, Tree Cutting By-law, and policies respecting waste disposal sites.

B1.8 Long-term economic prosperity should be supported by: promoting the redevelopment of brownfield sites; providing opportunities for sustainable tourism development; promoting the sustainability of the agric-food sector by protecting agricultural resources, providing opportunities for the extraction of mineral aggregate resources and minimizing land use conflicts, and providing opportunities for increased energy generation, supply and conservation, including alternative energy systems and renewable energy systems.

B1.9 Regarding development and site alteration in areas of natural hazards;

- a) development and site alteration shall generally be directed outside of hazardous lands adjacent to the inland lakes, rivers and streams which are impacted by flooding hazards, and/or erosion hazards, and or dynamic health hazards.
- b) With the exception of pits and quarries, development and site alteration shall not be permitted within the dynamic beach hazard or a floodway regardless of whether the area of inundation contains high points of land not subject to flooding.

B1.10 The Township shall support energy efficiency and improved air quality through land use and development patterns which:

- a) promote compact form and a structure of nodes and corridors, and
- b) promote design and orientation which maximize the use of alternative or renewable energy, such as solar and wind energy, and the mitigating effects of vegetation.

The Township should promote increased energy supply, by providing opportunities for the use of renewable energy systems and alternative energy systems.

Alternative energy systems and renewable energy systems shall be permitted in settlement areas, rural areas and prime agricultural areas in accordance with provincial and federal requirements. In rural areas and agricultural areas, these systems should be designed and constructed to minimize impacts on agricultural operations.

## **B2 PUBLIC LAND USES**

Except as may be otherwise specifically stated in this Plan, it shall be a policy of this Plan to permit the use of any land or the use of any building or structure, for the purposes of public service by this Township, any telephone company, any natural gas company, any conservation authority established by the Government of Ontario or any Department or Ministry of the Government of Ontario or of Canada or authorized contractors/agents of the Ministry or Agency. All public uses shall have regard to the specific Official Plan policies and zoning regulations for the designation and zone within which they are located. Such public service uses shall not include waste management facilities, waste disposal operations, facilities operated by or for the Ministry of Corrections, or other similar uses. Such uses shall only be permitted by an amendment to this Plan which is supported by detailed documentation on the environmental, social, financial and servicing aspects of such development.

All existing electric power facilities and the development of any new electric power facilities, including all works as defined in the Power Corporations Act, such as transmission lines, transformer stations and distributing stations, shall be permitted in any land use designation, without an amendment to the Plan provided that such development satisfies the provisions of the Environmental Assessment Act, including regulations made under the Act, and any other relevant statutes.

It is the intent of this Plan that new power generating facilities would be subject to an amendment to this Plan. Alternative energy systems and renewable energy systems, as described in the Provincial Policy Statement, shall be permitted in settlement areas, rural areas and prime agricultural areas in accordance with provincial and federal requirements.

### **B3 GROUP HOMES**

It shall be a policy of Council to permit the establishment of group homes within the corporate limits of the Township in accordance with the following policies and all other relevant policies of this Plan.

For the purpose of this section, a group home shall mean a dwelling in which not less than three nor more than ten people receive specialized or sheltered residential care and accommodation by virtue of their physical, mental, emotional or social status and which is approved or licensed in accordance with any Act of the Parliament of Canada or Ontario. This does not include an establishment operated primarily for persons who have been placed on probation, released on parole, admitted for correctional purposes or are criminally insane.

Council shall establish, through the Zoning By-law, the zones in which group homes may be permitted and such other matters as the number of persons who may reside in a group home and the minimum separation distance between group homes. In order to prevent an undue concentration of residential care facilities in specific areas of the Township, the Zoning By-laws shall specify a minimum distance separation between facilities, as well as regulations regarding performance standards such as dwelling type, and minimum floor space. These standards shall have regard to the limitations of the existing housing stock and design, as well as the objective of community integration.

### **B4 HOME OCCUPATIONS AND HOME INDUSTRIES**

#### **B4.1 HOME OCCUPATIONS**

Home occupations are permitted in all designations where a dwelling is a principle permitted use, provided:

- a) it is wholly located within a dwelling unit;
- b) it is clearly secondary to the primary use of the property as a residence, in terms of floor space utilization, and is compatible with surrounding residential uses;
- c) it is located in the principal residence of the person conducting the home occupation;

- d) no outside storage of goods, materials, equipment or service vehicles other than cars, vans and light trucks related to the home occupation occurs;
- e) adequate on-site parking is provided for the home occupation use, in addition to the parking required for the residential use, and such parking is provided in locations compatible with the surrounding residential uses; and,
- f) the sign identifying the home occupation is limited in size and in accordance with the municipal Sign By-law.

The implementing zoning by-law shall further detail the conditions under which a home occupation may be permitted.

#### **B4.2 BED & BREAKFAST ESTABLISHMENTS**

Bed and breakfast establishments are permitted in single detached dwellings where listed as a permitted use in the land use designations in this Plan, subject to a rezoning. Council shall be satisfied that the following criteria can be met:

- a) the use shall not have a negative impact on the enjoyment and privacy of neighbouring properties;
- b) the use is clearly secondary to the primary use of the dwelling as a residence;
- c) the bed and breakfast establishment must be the principal residence of the owner and operator;
- d) the character of the dwelling as a private residence is preserved;
- e) adequate parking facilities are available on the lot for the proposed use;
- f) no more than three bedrooms are available for guests;
- g) the use will not cause a traffic hazard;
- h) the owner or operator must receive a license from the Township in accordance with the Township's Lodging and Bed and Breakfast Licensing by-law as amended.

The implementing Zoning By-law shall further detail the conditions under which a bed and breakfast establishment may be permitted.

### **B4.3**

### **HOME INDUSTRIES**

Home industries are small-scale industrial uses that are accessory to agricultural operations or single detached dwellings on large rural lots. These uses should not detract from the primary use of the property for agricultural or residential purposes.

Home industries may include welding, carpentry or machine shops, or agriculturally related uses that involve the processing of County produced agricultural crops or other products. The accessory retail sales of products produced in the home industry is also permitted. The repair, storage or sale of motor vehicles is not considered to be a home industry.

Home industries may be permitted, subject to re-zoning, in the AGRICULTURAL and RURAL designations provided Council is satisfied that:

- a) the building housing the home industry is located within the existing farm-building cluster, if located on a farm property;
- b) the home industry has a floor area that is consistent with the scale of uses on the property;
- c) the home industry and any activity area associated with the home industry is set back from all lot lines by at least 30 metres;
- d) the noise dust and odour that could potentially emanate from the use will not have an adverse impact on adjacent properties;
- e) the type and level of traffic generated by the use is compatible with the character of the area and the function of adjacent roads;
- f) the operator of the home industry resides on the property;
- g) all machinery and equipment, with the exception of motor vehicles, required for the home industry is located within enclosed buildings;
- h) any open storage associated with the home industry is screened from view and located within a fenced compound;
- i) the home industry has a limited number of employees; and,
- j) any retail component of the home industry is clearly accessory to the home industry and does not detract from the primary use of the property.

The development of a new home industry shall be subject to Site Plan Control. In addition, such a use may require a license in accordance with the Municipal Act.

## **B5 GARDEN SUITE DWELLING UNIT**

Notwithstanding any other provisions of this Plan, the establishment of a "Garden Suite" may be permitted, subject to a Temporary Use By-law, on land designated "AGRICULTURAL AREA OR RURAL AREA". The "Garden Suite" shall be considered secondary and incidental to the existing dwelling unit.

In considering "Garden Suite" dwelling units Council, prior to passing a Temporary Use By-law, shall be satisfied that:

- a) The "Garden Suite" is being permitted in conjunction with a single detached dwelling unit;
- b) The "Garden Suite" is secondary to the single detached dwelling unit and no more than two dwelling units in total, including the Garden Suite, shall be permitted per lot;
- c) Adequate parking for the "Garden Suite" is available;
- d) Where necessary buffering of adjacent uses is provided;
- e) The "Garden Suite" shall not cause an encroachment into any required yard imposed by the Zoning By-law. In the case where an existing single detached dwelling is legally non-complying, the "Garden Suite" shall not cause further encroachment;
- f) The internal construction of the "Garden Suite" i.e. washrooms, kitchen, etc. comply with the applicable codes and regulations and shall be portable;
- g) The "Garden Suite" is serviced through an extension from the existing dwelling unit and the private services are adequate to service the principle residential unit and the "Garden Suite";
- h) An agreement is entered into with the Township regarding the maintenance, alterations and improvements and eventual removal of the "Garden Suite" unit. This agreement may include a bond or security held by the Town that would ensure the removal of the unit.

## **B6 ACCESSORY DWELLING UNITS**

Notwithstanding any other provisions of this Plan, the conversion of individual dwelling units to accommodate an accessory dwelling unit shall be permitted as-of-right on all lands within the Township of Severn. For the purpose of this Section, "Accessory Dwelling Unit" shall be considered secondary and incidental to the existing individual dwelling unit.

Appropriate standards and provisions shall be established in the General Zoning By-law in accordance with the following guidelines:

- a) The accessory dwelling unit is being permitted in conjunction with a single detached, semi-detached or row house dwelling;
- b) Only one accessory dwelling is permitted per single detached, semi-detached or row house dwelling;
- c) The dwelling is accessory and secondary to the single detached, semi-detached or row house dwelling unit;
- d) The accessory dwelling unit forms an integral part of the single detached dwelling and is so designed to maintain the character of the single detached, semi-detached or row house dwelling and the surrounding neighbourhood;
- e) The internal construction of the unit, i.e. washrooms, kitchens, etc., comply with the applicable codes and regulations;
- f) Adequate parking for the accessory unit is available;
- g) Where necessary, buffering of adjacent uses is provided;
- h) The addition of an accessory dwelling unit shall not cause an encroachment into any required yard or height restriction imposed by the Zoning By-law. In the case where an existing single detached, semi-detached or row house dwelling is legally non-complying such accessory dwelling unit shall not cause a further encroachment;
- i) The minimum floor area for the accessory dwelling unit and all other standards will comply with the Ontario Building Code, Ontario Fire Code, and all other applicable requirements, and;
- j) The lot upon which an accessory dwelling unit is to be located is connected to full municipal services; or
- k) The lot upon which an accessory dwelling unit is to be located is adequate to accommodate a private sewage disposal system acceptable to the applicable Agency to adequately service the residential and accessory dwelling units.



## **B7 CULTURAL HERITAGE RESOURCES**

### **B7.1 OBJECTIVES**

It is the intent of this Plan to:

- a) recognize that the maintenance of the Township's heritage resources will contribute to the preservation of the Township's character.
- b) consult and seek the advice of a Municipal Heritage Committee or other established heritage organizations when making decisions regarding the conservation of cultural heritage resources in the Township.

### **B7.2 GENERAL POLICIES**

#### **B7.2.1 Cultural Heritage Master Plan**

In order to implement the objectives of this Plan, Council may prepare a Cultural Heritage Master Plan (CHMP). Such a Master Plan would survey, inventory, examine and study the Township's cultural heritage resources. The intent of the CHMP is to make recommendations on how the cultural heritage resources of the Township should be enhanced and protected in accordance with the goals and objectives of this Plan. In addition, the CHMP shall make recommendations on:

- a) the need for the preparation of a Heritage Conservation District Plan in accordance with the Ontario Heritage Act and as described in this section of the Plan; and,
- b) the need for area-specific Official Plan policies and/or zoning by-law regulations for cultural heritage areas.

#### **B7.2.2 Cultural Heritage Impact Statements**

Council may require the submission of a Cultural Heritage Impact Statement (CHIS) to support an application for development if the affected lands are the site of an identified cultural heritage resource or are located in close proximity to an identified cultural heritage resource. The intent of the CHIS is to determine what impacts the development will have on the resource and whether the application for development will conform to the goals, objectives and policies of this Plan and if applicable, the CHMP described in Section B7.2.1 of this Plan

The CHIS shall be in the form of a report undertaken by a qualified professional with expertise in heritage studies, and contain a description of:

- a) the proposed development;
- b) the cultural heritage resource(s) to be affected by the development;
- c) the effects upon the cultural heritage resource(s) by the proposed development;
- d) the measures necessary to mitigate the adverse effects of the development upon the cultural heritage resource(s);
- e) how the proposed development will relate, in terms of height, bulk, massing and presence with identified heritage buildings on the property and in the area; and,
- f) how the policies of the CHMP have been incorporated or satisfied, where one has been prepared.

Prior to considering a development that requires the preparation of a CHIS, Council shall be satisfied that the development will conform to the goals and objectives of this section and will be compatible, in terms of height, massing, bulk and scale with adjacent development.

#### **B7.2.3 Public Works**

Public authorities have the ability to make decisions affecting the public realm that can have a positive impact on cultural heritage resources. On this basis, the carrying out of any public work by any Public Authority shall have regard to the retention and protection of identified cultural heritage resources in accordance with the goals and objectives of this Plan and the CHMP.

#### **B7.2.4 Mitigation of Impacts on Cultural Heritage Resources**

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

## **B7.2.5 Restoration and/or Rehabilitation of Identified Cultural Heritage Resources**

It is the intent of this Plan to encourage the restoration or rehabilitation of identified cultural heritage resources by assisting with funding applications, establishing grant programs and creating special taxation districts. Council may also encourage the restoration and retention of heritage properties through the use of bonusing and density transfers and other means as permitted by the Planning Act. Council may lead by example by restoring, rehabilitating, enhancing and maintaining municipally owned cultural heritage resources, through appropriate heritage stewardship practices.

## **B7.3 BUILT HERITAGE AND CULTURAL LANDSCAPE RESOURCES**

### **B7.3.1 Built Heritage Inventory**

An inventory of heritage buildings and structures within the Municipal shall be developed. Inventoried heritage resources may be considered for designation under the Ontario Heritage Act and/or conservation through the review of any proposed development, subject to all relevant legislation. The inventory may be included within the CHMP described in Section B7.2 of this Plan.

### **B7.3.2 Designation under the Ontario Heritage Act**

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. Prior to the passage of such a by-law, Council shall be satisfied that:

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

### **B7.3.3 Retention/Relocation of Heritage Buildings**

Council shall encourage the retention of buildings of architectural and/or historical significance in their original locations whenever possible. All options for on-site retention shall be considered before approval is given for relocation to another site. These options include: integration within new development areas, adaptive re-use of the building in its original location (e.g. use as a community centre within a residential subdivision), and relocation of the building on the development site.

## **B7.4 ARCHAEOLOGICAL RESOURCES**

### **B7.4.1 Archaeological Assessment Requirements**

Council recognizes that there are archaeological remnants of prehistoric and early historic habitation as well as archaeological potential areas within the Township. Archaeological sites and resources contained within these areas can be adversely affected by any future development.

Council shall therefore require archaeological impact assessments and the preservation or excavation of significant archaeological resources in accordance with Provincial standards and guidelines.

Archaeological assessment reports by licensed archaeologists are to be in compliance with guidelines set out by the Province, as well as licensing requirements referenced under the Heritage Act.

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.

## **B8 SUBDIVISION OF LAND**

This section contains policies that are to be considered with every application to subdivide land in the Township.

### **B8.1 PREFERRED MEANS OF LAND DIVISION**

A consent to a land severance shall only be considered when the Committee of Adjustment is satisfied that a plan of subdivision is not required to ensure the proper and orderly development of the lands. Where the land ownership would be capable and appropriate for division into numerous lots or there are indications that the scale of development is going beyond that for which the consent process is intended, a plan of subdivision shall be required. It shall be the policy of this Plan that a plan of subdivision shall generally be required if the effect of the severance would be to create more than one building lot.

Land division by Plan of Subdivision, rather than by consent, shall generally be required if:

- a) the extension of an existing public road or the development of a new public road is required to access the proposed lots; or,
- b) the area that is proposed to be developed is not considered to be infilling; or,
- c) a Plan of Subdivision is required to ensure that the entire land holding or area is developed in an orderly and efficient manner; or,
- d) more than two lots including the retained lands are being created and/or the owner is retaining sufficient lands for the development of additional lots.

## **B8.2 NEW LOTS BY CONSENT**

### **B8.2.1 General Criteria**

Prior to issuing provisional consent for a new lot for any purpose, the Committee of Adjustment shall be satisfied that the lot to be retained and the lot to be severed:

- a) front on and will be directly accessed by a public road that is maintained on a year-round basis or where the lot is on a private road, or water access only, Council has approved its creation;
- b) will not cause a traffic hazard;
- c) has adequate size and frontage for the proposed use in accordance with the Comprehensive Zoning By-law to ensure conformity with the local, county and provincial zoning/setback requirements and is compatible with adjacent uses;
- d) can be serviced with an appropriate water supply and means of sewage disposal;
- e) will not have a negative impact on the drainage patterns in the area;
- f) 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; and,
- g) will not have a negative impact on the ecological features and/or natural functions of any ecological feature in the area.

- h) consents in areas designated Agricultural Area will only be considered under the policies of Sections B8.2.2, B8.2.4 and B8.2.8 of this Plan.

Provisional consent may be granted subject to appropriate conditions of approval for the severed and/or retained lot in accordance with the *Planning Act*.

The Following Types of Consents May Be Considered:

**B8.2.2 Boundary Adjustments**

A consent may be permitted for the purpose of correcting conveyances, enlarging existing lots or through acquisition by a public body, provided no new building lot is created. In reviewing an application for such a boundary adjustment, the Committee of Adjustment shall be satisfied that the boundary adjustment will not affect the viability of the use of the properties affected as intended by this Plan.

**B8.2.3 Technical Severances**

Technical severances refer to rural/agricultural properties that were considered separate prior to 1975, but merged with changes to The Planning Act. In considering such a severance the Committee of Adjustment must be satisfied that the properties were purchased separately and subsequently merged. Should a severance be granted for the technical reasons identified, neither parcel shall be further subdivided.

**B8.2.4 Farm Consolidations/Surplus Dwellings**

Farm consolidations may be considered where the effect of the boundary adjustment or consolidation is to improve the viability of a farm operation provided:

- a) no new lot is created; and,
- b) the viability of using the lands affected by the application for agricultural uses is not adversely impacted if the application is approved.

**B8.2.5 Lots for Utilities**

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

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

### **B8.2.6 Infilling Lots**

The creation of a new infilling lot in the Rural and Greenland designation may be permitted, provided:

- a) the lot is located between two existing residences which are situated on the same side of the road and are generally separated by not more than 150 metres apart;
- b) a lot has not been severed from the parcel since January 1, 1994;
- c) the proposed lot will conform to the Minimum Distance Separation One Formula;
- d) the proposed lot is located in the Rural and Greenland area and is outside areas identified as environmental sensitive and areas of high aggregate potential or not on a designated haul route;
- e) the proposed lot will conform with the general consent policies of this Plan;

### **B8.2.7 Multiple Lot Applications**

Application(s) which would result in the creation of multiple lots within the lands designated SETTLEMENT LIVING AREA, SETTLEMENT EMPLOYMENT AREA, SHORELINE RESIDENTIAL AREA, and HIGHWAY EMPLOYMENT AREA, shall be subject to review and approval by both the Planning Committee and Council prior to being considered by the Committee of Adjustment. The Planning Committee and Council shall have regard for Sections B1.4, B1.5 and B8 in considering a multiple lot severance.

Assessment of the effect of permitting the creation of lots by consent shall take into consideration the past, present and potential future applications in both the immediate and surrounding area.

**B8.2.8** Lot creation in prime agricultural areas is discouraged and may only be permitted for agricultural uses, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations.

### **B8.3 SUBDIVISION DEVELOPMENT POLICIES**

This section is intended to contain general Plan of Subdivision policies that are to be considered with every application for Plan of Subdivision. Regard shall also be had to the specific policies dealing with lot creation in each land use designation.

Prior to the consideration of an application for Plan of Subdivision, Council shall be satisfied that:

- a) the approval of the development is not premature and is in the public interest;
- b) the lands will be appropriately serviced with infrastructure, schools, parkland and open space, community facilities and other amenities;
- c) the density of the development is appropriate for the area;
- d) the subdivision, when developed, will be easily integrated with other development in the area;
- e) the subdivision conforms with the environmental protection and management policies of this Plan; and,
- f) the proposal conforms to Section 51 (24) of the *Planning Act*, as amended.

Prior to the registration of any Plan of Subdivision, a Subdivision Agreement between the landowner and the Township will be required.

## **B9 WATER TAKING NON-DECISION**

It has long been Council's goal to be more involved in the process of approving and considering applications that involve the extraction of more than 50,000 litres of ground or surface water per day. It is also Council's goal to ensure that a process is established whereby landowners in the vicinity of a proposed water taking are informed of a proposed water taking and given an opportunity to comment on the proposal.

It is recognized that the approval of all applications for water taking rests with the Ministry of Environment, in accordance with the Ontario Water Resources Act, as amended. It is a of policy of this Plan that the taking of more than 50,000 litres of ground or surface water per day is deemed to be a land use in accordance with the Planning Act.

The implementation of this policy can only occur if it is implemented in the Township's Zoning By-law. On this basis, a comprehensive amendment to the zoning by-law to include water taking as a land use will be required.

In considering such an Amendment, Council shall determine which type of water taking will require a rezoning and under what conditions such a zoning change could be granted. If a water taking does require a rezoning Council shall be satisfied that at a minimum:



- a) the quality of groundwater and surface water in the area will be maintained and, where possible, improved or restored; and,
- b) the quantity of water available for other uses in the area and that base flow for rivers and streams in the sub-watershed will not be affected.

As a condition of approval, Council may also require the proponent to enter into a monitoring and financial assurance agreement to ensure that Council has the ability to ensure that neighbouring drinking water supplies are not affected by the extraction. If it is deemed that the extraction is having a negative impact on the quality and/or overall quantity of water available in the area, Council will have the ability, pursuant to the monitoring and financial assurance agreement, to require the water extraction to cease or require mitigative measures be undertaken.

## **B10 SUPPORTING STUDIES**

Council may request supporting technical studies or reports as part of the local planning application review process or as part of a comprehensive planning study in order to satisfy the goals and strategic objectives of this Plan. The following policies provide guidance for some of the supporting studies that may be required.

### **B10.1 GENERAL POLICIES**

Council will determine the need and the timing for the submission of the supporting studies on a site-specific basis having regard to the policies and provision of this Plan, the County of Simcoe Official Plan and provincial legislation, policies and implementing guidelines.

Where a supporting study or report is required, it shall be prepared by a qualified professional in the relevant field to the satisfaction of the Township of Severn and all applicable agencies and shall have regard to all federal and provincial legislation, policies and guidelines and best management practices within the field.

Council may require a supporting study required under the provisions of this Plan to be peer reviewed. Where Council has required that a peer review be completed, the Township will require an applicant to pay reasonable costs of the external peer review, which shall not include original data collection or original research. The Township will ensure that reasonable controls on peer review costs are established.

Without limiting the generality of this section, the following identifies the typical technical studies that Council may request be submitted in support of a planning application:

- a) Stormwater Management Study to address impacts of the development on receiving waters, pre and post development, respecting both quality and quantity issues and recommend the required management facilities as well as any other mitigation measures to prevent adverse off site impacts.
- b) Environmental Impact Study to assess the nature and importance of natural heritage features, to assess the potential impact on the features and functions of the natural heritage system, and to identify appropriate means of mitigation, in accordance with the requirements of this Plan and the County Official Plan and the Provincial Policy Statement.
- c) Traffic Impact Study to demonstrate that a proposed development and the resultant traffic generated can be accommodated by the existing road system or system reconfigured as part of the development.
- d) Market Impact Study shall address the potential impacts of proposed commercial development but is not intended to reduce or limit competition. The study will address the possibility that the proposed development would result in the closing of existing services in an identified area to the extent that the area becomes under serviced.
- e) Noise and/or Vibration Study shall demonstrate that the proposed development will have acceptable levels of noise and vibration, in accordance with MOE Guidelines, associated with the proposed uses.
- f) Functional Servicing Study will assess the water, sewage disposal, and other hard service impacts of the proposed development and the potential impacts of the development on the Township's ability to supply the necessary services.
- g) Hydrogeological Study shall assess the impacts of the proposed development on groundwater quality and quantity and the maintenance of base flows in adjacent watercourses.
- h) Archaeological study to inventory the presence or absence of archaeological resources on site and, where significant resources have been document, recommendations for preservation on site or conservation through documentation and excavation.

## **B11 COMMUNITY FACILITIES AND SERVICES**

### **B11.1 COMMUNITY FACILITIES**

Community facilities include schools, libraries and community centres that are designed to meet the social and cultural needs of Township residents. It is the intent of this Plan to ensure that:

- a) schools are designed and built to adequately serve the surrounding neighbourhood and/or catchment area;
- b) new schools are planned and sites are reserved as part of the planning process for the establishment of new neighbourhoods;
- c) the Township continues to be well served by community centres in appropriate locations;
- d) adequate library services are provided to Township residents; and,
- e) adequate emergency access is provided throughout the Township by police and fire stations and by police, fire and other emergency vehicles.

In order to ensure that municipal services are provided in a manner that meets the needs of Township residents, Servicing Strategies that deal with service areas shall be prepared to serve as a guide for the provision of services to a growing and changing population. In addition, Council shall ensure that the School Boards are an integral part of the planning process so that the provision of schools keeps pace with projected demand.

## **B12 WAYSIDE PITS AND PORTABLE ASPHALT PLANTS**

Wayside Pits and Portable Asphalt Plants will be defined in the implementing zoning by-law(s) in accordance with provincial policy. Wayside pits are temporary excavations made for the removal of sand or gravel and are opened and used by a public road authority (or its authorized contractor) for the purpose of a particular project or contract of road construction.

## **B13 POTENTIALLY CONTAMINATED SITES**

Potentially Contaminated Sites include lands, buildings and structures where the condition of the property and the quality of the soil or groundwater, as a result of current or past land use practices, may have the potential for adverse effects to human health or the natural environment.

### **B13.1 OBJECTIVES**

- a) To outline the Township's polices respecting the identification of land uses where contamination may have occurred or is occurring.
- b) To outline the Township's requirements for site assessment and clean up prior to the granting of planning approvals.
- c) Ensure, in co-operation with the Province and the County, that contaminated soil and groundwater do not create a hazard for the health of the natural environment or for human health.

### **B13.2 GENERAL POLICES**

- a) Contaminated sites shall be remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effects.
- b) The Township will require all applications for planning approval for residential development to be supported by an affidavit from the proponents' consultant indicating that a Phase I Environmental Site Assessment (ESA) has been completed in accordance with CSA Phase I ESA Standard Z768-01. The Phase I ESA will document the previous uses of the property and provides an assessment of the actual or potential soil or groundwater contamination on the site.
- c) The Township will require all applications for planning approval for non-residential development to be supported by an affidavit from the proponents consultant indicating that a Phase I ESA completed pursuant to CSA Z768-01 has been completed, where available information including the Township or County's Contaminated Sites Inventory, indicates a potential for environmental contamination on the property.
- d) The Township will require a Phase II ESA that has been completed in accordance with CSA Phase II ESA Standard Z769-00 to be undertaken where the Phase I ESA reveals that the site may be contaminated. The Phase II ESA will provide a sampling and analysis of the property to confirm and delineate the presence of soil or groundwater contamination at the site or confirm the absence of contamination.
- e) Prior to planning approvals for subdivision, site plan, and consent applications from the Township for residential development or where the application is for a change of use to a more sensitive land use than the sites previous land use, and where the Phase I and II

ESA's reveal the site is or may be contaminated, the applicant shall provide a Record of Site Condition in accordance with the "Guideline for Use at Contaminated Sites in Ontario" and as it may be amended from time to time. The Record of Site Condition shall be acknowledged by the Ministry of the Environment and registered on title of the subject lands, confirming that the site has been remediated and made suitable for the proposed use. The Record of Site Condition and MOE acknowledgment shall be provided to the Township.

- f) Where the Township is to be deeded land for public highways, road widenings, parkland, stormwater management facilities or any other public use, the Township will require as a condition of the transfer a Record of Site Conditions and acknowledgement from MOE to ensure that the lands have been properly remediated.
- g) The Township will require that a Record of Site Condition, acknowledged by the MOE be submitted for development applications on sites where there is a gas station with a licence to operate from the Technical Standards and Safety Authority (TSSA). When the site is being redeveloped for the same use, the Township will require a letter of continued use from the TSSA in place of the Record of Site Condition. For instances where contamination has extended onto a Township road or other municipal lands, the Township will require that a Off-site Management Agreement and Remedial Action Plan pursuant to the Environmental Protection Act be implemented to the satisfaction of the Township prior to the issuance of a building permit.
- h) In managing development on potentially contaminated sites, the Township should:
  - i) Identify and inventory those lands that are suspected or know to be contaminated;
  - ii) inform the applicant upon receipt of an application for development of any such site where contamination could be problematic given the nature of the proposed use(s);
  - iii) secure conditions and/or agreements as part of the planning review and approval process to ensure a Phase I or II ESA is carried out in accordance with section 2.16.2 of this Plan.

**PART C**

**LAND USE DESIGNATIONS**

## **PART C – LAND USE DESIGNATIONS**

The land use concept and structure for the Township of Severn is set out on the twelve attached Schedules “A”, “B”, and “A1” to A10” inclusive and twelve land use designations, four overlay designations, and one Secondary Plan. Each land use policy must be read in conjunction with the land use schedules and the other polices of this Plan.

### **C1 NATURAL HERITAGE SYSTEM POLICIES**

It is a goal of this Plan to protect, maintain and rehabilitate or restore, where necessary and feasible, natural features and areas and the ecological functions which are required to sustain them. The diversity and connectivity of natural features and areas in the Township of Severn, and which extend into surrounding municipalities, and the long-term ecological functions and biodiversity of such natural systems shall be maintained and rehabilitated or restored where necessary and feasible. It is important to recognize linkages between and among natural heritage features and areas and surface water and groundwater features and functions.

This Plan is based on the recognition that a healthy Natural Heritage System is a very important attribute of the community’s well being and makes a positive contribution to the quality of life enjoyed by Township residents, business owners and recreational visitors now and into the future.

This Plan establishes a Natural Heritage System in accordance with the Greenland designation of the County of Simcoe Official Plan. The intent is to achieve the Plan’s natural heritage goals by designating lands of important ecological value and establishing policies to guide land use and development accordingly.

The Natural Heritage System in the Township of Severn is found within the following designations; Greenland and Environmental Protection Area. The Greenland designation identifies natural features and areas having Provincial and Regional significance. Lands designated Environmental Protection Area contain intermittent and permanent stream corridors, and are important to achieve the Natural Heritage System goals and objectives of this Plan.

Nothing in Section C1 (and its subsections C1.1 to C1.7 inclusive) of this Plan applies to applications to establish new, or expanded, mineral aggregate operations or to the operation of existing pits or quarries legally licenced pursuant to the Aggregate Resources Act. Natural heritage policy applicable to mineral aggregate proposals is found separately in Section C9 of this Plan.

#### **C1.1 OBJECTIVES**

It is the intent of this Plan to:

- a) Conserve, maintain and rehabilitate or restore, where necessary and feasible, the quality and integrity of the Natural Heritage System and the ecological processes necessary to sustain those component features and areas, including air, water, land and living resources, for the benefit of present and future generations;
- b) Preserve and protect all evaluated wetlands, significant habitats and the habitats of endangered species and threatened species and significant coastal wetlands situated within the Township;
- c) Prevent the diminishment of ecosystem biodiversity and provide for the long term sustainability of the Natural Heritage System by directing land uses only to those locations which are demonstrated in an Environmental Impact Study (EIS), prepared to the satisfaction of the Township in consultation with appropriate agencies, to be environmentally sound and consistent with the goals and objectives of the Natural Heritage System as described herein;
- d) establish a balanced relationship between development and site alteration and the natural environment by preserving and rehabilitating or restoring the natural features and ecological systems of the Natural Heritage System to protect people and property from environmental hazards;
- e) maintain, and where possible, rehabilitate or restore the health, diversity, size and connectivity of natural heritage features, hydrologically sensitive features and related ecological functions and to thereby maintain biodiversity in the Natural Heritage System;
- f) maintain and rehabilitate or, where necessary and feasible, restore natural stream form and flow characteristics and the integrity, quantity and quality of watercourses;
- g) ensure that only land uses that maintain or rehabilitate or restore ecological and hydrological functions and links in the Natural Heritage System are permitted;
- h) provide tools to properly assess development and site alteration applications located in close proximity to natural heritage features and areas in the Natural Heritage System;
- i) ensure that natural features and areas are sufficiently buffered from development and site alteration in order to maintain ecological functions, connectivity and biodiversity in the Natural Heritage System in accordance with Section C1.6;
- j) eliminate the potential for the loss or fragmentation of wetlands, significant woodlands, significant habitats of endangered and threatened species, ANSIs, significant coastal wetlands, and consequently the ecological functions, linkages and biodiversity which they create;



- k) encourage and support the Ministry of Natural Resources in evaluating unevaluated wetlands within the Township; and
- l) ensure that the protection of significant environmental features and their associated ecological functions is considered in all land use decisions.

## **C1.2 GENERAL POLICIES APPLYING TO THE NATURAL HERITAGE SYSTEM**

### **C1.2.1 Protection of the Natural Heritage System**

It is a policy of this Plan to restrict alterations to the physical and/or biological features and the ecological processes which make up the Natural Heritage System and to thereby maintain biodiversity.

Any proposed alteration to a natural feature and/or ecological system within the Natural Heritage System shall be considered by an Environmental Impact Study as described in accordance with Section C1.7 of this Plan. The precise boundary of natural features and ecological systems shall be determined as a component of the required Environmental Impact Study prepared to the satisfaction of the Township of Severn in consultation with applicable agencies.

### **C1.2.2 Incorporation of Additional Lands into the *Greenland* and *Environmental Protection Area* Designations**

It is recognized that not all natural heritage features and areas and ecological functions of the Natural Heritage System are identified by the *Greenland* and *Environmental Protection Area* designations on the Land Use Schedules at the date of adoption of this Plan. When new information becomes available through such means as subwatershed studies, groundwater studies, drinking water source protection studies, a comprehensive Natural Heritage Strategy or Environmental Impact Statements, additional lands may be incorporated into the *Greenland* and *Environmental Protection Area* designations by amendment to this Plan.

### **C1.2.3 Reduction to the Spatial Extent and/or Ecological Function of Natural Features and Areas**

Reductions to the spatial extent and/or the ecological function of significant natural heritage features and ecological functions within the *Greenland* designation shall not be permitted.

The boundaries of the *Greenland* designation may be refined through the development process without an Official Plan Amendment subject to the approval of the Township in consultation with the County and applicable agencies. Generally the scientific basis of and justification for a boundary refinement will occur through completion of an Environmental Impact Study in accordance with

Section C1.7 of this Plan.

#### **C1.2.4 Zoning By-law Implementation**

The boundaries of the Greenland designation and the Environmental Protection Area designation are delineated in a conceptual manner on the Schedules to this Plan. The extent and exact location of the boundaries are intended to be delineated in the implementing Zoning By-law in accordance with mapping provided by the County and Provincial agencies, and will not require an amendment to this Plan. Such lands will be placed in appropriate environmental zones in the implementing Zoning By-law.

The zoning by-law shall also incorporate general setbacks from lot lines, buildings, structures, parking areas and other similar facilities from lands within the Natural Heritage System in relation to the extent and sensitivity of the natural features and areas and ecological functions. The Township and the County in consultation with the Severn Sound Environmental Association will evaluate these general setbacks for specific development applications, and as established in the Zoning By-law, to provide the appropriate setback required to protect the area and function from the impacts of construction. A greater setback may be required to reflect specific circumstances.

#### **C1.2.5 Use of Lands in Private Ownership**

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

#### **C1.2.6 Transfer of Natural Heritage System lands into Public Ownership**

Council shall work with the County and other public agencies and environmental organizations to develop and implement a land securement strategy that would result in the transfer of appropriate lands within the Natural Heritage System into public ownership over time.

However, given the financial limitations of every level of government, this policy does not imply that all lands within the Natural Heritage System will be purchased by the Township or any other public agency.

Public agencies and environmental organizations will be encouraged to protect and manage Natural Heritage System lands by such means as stewardship initiatives, conservation easements and education and outreach, in addition to strategic acquisition.

Council shall consider every opportunity to obtain the dedication of lands within the Natural Heritage System through the development approval process.

However, such dedications will not be considered as part of the required parkland dedication set out by the Planning Act.

It is essential that Natural Heritage system areas be protected from future development except as permitted by this Plan. To preserve the Township's natural resources, it is necessary to implement a comprehensive Natural Heritage system for the Township as a whole.

There is no public obligation to redesignate any land if there is an existing natural heritage feature ecological function or attribute that will be negatively impacted or there is a potential hazard.

### **C1.3 GREENLAND DESIGNATION**

#### **C1.3.1 Identified Significant Natural Features and Areas and Ecological Functions of Natural Heritage System**

The Greenland designation is intended to include the following components of the Natural Heritage System designated by the County of Simcoe Official Plan as Greenland:

- a) All evaluated wetlands;
- b) All Areas of Natural and Scientific Interest;
- c) Significant woodlands;
- d) Significant valley lands;
- e) Fish habitat;
- f) Major lake, river and creek systems;
- g) Significant wildlife habitat;
- h) Significant habitat of endangered species and threatened species;
- i) Hazard lands such as steep slopes, organic soils and lands prone to flooding;
- j) Significant coastal wetlands;
- k) Recharge and discharge areas, and
- l) Sensitive surface water features, sensitive groundwater features and their hydrologic functions.

### **C1.3.2 Limitations to Development and Site Alterations**

- a) Development and site alteration is not permitted in significant wetlands, significant habitat of endangered species and threatened species or significant coastal wetlands identified in Subsection C1.3.1(a), (h) and (i);
- b) Development and site alteration is not permitted in Areas of Natural and Scientific Interest, significant woodlands, significant wildlife habitat significant valley lands, environmentally sensitive areas, or major lake, river and creek systems unless it has been demonstrated in an Environmental Impact Study prepared to the satisfaction of the Township in consultation with appropriate agencies, that there will be no negative impacts on the natural features or ecological functions and that biodiversity will not be diminished thereby;
- c) Development and site alteration is not permitted in fish habitat except in accordance with federal and provincial requirements, and
- d) Development and site alteration shall be restricted in or near sensitive surface water features, sensitive groundwater features including hydrologic processes. An Environmental Impact Study shall be prepared in accordance with Section C1.7, such that these water features and their related hydrological functions will, where warranted, be protected or rehabilitated or restored as necessary and feasible.

Prior to any development and/or site alteration being proposed on or adjacent to an unevaluated wetland, it is required that the wetland be evaluated to the satisfaction of the Township, the County and the applicable agencies, to determine the boundaries of the wetland and the area of the adjacent lands.

Section C1.6 shall apply to the lands adjacent to the features and functions of C1.3.1.

### **C1.3.3 Permitted Uses**

The following uses may be permitted in accordance with the goals, objectives and general policies set out in Section C1 and other policies of this Plan:

- a) existing agricultural operations;
- b) existing uses as of the date of the adoption of this Plan;
- c) a single detached dwelling;
- d) recreational uses, limited to nature viewing and trail activities, only publicly owned lands;

- e) forestry and conservation uses;
- f) archaeological activities;
- g) essential transportation and utility facilities where any required Environmental Assessment has been successfully completed;
- h) essential watershed management and flood and erosion control projects carried out or supervised by a public agency where any required Environmental Assessment has been successfully completed;
- i) existing resort commercial use, in accordance with Section C12 and the applicable policies of this Plan.

## **C1.4 ENVIRONMENTAL PROTECTION AREA DESIGNATION**

### **C1.4.1 Identified Natural Features and Areas and Ecological Functions of the Natural Heritage System**

Environmental Protection Areas are lands which were designated Environmental Protection in the Official Plans that comprised the former municipalities of the Township of Severn. These lands are comprised of permanent and intermittent streams together with a ten (10) metre setback from the top of bank of the stream.

### **C1.4.2 Limitations to Development and Site Alterations**

Development and site alterations are prohibited on Environmental Protection Area lands (except as otherwise permitted by this Plan) unless it can be demonstrated in an Environmental Impact Study satisfactory to the Township in consultation with appropriate agencies that there will be no negative impacts on the natural features or their ecological functions and therefore that the biodiversity of the Natural Heritage System is maintained.

Section C1.6 applies to the lands adjacent to the features and functions of C1.4.1.

### **C1.4.3 Permitted Uses**

The following uses may be permitted, in accordance with the goals, objectives and policies set out in Section C1 subject to the other policies of this Plan:

- a) existing agricultural operations;
- b) passive non-motorized recreational uses, such as nature viewing and pedestrian trail activities, only on publicly owned lands;

- c) forestry and resource management uses;
- d) essential watershed management and flood and erosion control projects carried out or supervised by a public agency where any required Environmental Assessment has been successfully completed;
- e) archaeological activities;
- f) essential transportation and utility facilities where any required Environmental Assessment(s) have been successfully completed, and
- g) small-scale public uses.

#### **C1.4.4 Environmental Protection Lands located within a Settlement Area**

Lands designated Environmental Protection within Settlement Areas as shown on Schedule A, are water courses of varying degrees of importance and may include wetlands. Some of the water courses have limited ecological importance and function only as seasonal drainage courses. To determine the importance and function of the watercourse, an Environmental Impact Study (EIS) is required prior to development. Notwithstanding Section C1.4.2, water courses may be removed, altered or relocated without an Official Plan Amendment subject to favourable results of the EIS and provided that a Storm Water Management Plan (SWMP) is prepared. The EIS and SWMP shall demonstrate, to the satisfaction of the Township, with input from appropriate agencies, that removal, alteration or relocation of the water course and the proposed development, will not create negative drainage impacts on the surrounding area, and, further, the proposed development must take place subject to an approval process under the Planning Act.

#### **C 1.5 Contact Zone Between the Boreal Forest and Great Lakes – St. Lawrence Forest**

Within the middle portion of the Township of Severn there is a unique environmental area, within which is situated at the contact zone between the Precambrian Shield and till plain/morainal deposits to the south. Due to these widely different types of geologic conditions, there exists an area of overlap of the elements of both Boreal Forest and Great Lakes – St. Lawrence Forest. This results in an unusual mix of northern species of plants and animals at the southern edge of their ranges coexisting with southern species at or near their northern limits.

Natural features and their ecological functions of the both Boreal Forest and Great Lakes – St. Lawrence Forest may occur within this overlap area within which the Matchedash River flows east to west through the southern edge of the Precambrian Shield and therefore acts a distinct natural corridor.

The predominant natural feature of the northern area of the Township, which links the overlap area to the other corridor area, Severn River, is large continuous forested core area, which is comprised of virtually uninhabited Crown land. The area within which the overlap area is located is predominantly privately owned, largely uninhabited and the majority of the area is forested.

Based on the unique characteristics of this area and the potential for further opportunities for unique occurrences of natural flora and fauna based on climatic changes, specific consideration of this area is warranted by Council and any applicable agency in terms of the Environmental Impact Studies and other background studies, to avoid any form of development or site alteration which would negatively impact the unique and important corridor features of this overlap area.

## **C1.6 LANDS ADJACENT TO NATURAL FEATURES**

Development and site alteration shall not be permitted on adjacent lands to the natural features and ecological functions, unless the adjacent lands have been evaluated by an Environmental Impact Study completed to the satisfaction of the Township in consultation with appropriate agencies in accordance with Section C1.7 of this Plan and it has demonstrated that there will be no negative impacts to the natural features and ecological functions and hence the biodiversity of the Natural Heritage System.

Adjacent lands are the lands adjacent to natural features which are likely to contain ecological functions necessary to sustain the feature and within which potential impacts of a development proposal must be considered. For the purposes of this Official Plan, adjacent lands are defined as all lands within:

- 120 metres from the boundary of provincially significant wetlands;
- 120 metres from the boundary of significant habitat of endangered species and threatened species;
- 50 metres from the boundary of other wetlands that have been evaluated by the Ministry of Natural Resources;
- 50 metres from the boundary of an area of natural and scientific interest;
- 50 metres from the boundary of a significant woodland;
- 50 metres from the boundary of a significant valley land;
- 50 metres from the boundary of significant fish habitat area; and
- 50 metres from the boundary of significant wildlife habitat

No development and site alteration shall be permitted on these adjacent lands unless an Environmental Impact Study and/or a geotechnical study which includes the adjacent lands is completed and approved by the Township in consultation with appropriate agencies. The requirements of a complete Environmental Impact Study are contained in Section C1.7 of this Plan.

The scale and the contents of any required studies shall be determined by the Township at the time the development is proposed. The width of the adjacent lands may be increased/decreased, depending on the feature and function and the nature of the proposed development and site alteration. This determination shall be made in consultation with the appropriate agencies at the time the development is proposed, based on existing information and the submission of a complete EIS.

## **C1.7 ENVIRONMENTAL IMPACT STUDIES**

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

### **C1.7.1 Purpose of an EIS**

The purpose of an EIS is to identify and evaluate the potential environmental impacts of a proposed development or site alteration, determine whether site design and/or mitigative measures are necessary to minimize disturbance to the natural environment and to thereby conclude whether the proposed development and site alteration at that location is appropriate given the goals, objectives and policies of this Plan.

To achieve this purpose appropriate information is collected and evaluated in order to create a complete understanding of the boundaries, attributes and functions of the natural features and ecological functions, and to make an informed decision as to whether or not a proposed use or site alteration will have a negative impact on the natural features and ecological functions of the Township.

Any Environmental Impact Study required by this Plan must describe to the satisfaction of the Township in consultation with appropriate agencies:

- a) the natural features and ecological functions and biodiversity of the Natural Heritage System,
- b) their significance and sensitivities, and
- c) how they could be affected by the proposed use and site alteration, including any required mitigation.

The Environmental Impact Study should give consideration to the aspects and inter-relationships of the various components of the Natural Heritage System on



and off the site and not be limited to only the identified natural features and ecological functions. In addition, the Environmental Impact Study must address how the proposed development will protect, maintain or rehabilitate or restore the natural features, ecological functions, and linkages and thereby maintain the biodiversity of the Natural Heritage System.

Any unevaluated wetlands, which are located within 120 metres of the proposed development or site alteration, will be required to be evaluated to the satisfaction of the Ministry of Natural Resources. Such an evaluation shall be completed prior to the completion of the Environmental Impact Study.

An Environmental Impact Study must be considered complete, satisfactory and approved by Council in consultation with appropriate agencies, before a planning application (e.g. zoning by-law amendment, official plan amendment, site plan agreement, consent, minor variance, subdivision) which facilitates the development and site alteration that is the subject to the Environmental Impact Study is adopted by Council.

Where an EIS has indicated that a development proposal would have a negative impact on the features and functions for which the lands were identified, the application will not be supported or approved.

#### **C1.7.2 Contents of an EIS**

The EIS shall include a description of:

- a) the proposed undertaking including a detailed drawing of the proposed development and its location;
- b) the natural features and ecological functions on the subject property and in the surrounding area; a description of those features and functions which may be potentially affected directly or indirectly by the undertaking; and their sensitivity to development and biodiversity of the Natural Heritage System, including an extensive inventory of the flora and fauna and the ecological conditions necessary to sustain them;
- c) any lands that support environmental attributes and functions that may qualify the lands for designation within the GREENLANDS and the ENVIRONMENTAL PROTECTION AREA designations;
- d) the direct and indirect effects to the ecosystem that might be caused by the undertaking;
- e) any environmental hazards (i.e. slope, flooding contaminants) that need to be addressed as part of the design;

- f) how the proposed use affects the possibility of linking core areas of the Natural Heritage System by natural corridors that may or may not be identified on Schedule A to this Plan;
- g) a Management Plan (MP) identifying how any potential adverse effects will be avoided or minimized over the construction period and the life of the undertaking and how environmental features and functions may be rehabilitated or restored where appropriate and describing the net effect of the undertaking after implementation of the MP. The MP shall also establish the limits of buffers and setbacks adjacent to watercourses, water bodies, valleys, significant wetlands and vegetation to protect the natural feature and its attributes and/or function from the effects of development;
- h) an implementation and monitoring plan, including contingency, that may be required to ensure that mitigation measures are achieving the intended goal of having no negative impact on the natural features, ecological functions and biodiversity of the Natural Heritage System, and
- i) a review of alternative development options and alternative methods of mitigating the impacts of the development proposed, to determine if the development form proposed is the most appropriate and what are the best measures available to protect the features, functions and biodiversity of Natural Heritage Systems of the site.

### **C1.7.3 What an EIS Should Demonstrate**

The EIS shall recognize the existing natural features and ecological functions and biodiversity of the Natural Heritage System and demonstrate, where applicable, that the proposed use or site alteration will not have a negative impact on the following:

- a) the discharge of any substance to the natural environment that could harm air quality, groundwater, surface water and associated plant and animal life;
- b) the adequacy of the supply of drinking including any potential to adversely affect plant and animal life and existing water supplies;
- c) erosion or siltation of watercourses or changes to watercourse morphology;
- d) there is no interference with groundwater recharge to the extent that it would adversely affect groundwater supply for any use;
- e) sensitive surface water features, sensitive ground water features and their hydrologic functions are not adversely impacted;

- f) there is no increase in flood potential on or off the site;
- g) maintenance/restoration of the natural condition of affected watercourses and aquatic habitats;
- h) no significant adverse effect upon the scenic qualities of the area;
- i) the demand for further development is not encouraged that would negatively affect wetland function or contiguous wetland areas;
- j) no impact on waterfowl and wildlife habitat and opportunities to rehabilitate or rehabilitate or restore endangered terrestrial and aquatic habitats where appropriate and feasible,
- k) no impact upon the size and function of the natural core areas; noise; air quality; odours; loss of vegetation; impacts of grading of terrain, especially topsoil, and other matters determined to be appropriate based on the location and characteristics of the site.

The EIS shall demonstrate that there will be no negative impacts resulting from the proposed use on the natural features and ecological functions and hence the biodiversity of the Natural Heritage System within the Greenlands or the Environmental Protection Area designated areas.

#### **C1.7.3.5 Mitigation Opportunities**

It is the responsibility of the authors of the EIS to identify any possible negative effects or impacts which the proposed development or site alteration may cause to the natural features, ecological functions or biodiversity of the Natural Heritage System. To ensure there will be no negative impacts to those natural features or ecological functions, mitigation measures are to be identified and evaluated in the report to determine how best to avoid negative impacts.

## **C2 SETTLEMENT LIVING AREA**

### **C2.1 OBJECTIVES**

It is the intent of this Plan to:

- a) have the defined Settlement Areas be the focus of new growth and development within the Township;
- b) maintain and enhance the character and identity of existing residential areas within defined Settlement Areas;
- c) encourage the provision of a range of housing types to accommodate persons with diverse social and economic backgrounds, needs and

desires while promoting the maintenance and improvement of existing housing;

- d) encourage the provision of a full range of housing opportunities to meet the Township's projected housing needs;
- e) promote the efficient use of existing and planned infrastructure by creating the opportunity for various forms of residential intensification, where appropriate;
- f) ensure that residential areas permit a variety of complementary and compatible land uses including special needs housing, community facilities, schools, small-scale commercial uses, and open space areas; and,
- g) establish a comprehensive set of design guidelines and policies that foster the establishment of an urban environment that is safe, functional and attractive.
- h) new development should occur adjacent to the existing built up area and shall have a compact form that allows for the efficient use of land, infrastructure and public service facilities.

## **C2.2 LOCATION**

The SETTLEMENT LIVING AREA of the Township of Severn applies to developed and undeveloped lands in the Settlement Areas of Coldwater, Washago, the Westshore, Port Severn, Ardtrea, Bass Lake, Marchmont, Fesserton, and Severn Falls. The SETTLEMENT LIVING AREA is intended to provide opportunities for residential development at densities that are intended to ensure that a full range of housing types is provided.

### **C2.2.1 Permitted Uses**

The main permitted uses in the SETTLEMENT LIVING AREA designation include:

- a) single detached dwellings;
- b) semi-detached dwellings; and
- c) duplex dwellings.

Also permitted within the SETTLEMENT LIVING AREA designation, subject to a Zoning By-law Amendment and the polices of Section C2.3.7 include:

- a) triplex dwellings;
- b) quattroplex dwellings;
- c) multiple dwellings;
- d) street Townhouse dwellings;
- e) block Townhouse dwellings; and,
- f) low-rise apartment dwellings.

## **C2.3 GENERAL POLICIES**

### **C2.3.1 Density and Height**

The maximum permitted density for low density development shall not exceed 20 units per residential hectare in the fully serviced Settlement Areas as described in Section F to this Plan. The maximum permitted density in unserviced or partially serviced Settlement Areas shall be based on the environmental capacity of the area and in accordance with the servicing policies of Section F to this Plan. The maximum building height shall generally not exceed three storeys in the SETTLEMENT LIVING AREA designation.

### **C2.3.2 Complementary Uses**

Complementary uses which may permitted in the SETTLEMENT LIVING AREA designation include the following:

- a) medium density residential uses subject to the polices of Section C2.3.7
- b) home occupations subject to Section B4.1;
- c) bed and breakfast establishments in single detached dwellings, subject to Section B4.1;
- d) private home daycare for five or less children;
- e) accessory apartments subject to Section B6;
- f) special needs housing such as long term care facilities and retirement homes subject to Section C2.3.4;

- g) institutional uses which directly serve the needs of the surrounding residential areas such as private and public elementary schools, day nurseries and places of worship, subject to Section C2.3.5; and,
- h) local commercial uses subject to Section C2.3.8.

### **C2.3.3 Bed and Breakfast Establishments**

Bed and breakfast establishments are permitted in single detached dwellings subject to an Application to amend the Zoning By-law and the policies of Section B4.2 of this Plan.

### **C2.3.4 Special Needs Housing**

Special Needs Housing such as long term care facilities and retirement homes may be permitted subject to an amendment to the implementing Zoning By-law and provided Council is satisfied that:

- a) the site has access and frontage onto an Arterial or Collector road as shown on Schedule B to this Plan;
- b) the site is large enough to accommodate the building, on-site parking and appropriate buffering in the form of landscaping, fencing and trees;
- c) the building does not exceed 3 storeys in height and is buffered from adjacent low density residential uses by setbacks, landscaping, fencing and trees to ensure compatibility of the use with adjacent land uses;
- d) the use will not cause traffic hazards or an unacceptable level of congestion on surrounding roads; and,
- e) municipal water and wastewater facilities are adequate and available.

### **C2.3.5 Day Nurseries and Institutional Uses**

Day nurseries and institutional uses which directly serve the needs of the adjacent residential areas such as private and public schools, nursery schools, and places of worship, may be permitted subject to an amendment to the implementing Zoning By-law and provided Council is satisfied that:

- a) the site has access and frontage onto an Arterial or Collector Road as shown on Schedule B to this Plan;
- b) the use is intended to serve and support only the immediate neighbourhood and is not more appropriately located in the major community;

- c) the use is designed to complement the low density nature of the neighbourhood;
- d) the use will not cause any traffic hazards or an unacceptable level of congestion on surrounding roads;
- e) the site is large enough to accommodate the building, on-site parking, play areas, where required, and appropriate buffering in the form of landscaping, fencing and trees to ensure the compatibility of the use with adjacent land uses;
- f) the noise generated by the use will not adversely affect the enjoyment of neighbouring properties;
- g) the use will be a positive addition to the neighbourhood and will provide a service that is required by residents;
- h) in the case of public elementary schools, the site is located adjacent to a neighbourhood park to provide a neighbourhood focal point and encourage the provision of complementary facilities such as sports fields, hard surface play areas and components and play equipment; and,
- i) municipal water and wastewater services are adequate and available.

#### C2.3.6 **Cemeteries**

Cemeteries may be permitted in the SETTLEMENT LIVING AREA and AGRICULTURAL designations 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:

- a) the size of the cemetery and the accessory uses are appropriate for the area;
- b) no lands are available for an expansion of an existing cemetery;
- c) appropriate hydrogeological studies have been completed which indicate that the use will not have a negative impact on the quantity and quality of drinking water in nearby wells; and,
- d) the use can be accessed by roads that are designed to accommodate high volumes of traffic in short periods of time.

## C2.3.7 **Medium Density Uses**

### C2.3.7.1 Main Permitted Uses

The permitted Medium Density uses in the SETTLEMENT LIVING AREA designation are limited to:

- a) triplex dwellings;
- b) quattroplex dwellings;
- c) multiple dwellings;
- d) street Townhouse dwellings;
- e) block Townhouse dwellings; and,
- f) low-rise apartment dwellings.

### C2.3.7.2 New Medium Density Uses

New medium density residential areas shall be established by way of Amendment to the Zoning By-law in accordance with Section C2.3.7.3 and shall not exceed 37 units per residential hectare in the fully serviced Settlement Areas as described in Section F to this Plan.

### C2.3.7.3 Criteria for Medium Density uses

In considering the development of new medium density residential development by way of Amendment to the Zoning By-law, Council shall be satisfied that the proposal:

- a) is located on and has direct access to a collector or arterial road unless it can be demonstrated to the satisfaction of the township to an alternative road frontage and access is appropriate and acceptable;
- b) respects the character of adjacent residential neighbourhoods, in terms of height, bulk and massing;
- c) can be easily integrated with surrounding land uses;
- d) will not cause traffic hazards or an unacceptable level of congestion on surrounding roads;
- e) is located in close proximity to community facilities, such as parks, schools and open spaces;



- f) is located on a site that has adequate land area to incorporate the required parking, recreational facilities, landscaping and buffering on-site; and,
- g) can be serviced by municipal water and wastewater services.

## C2.3.8 **Local Commercial Uses**

### C2.3.8.1 Permitted Uses

The permitted Local Commercial uses in the SETTLEMENT LIVING AREA designation are limited to:

- a) convenience retail uses; and
- b) personal service uses;

### C2.3.8.2 Conditions for Approval

Local commercial uses may be permitted provided Council is satisfied that:

- a) the use will not cause or create traffic hazards or an unacceptable level of congestion on surrounding roads;
- b) the use can easily be accessed by pedestrians;
- c) the use is located on a site that has adequate land area to incorporate required parking, waste management facilities, landscaping and buffering on-site; and,
- d) the scale, massing and siting of the development is compatible and consistent with development on adjoining lands.

Local commercial uses may be permitted to locate within the main floor of multiple residential and apartment buildings, provided that the location and design of such uses are compatible with the main residential use and will conform to this section of the Plan.

It is intended that the uses permitted serve the local retail and service needs of the surrounding residential area and/or employment area. On this basis, the implementing zoning by-law shall restrict the size and coverage of a local commercial centre or use.

## C2.3.9 **Urban Design and Layout of Residential Areas**

Policies regarding the urban design and layout of residential areas and uses are contained within Section G1.5 of this Plan.

### **C2.3.10 Housing Mix**

It is the intent of the Township to encourage the development of a full range of housing types, tenures and costs throughout the Township. On this basis, the optimum balance of housing in the Township is established at:

- 80-90% low density housing;
- 10-20% medium density housing.

On the basis of the above, new development which assists in maintaining the above balance shall be encouraged. In addition, Official Plan Amendment applications that propose the down-designation of sites for medium and high density housing shall be discouraged, since these sites will ultimately assist in achieving an appropriate balance of housing in the Township. All such applications shall be accompanied by a planning justification report in accordance with Terms of Reference approved by the Township that assesses the implications of the proposal on the Township's ability to meet the housing mix targets outlined in this Plan.

### **C2.3.11 Implementing Zoning By-law**

All lands in each of the residential designations shall be placed in specific residential zones in the implementing Zoning By-law. Complementary uses will also be placed in appropriate zones in the implementing Zoning By-law.

### **C2.3.12 Environmental Protection Area**

Lands designated Environmental Protection within Settlement Areas as shown on Schedule A, are water courses of varying degrees of importance and may include wetlands. Some of the water courses have limited ecological importance and function only as seasonal drainage courses. To determine the importance and function of the watercourse, an Environmental Impact Study (EIS) is required prior to development. Notwithstanding Section C1.4.2, water courses may be removed, altered or relocated without an Official Plan Amendment subject to favourable results of the EIS and provided that a Storm Water Management Plan (SWMP) is prepared. The EIS and SWMP shall demonstrate, to the satisfaction of the Township, with input from appropriate agencies, that removal, alteration or relocation of the water course and the proposed development, will not create negative drainage impacts on the surrounding area, and, further, the proposed development must take place subject to an approval process under the Planning Act.

## **C2.4 SPECIAL POLICY AREAS**

Special Policy Areas apply to those lands designated for residential purposes that are the subject of a land use policy that is specific to a property or area. All

other relevant policies of this Plan are applicable unless otherwise modified or exempted by the provisions applicable to each Special Policy Area.

#### **C2.4.1 Settlement Living Area - Special Policy Area**

It is a general policy of this Plan that the residential development shall proceed where full municipal services can be provided. Due to physical and financial limitations in regard to the provision of both sewage treatment and water, this plan has attempted to designate for immediate residential development only that amount of land which can be fully serviced.

There are two areas designated as Settlement Living Area – Special Policy Area. The purpose of this designation is to identify lands which may eventually be used for residential development, but which should not be developed for this use until those areas presently designated for Settlement Living Area are substantially developed and full municipal services can be provided.

It is the intent of this Plan that areas designated as Settlement Living Area – Special Policy Area shall remain undeveloped until full municipal services can be provided. In this regard, the following shall apply:

- a) No development shall occur until those areas presently designated for Settlement Living Area have been substantially developed.
- b) If it can be determined to the satisfaction of the municipality and the Ministry of the Environment that adequate capacity exists in the sewage treatment and water system or can be provided, no amendment to this Plan will be required in regard to the development of these lands.
- c) Areas designated as Settlement Living Area – Special Policy Area shall be placed in an appropriate category in the implementing Zoning By-law which will limit or restrict development in regard to the above policies.

#### Permitted Uses

In the areas designated Settlement Living Area – Special Policy Area the predominant use of lands shall be rural related uses excluding intensive animal operations.

### **C3 SETTLEMENT EMPLOYMENT AREA**

#### **C3.1 OBJECTIVES**

It is the intent of this Plan to:

- a) encourage commercial development that will provide a full range of goods and services, at appropriate locations, to meet the needs of the Township's

residents, employees and businesses;

- b) anticipate and accommodate new trends in retailing at appropriate locations in the Township;
- c) improve the look, feel and vibrancy associated with the built form and public realm in the downtown or commercial cores of the existing settlements;
- d) encourage and promote development that combines commercial, residential and other land uses to facilitate the more efficient use of Settlement Areas and the establishment of a human-scale pedestrian environment;
- e) promote the efficient use of existing and planned infrastructure by creating the opportunity for various forms of commercial and residential intensification, where appropriate;
- f) require a high standard of urban design for development and redevelopment in SETTLEMENT EMPLOYMENT AREAS;
- g) establish a comprehensive set of design policies that foster the establishment of an urban environment that is safe, functional and attractive;
- h) ensure that all new development in SETTLEMENT EMPLOYMENT AREAS is compatible with adjacent development; and,
- i) ensure that a full range of institutional uses are available to meet the social, cultural and educational needs of Township residents.
- j) ensure that there are sufficient lands available for the creation of diverse employment opportunities at strategic locations;
- k) ensure that the Township is positioned to accommodate new and expanded business activities that provide jobs to local residents;
- l) ensure that new industrial development occurs in an orderly manner and in conjunction with the establishment of appropriate sewage and water services; and,
- m) streamline the approval process for the development and expansion of employment uses.

### **C3.2 LOCATION**

The SETTLEMENT EMPLOYMENT AREAS designation applies to lands that serve primarily as commercial and industrial focal points in defined settlement

areas of Coldwater, Washago, Westshore, Port Severn, Fesserton, Bass Lake, Marchmont, and Ardtrea.

### **C3.3 PERMITTED USES**

Within the SETTLEMENT EMPLOYMENT AREAS designation a wide range of commercial and industrial uses are permitted. Historic commercial areas will be zoned in an appropriate Commercial Zone and historic industrial areas will be zoned separately. Conversions and changes of use between commercial and industrial or within each category will be regulated by the Zoning By-law Amendment process and through the Building Code Act's requirements.

Generally permitted commercial uses include:

- a) retail and service activities
- b) accommodation
- c) office uses
- d) personal serviced shops
- e) pharmacy
- f) professional/office commercial services
- g) restaurants
- h) automobile sales & service establishments
- i) dry land marina sales & service establishments

Permitted industrial uses include:

- a) industrial uses within wholly enclosed buildings, such as manufacturing, assembling, processing, fabricating, warehousing, wholesaling and distribution facilities;
- b) research and training establishments;
- c) computer, electronics and data processing facilities;
- d) printing and associated service establishments;
- e) industrial malls, containing one or more of the uses permitted in this designation; and,
- f) secondary uses in accordance with the policies of this Plan.

No use that causes, or is likely to cause air pollution, offensive odours, ground or surface water pollution, or noise in excess of Provincial regulations or guidelines shall be permitted.

In addition to the permitted uses herein the following will be permitted on the West Part of Lot 6, Concession 10, being 9049 Highway 11: Institutional, a place of worship, a day nursery and a gym/auditorium and community service offices.

### **C3.4 DEVELOPMENT POLICIES**

#### **C3.4.1 Need for Market Impact Studies**

If an Amendment to this Plan is required to permit the development of new commercial uses, Council may, require the preparation of a market impact study to assess the impact of the proposal on the capability of the Township's commercial structure to provide a full range of retailing activity at convenient locations to serve the Township's residents, employees and businesses.

It would be the intent of the study to determine how the proposal affects the capability of the Township's commercial structure to adequately and conveniently fulfil consumer needs. It would not be the intent of the study to assess the impacts of any proposal on the market share of an individual business.

Council shall consult with the County and other area municipalities prior to approving a commercial development whose primary trade area may extend into other Area Municipalities in Simcoe County.

#### **C3.4.2 Urban Design**

It is the intent of this Plan to improve the vibrancy and aesthetics of all SETTLEMENT LIVING AREA *designation* in the Township. On this basis, the approval of any development proposal requiring a Planning Act approval will be dependent on Council being satisfied that:

- a) improvements to the aesthetics of the public realm (roads, parks, sidewalks) will occur as a condition of development, or will be made possible as a result of the development, as appropriate;
- b) the siting, scale and massing of buildings contributes to a safe and attractive pedestrian environment and streetscape,
- c) parking facilities are designed to not dominate the streetscape; and,
- d) landscaping is used to buffer adjacent uses and improve the overall aesthetics of the development.

Council shall have regard to the urban design policies contained within Section G1.5 of this Plan when considering any commercial or industrial development application requiring a Planning Act approval. In addition to the above, the implementing Zoning By-law shall contain provisions relating to building siting,

location and massing to implement these same urban design policies.

### C3.4.3 **Downtown Area**

#### C3.4.3.1 Objectives

The *downtown* areas apply to the traditional downtown commercial districts of Coldwater, Washago, and Port Severn.

It is the intent of this Plan to:

- a) maintain and promote the existing downtown's as focal points for commerce, tourism and pedestrian-scale activity in the Township's settlement areas;
- b) encourage tourism and development in the downtown areas that capitalizes on expected growth in the settlement areas;
- c) encourage the development of a mix of uses to enhance the character of the downtown areas
- d) encourage streetscape and façade improvements that revitalize the cultural and historic character of downtown's
- e) further enhance the commercial cores so they continue to be a source of pride in the community;

#### C3.4.3.2 Parking

Where a new use cannot accommodate the Township's parking requirement, Council may accept cash-in-lieu where the parking can be reasonably accommodated on the street or off-site, either in municipally owned and/or operated lots or on other private land.

#### C3.4.3.3 Public Lands

Public lands in the downtown areas include streets, sidewalks, parking lots, parks and administrative or public buildings. It is a policy of this Plan that the Township will partner with landowners and other stakeholders to maintain public space in a manner that is complementary to the downtown's and is consistent with the objectives of this Plan. Specific projects aimed to revitalize public lands and buildings may include the:

- a) provision of streetscape landscaping such as trees, shrubs and flowers;
- b) provision of street furniture, lighting, landscape planters, art and monuments in strategic, pedestrian-oriented locations; and/or,

- c) renovations and/or façade improvements to existing public buildings.

#### C3.4.4 **Supply of Land**

It is the intent of this Plan that an adequate supply of employment land is available at all times in the Township. At the time this Plan was adopted by Council, almost all of the employment land in Township was developed. In Coldwater, additional development is feasible, but the amount of development that could occur is limited by servicing and flooding constraints. The only area that could accommodate large-scale employment growth is located within the *HIGHWAY EMPLOYMENT AREA*.

On this basis of the above, it is a policy of this Plan to:

- a) carefully monitor employment trends in the Township, the County and surrounding cities to determine whether the Township is well-positioned to take advantage of these trends; and,
- b) determine whether it would be in the public interest, feasible and supportable from a needs perspective to designate additional lands in or adjacent to the defined Settlement Areas to foster a greater live-work relationship in the Township's larger settlement areas.

Applications for new SETTLEMENT EMPLOYMENT AREA lands will require an amendment to this Plan as well as the Zoning By-law.

#### C3.4.5 **Outdoor Storage**

It is recognized that many businesses are required to store raw materials and/or finished products outdoors. However, it is recognized that the location and type of outdoor storage may have impacts on the aesthetics of an area and on adjacent land uses. On this basis, the establishment of a new accessory outdoor storage area on a lot shall be subject to Site Plan Control. In considering such an application, Council shall be satisfied that the outdoor storage is:

- a) not located between the main building and the street;
- b) clearly accessory to the main use on the property;
- c) is set back an appropriate distance from the side and rear lot lines, having regard to the nature of adjacent land uses; and,
- d) is completely enclosed and/or screened by landscaping that functions year-round.

The implementing Zoning By-law may contain additional provisions regarding the location of outdoor storage on a lot.



#### C3.4.6 **Zoning By-law Implementation**

Lands within the SETTLEMENT EMPLOYMENT AREA designation shall be placed in appropriate zones in the implementing Zoning By-law.

#### C3.4.7 **Settlement Employment Areas – Special Policy Area**

It is a general policy of this Plan that the commercial development shall proceed where full municipal services can be provided. Due to physical limitations in regard to the provision of both sewage treatment and water, this plan has attempted to designate for immediate commercial development only that amount of land which can be serviced.

There are two areas designated as Settlement Employment Area – Special Policy Area. The purpose of this designation is to identify lands which may eventually be used for commercial development, but which should not be developed for the use until those areas presently designated for Settlement Employment Area are substantially developed and full municipal services can be provided.

It is the intent of this Plan that areas designated as Settlement Employment Area – Special Policy Area shall remain undeveloped until full municipal services can be provided. In this regard, the following shall apply:

- a) No development shall occur until those areas presently designated for Settlement Employment Area have been substantially developed.
- b) If it can be determined to the satisfaction of the municipality and the Ministry of the Environment that adequate capacity exists in the sewage treatment and water system or can be provided or can be provided no amendment to this Plan will be required in regard to the development of these lands.
- c) Areas designated as Settlement Employment Area – special Policy Area shall be placed in an appropriate category in the implementing Zoning By-law which will limit or restrict development in regard to the above policies.

#### Permitted Uses

In the areas designated Settlement Employment Area – Special Policy Area the predominant use of lands shall be rural related uses excluding intensive animal operations.

## **C4 OPEN SPACE**

### **C4.1 OBJECTIVES**

It is the intent of this Plan to:

- a) maintain and improve the existing open space and park locations and facilities for the residents of the Township;
- b) identify and develop new and expanded locations and facilities where deemed necessary by Council;
- c) to develop a Parks and Recreation Master Plan for the Township to develop a long range plan for the provision of recreation facilities and services within Severn;
- d) to investigate the provision of a full range of cultural and recreational services to the Township, where required and demanded.
- e) To provide physical and visual access to Lake Couchiching and the Severn River waterfronts and recognize the Township wide significance of all the lakes within the municipal boundaries as open space amenities.
- f) To conserve and protect shoreline lands for recreational use.
- g) To provide a system of open space areas that can adapt to changing public needs and preferences.
- h) To provide linkages for pedestrian and bicycle use.

### **C4.2 LOCATION**

The lands designated OPEN SPACE are lands generally owned by the Township or some other public authority for the provision of passive and active parks within the Township's Settlement Areas.

### **C4.3 PERMITTED USES**

Permitted uses on lands designated OPEN SPACE include passive and active recreational uses, conservation uses, and public activities.

### **C4.4 DEVELOPMENT POLICIES**

#### **C4.4.1 Provision of Parks**

Council will provide parks in accordance with the following standards and policies:

- a) Parks will be developed for the enjoyment of a diverse population and provide opportunities for all types of recreation, social and cultural activities, such as athletic fields and facilities and community gardens;
- b) Parks will be accessible by emergency services and generally be located with frontage along arterial and collector roads, so as to improve the visibility and accessibility of the site and provide pedestrian and cyclist linkages;
- c) Parks may vary in size depending on the nature and extent of the facilities being provided and the purpose of the park. However, they should not be less than 0.8 hectares in size; and,
- d) Parks should be distributed throughout the Township and will be designed to complement and contribute to the character of the surrounding neighbourhoods and community.

#### **C4.4.2 Parks Master Plan**

Council may authorize the preparation of a Parks Master Plan that:

- a) examines the long range recreation and leisure needs of the Township's residents;
- b) assesses the current supply of available facilities and services; and
- c) provides principles, policies and actions that address long term parks and open space needs.

## **C5 PRIME AGRICULTURAL AREA**

### **C5.1 OBJECTIVES**

It is the intent of this plan to:

- a) maintain and protect the agricultural resource base of the Township;
- b) protect land suitable for agricultural production from development pressures and land uses unrelated to agriculture;
- c) permit uses which support the agricultural industry; and,
- d) protect and promote the agricultural character of the Township and the encourage the maintenance of a productive agricultural area;

- e) In prime agricultural areas, all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards;
- f) New land uses, including the creation of lots, and new or expanding livestock facilities shall comply with the minimum distance separation formulae, and
- g) Proposed new secondary uses and agriculture-related uses shall be compatible with, and shall not hinder, surrounding agricultural operations. These uses shall be limited in scale and criteria for these uses.

## **C5.2 LOCATION**

The Township recognizes that the agricultural sector of the economy is important to the economic well being of the Township and its residents.

On this basis, it is the intent of this Plan to encourage all levels of government to collectively recognize the value of both protecting farmland and assisting farmers to ensure that farming remains viable in the Township of Severn. This is intended to be accomplished through the land use planning system by protecting land suitable for farming and by allowing farmers to realize other economic development opportunities on their lands while ensuring the objectives of the Agricultural Area designation.

Lands designated Prime Agricultural as shown on Schedule A are considered to be prime agricultural areas in accordance with the County of Simcoe Official Plan.

## **C5.3 PERMITTED USES**

The principal use of land in the *Agricultural* designation shall be agriculture. Permitted accessory uses include:

- a) single detached dwellings;
- b) accessory residential uses on farm properties subject to the policies of Section C5.4.2 of this plan;
- c) bed and breakfast establishments subject to policies of this Plan;
- d) home occupations and home industries subject to the policies of this Plan and uses that produce value-added agricultural products from the farm operation on the farm;
- e) forestry and other resource management uses;

- f) agriculture-related commercial uses on farm properties subject to Section C5.4.5 of this Plan; and
- g) secondary and agriculture-related uses on farm properties subject to Section G5.4.5 of this Plan;
- h) passive recreational uses, such as walking trails, on lands owned by a public authority and excluding golf courses;
- i) In agricultural areas, all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards;
- j) Alternative energy systems and renewable energy systems, as prescribed by the Provincial Policy Statement.

All uses in the *Prime Agricultural* designation shall be designed, located and managed to not detract or conflict from the primary role of the agricultural area as set out in Section A of this Plan. Impacts from any new or expanding non-agricultural uses on surrounding agricultural operations and lands should be mitigated to the extent feasible.

## **C5.4 DEVELOPMENT POLICIES**

### **C5.4.1 General Policies**

- a) Agricultural lands shall be preserved and protected as well as lands presently in agricultural production for long term use in agriculture and conflicts with agricultural uses shall be prevented;
- b) The maintenance and preservation of the existing character of the agricultural landscape shall be encouraged;
- c) Agricultural land management policies and programs should be oriented toward the economic production of food and other crops;
- d) The development of non-farm related uses and/or lots shall not be permitted in prime agricultural areas in order to prevent scattered development and the unnecessary fragmentation of farmland. Non-farm related uses will be encouraged to locate within settlement areas.
- e) The impact of a proposed non-agricultural uses on surrounding agricultural activity shall be given thorough consideration prior to the approval of development;
- f) The development of “hunt farms” shall not be considered an agricultural use;

- g) Notwithstanding any other provision of this Plan, the Agricultural designation will not serve to preclude the issuance of permits on existing lots of record for residential purposes provided that the lot and the proposed new land uses and new expanding livestock facilities will comply with the provision of the Zoning By-law, can achieve the Minimum Distance Separation criteria, and can be provided with adequate water and sanitary treatment facilities;
- h) The implementing zoning by-law will establish an appropriate zone(s) with standards and controls to implement the policies established for the Agricultural designation; and,
- i) Council supports the development of nutrient management plans consistent with provincial legislation, regulation, and appropriate guidelines where the objective is to improve both the viability of agricultural operations and protect water quality;
- j) Impacts from any new or expanding non-agricultural use on surrounding agricultural operations and lands shall be mitigated.

#### **C5.4.2 Accessory Residential Uses on Farm Properties**

The establishment of one additional dwelling unit on a farm property for farm help is permitted, provided the lands are appropriately zoned to permit such a second dwelling. Prior to considering an application for re-zoning, Council shall be satisfied that the second dwelling unit:

- a) is required for farm help;
- b) will be located within the existing farm dwelling or be in the form of temporary accommodation for farm workers;
- c) can be serviced by existing sewage and water services; and,
- d) will be designed and/or located to be compatible or otherwise blend in with the farm operation.

#### **C5.4.3 Bed and Breakfast Establishments**

New bed and breakfast establishments are permitted in a single detached dwelling in the Agricultural designation, but are subject to a rezoning application in accordance with the policies of Section B4.2 of this Plan.

#### **C5.4.4 Home Occupations and Home Industries**

The Township recognizes that the nature of farming is changing and that additional activities, such as home occupations and home industries, can be

carried out in the *Agricultural* designation and not have an adverse impact on agricultural uses.

The development of a new home industry may be subject to Site Plan Control in accordance with Section G1.4 of this Plan.

#### **C5.4.5 Retail Commercial Uses on Farm Properties**

The development of accessory retail commercial uses on farm properties is permitted, provided:

- a) the use is clearly associated with and located on a farm property;
- b) the retail component has a floor area of no more than 30 square metres; and,
- c) the majority of the products offered for sale, in terms of monetary value, are produced or manufactured on the farm property;
- d) Proposed new secondary uses and agriculture-related uses shall be compatible with, and Shall not hinder, surrounding agricultural operations. These uses shall be limited in scale and criteria for these uses shall be included in municipal planning documents as recommended by the Province, or based on municipal approaches which achieve the same objective.

The development of a new commercial use on a farm property may be subject to Site Plan Control in accordance with Section G1.4 of this Plan.

#### **C5.4.6 Location of Livestock Facilities**

The establishment of new livestock or other intensive animal farming operations which include piggeries, stables, chicken farms etc., shall be in accordance with the Minimum Distance Separation Formulae's and will be discouraged in close proximity to any existing or proposed Settlement Area or Country or Shoreline Residential designations. Existing livestock or other intensive animal farming operation shall not be subject to the foregoing and therefore shall not be required to alter existing operations and procedures, except as required in accordance with Provincial legislation or regulation.

#### **C5.4.7 Implementing Zoning By-law**

All lands in the *Agricultural* designation shall be placed in an Agricultural Zone in the implementing zoning by-law.

#### **C5.4.8 Removal of Land from Prime Agricultural Areas**

The Township may only exclude land from prime agricultural areas for:

- a) expansions of or identification of settlement areas in accordance with subsection A2.2.3;
- b) extraction of minerals, petroleum resources and mineral aggregate resources, in accordance with Section C9 and other applicable policies, or
- c) there are no reasonable alternative locations in which avoid prime agricultural areas nor prime agricultural areas with lower priority agricultural lands.

Impacts from any new or expanding non-agricultural uses on surrounding agricultural operations and lands should be mitigated to the extent feasible.

### **C6 RURAL AREA**

#### **C6.1 OBJECTIVES**

- a) It is the intent of this Plan to: protect the rural character of the Township and the maintenance of those elements which contribute to the open space character of the countryside;
- b) prevent the intrusion of land uses which are incompatible with the rural character and/or resource activities of the area;
- c) protect land suitable for agricultural production from development and land uses unrelated to agriculture;
- d) promote the agricultural industry and associated activities and enhance their capacity to contribute to the economy of the Township;
- e) provide for the development of recreational uses which are compatible with the rural and agricultural character of the Township;
- f) ensure that new recreational uses will not have a negative impact on the environmental and hydrogeological resources of the Township; and,
- g) ensure that the scale of development is compatible with the role and function of the rural area.

#### **C6.2 LOCATION**

The Rural designation as shown on Schedule A applies to those rural lands in the Township which are not considered to be prime agricultural land.



### **C6.3 PERMITTED USES**

The permitted uses of lands within the RURAL designation include:

- a) agricultural uses;
- b) single detached dwellings;
- c) bed and breakfast establishments subject to the policies of Section B4.2 of this Plan;
- d) home occupations, and home industries subject to the provisions of Sections B4.1 and B4.3 of this Plan;
- e) accessory residential uses on farm properties subject to Section C5.4.2 of this Plan;
- f) veterinary clinics;
- g) commercial dog kennels;
- h) passive recreational uses, such as walking trails and nature interpretation centres on lands owned by a public authority;
- i) minor institutional uses
- j) forestry and resource management uses;
- k) cemeteries subject to Section C6.4.3 of this Plan; and
- l) commercial uses on farm properties subject to Section C5.4.5 of this Plan.

### **C6.4 DEVELOPMENT POLICIES**

#### **C6.4.1 General Policies**

- a) Existing agricultural uses should be preserved wherever possible;
- b) The development of “hunt farms” shall not be considered an agricultural use;
- c) Non-farm use of productive agricultural lands should be minimized;
- d) Agricultural, non-farm residential, recreational and open space uses should be integrated as much as possible. Conflicts between agricultural and adjoining uses shall be prevented wherever possible; and,
- e) The maintenance and preservation of the existing character of the rural landscape shall be encouraged.

#### C6.4.2 **Institutional Uses**

New minor institutional uses may be permitted subject to an amendment to the implementing by-law.

#### C6.4.3 **Cemeteries**

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:

- a) the size of the cemetery and the accessory uses are appropriate for the area;
- b) the cemetery will not create the need to develop other uses, such as a place of worship, on the site in the future;
- c) appropriate hydrogeological studies have been completed which indicate that the use will not have a negative impact on the quantity and quality of drinking water in nearby wells; and,
- d) the use can be accessed by roads which are designed to accommodate high volumes of traffic in short periods of time.

#### C6.4.4 **Location of Livestock Facilities**

The establishment of new livestock or other intensive animal farming operations which include hog farms, stables, chicken farms etc., shall be in accordance with the Minimum Distance Separation Formulae's and will be discouraged in close proximity to any existing or proposed Settlement Area or Country or Shoreline Residential designations. Existing livestock or other intensive animal farming operation shall not be subject to the foregoing and therefore shall not be required to alter existing operations and procedures, except as required in accordance with Provincial legislation or regulation.

#### C6.4.5 **Implementing Zoning By-law**

All lands in the *Rural* designation shall be placed in a Rural Zone in the implementing zoning by-law.

## **C7 SHORELINE RESIDENTIAL AREA**

### **C7.1 OBJECTIVES**

- a) To maintain the existing character of this predominantly low density residential area.
- b) To protect the natural features and ecological functions of the shoreline area and the immediate shoreline.
- c) To ensure that existing development is appropriately serviced with water and sanitary services.

### **C7.2 PERMITTED USES**

Permitted uses on lands designated Shoreline Residential on Schedule A to this Plan are single detached dwellings, existing marinas, small scale commercial uses such as convenience stores, public parks, bed and breakfast establishments and home occupations.

### **C7.3 RESIDENTIAL DEVELOPMENT POLICIES**

#### **C7.3.1 Seasonal Versus Permanent Occupancy**

The policies of this section apply to properties that were zoned to permit only the seasonal occupancy of a dwelling unit on the date the Plan was adopted by Council. These properties are located on the shorelines of Lake Couchiching and Sparrow Lake, parts of the Severn River, and other areas in the Township.

Many of the dwellings in the areas described above were designed for seasonal occupancy and as a result, may be serviced by septic systems that are not designed in accordance with current standards.

Given that many of these dwellings are now being occupied on a year-round basis and the many are serviced by municipal roads that are maintained on a year-round basis, it is the intent of this Plan that the new implementing Zoning By-law permit both seasonal and permanent occupancy in these areas. The By-law will also recognize uses that existed on the date the implementing Zoning By-law is passed by Council.

It is also the intent of this Plan to ensure that existing septic systems in these areas are upgraded to current standards wherever possible and that an appropriate water supply is available for each dwelling unit. In order to implement this intent, the approval of the appropriate agencies that the septic system servicing the dwelling unit conforms to current standards is required

before certain types of improvements can be made to a lot or dwelling unit in these areas. These improvements are listed below:

- a) The enlargement, renovation or addition to a dwelling unit requiring a permit under the Building Code Act;
- b) The development of an accessory building or structure in the rear yard, front yard, or exterior yard requiring a permit under the Building Code Act;
- c) The development of an in-ground swimming pool; and,
- d) The development of a deck in the same yard as the septic system.

In addition, confirmation must be received prior to the issuance of a Building Permit for the above improvements that indicates the well servicing the dwelling, if there is a well supplying water to the dwelling, is located on the same lot as the dwelling. If the well servicing the dwelling is not located on the same lot, an agreement that indicates that the water supply from another lot is available for use on the subject lot is required.

#### **C7.3.2 Development on Private Roads**

All lots that do not have frontage on and direct access to a public road that is maintained year round shall be placed in a Limited Service Residential Zone in the implementing Zoning By-law.

#### **C7.3.3 Re-zoning of Lands Within a Limited Service Residential Zone**

The re-zoning of lands within the Limited Service Shoreline Residential Zone to a Zone that does not distinguish between service levels may be considered by Council provided the following criteria are met:

- a) The lot(s) being re-zoned shall have frontage on, as well as direct access to, a public road maintained year-round by the municipality;
- b) The private road that abuts the lot(s) to be re-zoned is brought up to Township standards at no cost to the municipality;
- c) The additional yearly cost to the Township of providing road maintenance is substantially less than the Township's share of the yearly property assessment generated by the properties that have frontage on and direct access to the portion of the road that is to be assumed by the municipality;
- d) The dwelling(s) on the lot(s) to be re-zoned shall comply with all building and construction standards that apply to permanent homes;

- e) The dwelling(s) on the lot(s) to be re-zoned shall be serviced by a private well on the same lot or an appropriate water supply;
- f) The dwelling(s) on the lot(s) to be re-zoned shall be serviced by an appropriate means of sewage disposal that is designed to serve a permanent residence and which has obtained the approval under Part 8 of the Ontario Building Code;
- g) The fire department and the appropriate police department confirm, in writing, that the dwelling(s) on the lot(s) to be re-zoned can be serviced year round by police and fire vehicles; and,
- h) The lot(s) to be re-zoned complies with all applicable Zone provisions in the implementing Zoning By-law.

#### **C7.3.4 Limits of Shoreline Development**

It is the intent of this Plan that new development in the shoreline area be directed to lands that are designated SHORELINE RESIDENTIAL AREA by this Plan in an effort to maintain this area's unique character. In order to implement this intent, new residential development or redevelopment in the SHORELINE RESIDENTIAL AREA designation shall be limited to small-scale subdivisions or minor infilling by consent to sever. Any Amendment to this Plan that has the effect of permitting additional residential development adjacent to the Shoreline designation will only be considered as part of a review of the appropriateness of the extent and limits of the entire Shoreline designation that is carried out as part of an Official Plan review.

In considering an application for back lot development, regard shall be had for the provision of waterfront access for back lot development. In this regard, the Trent-Severn Waterway shall be consulted for all proposals which affect the navigable waters it administers. For such proposals, the Trent Severn Waterway may require that a waterlot license be obtained by the applicant, together with the submission of an environmental assessment. The minimum waterfront access requirements shall be 1.5 metres frontage and 30 square metres of area per lot or a minimum of 20 metres of frontage which ever is the greatest. Where the level of backlot development proposed exceeds 40 units, a waterfront access site plan as well as other applicable reports required to propose development in excess of 40 units shall be prepared by the applicant with respect to the location, extent and nature of facilities to be provided for the review and consideration of Council.

Such waterfront access sites shall generally be used for public use, comprised of one lot area and not a series of smaller lots spotted along the shoreline and located within the exterior boundaries of the proposed backlot site extended toward the shoreline and not at some other location on the shoreline.

The maximum density of development shall not exceed 2.5 dwelling units per net hectare or as may otherwise be determined by the conditions of the local soils and groundwater supplies as per Ministry of the Environment guidelines. Notwithstanding the foregoing, the provisions of this Plan shall not serve to preclude the issuance of building permits on lots of record provided the relevant provisions of the Zoning By-law are complied with. Prior to new lot creation or redevelopment in the shoreline area, regard shall be given to the flooding hazards, which includes wave uprush.

Development and site alteration shall not be permitted within areas that would be rendered inaccessible to people and vehicles during times of flooding hazards or erosion hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard. Development and site alteration shall also not permitted within a floodway regardless of whether the area of inundation contains high points of land not subject to flooding.

#### **C7.3.5 Marinas**

Only existing marinas are permitted in the SHORELINE RESIDENTIAL AREA designation. Any new marina shall require an Amendment to the Official Plan and shall only be considered if the proposed marina is compatible with the character of the shoreline area.

#### **C7.3.6 New Convenience Retail Stores**

New convenience retail stores may be permitted by an amendment to the implementing Zoning By-law and may be subject to Site Plan Control. Before considering an amendment to the Zoning By-law to permit a convenience retail store in the *Shoreline* designation, Council shall be satisfied that:

- a) the proposed use is compatible with the character of the shoreline area;
- b) the proposed use serves the needs of the residents of the shoreline area; and,
- c) adequate parking and loading facilities and landscaping can be provided on site.

#### **C7.3.7 Bed And Breakfast Establishments**

New bed and breakfast establishments may be permitted by way of an amendment to the implementing Zoning By-law and subject to Site Plan Control in accordance with the policies of Section B4.2 of this Plan.

### **C7.3.8 Setbacks From All Lakes and Rivers**

The retention of tree cover on the shoreline is important to the maintenance of the integrity of the shoreline. The implementing Zoning By-law shall include a setback from the high water mark for all new development, including additions, renovations and new construction along the shorelines of all lakes and rivers. In addition, the implementing Zoning By-law shall contain provisions that regulate the size and location of boathouses on a lot.

### **C7.3.9 Parkland**

The Township currently owns a number of parcels of land in the shoreline area. It is the intent of Council to retain these areas in public ownership and to develop and manage these areas in accordance with a Parks and Recreation Master Plan.

## **C8 COUNTRY RESIDENTIAL AREA**

### **C8.1 OBJECTIVE**

- a) To recognize existing estate, country estate and mobile home residential development in the Township.

### **C8.2 PERMITTED USES**

Permitted uses on lands designated *Country Residential Area* on the schedules to this Plan are limited to single detached dwellings, mobile homes within existing mobile home parks, home occupations, bed and breakfast establishments and accessory uses.

### **C8.3 FORM OF DEVELOPMENT**

All development within the Country Residential Area designation shall occur by way of Plan of Subdivision, Plan of Condominium, or Site Plan Control Application.

### **C8.4. POLICY FOR MOBILE HOME PARKS**

#### **C8.4.1 General Principles**

Within the Township of Severn there is one Mobile Home Residential use. It is the intent of this Plan to recognize the development of these lands and to provide for their orderly expansion in keeping with sound land use planning principles.

The expansion of existing facilities shall be encouraged as opposed to the indiscriminate development of numerous new facilities throughout the Township.

Mobile home uses shall be developed, owned and operated as a unit. Ownership and maintenance of internal roads, services, buildings, open space and common areas shall be the responsibility of the owner/operator.

The Country Residential Area designation has been applied on a limited basis only to those areas presently developed for such purposes. The symbol "MHP" is shown on Schedule A on those lands designated Country Residential Area which support the existing Mobile Home Parks. Development of new Mobile Home Residential areas or the expansion of existing facilities beyond the designated areas shall require an amendment to the Plan.

#### **C8.4.2 Permitted Uses**

The uses permitted shall be exclusively limited to an existing mobile home development, owned and operated as a unit, and public uses and utilities. In addition, accessory recreational facilities and related common areas and buildings for the exclusive use of persons utilizing these parks, and a convenience store or other similar uses as are normally considered ancillary and incidental to the principal use, shall also be permitted. A home occupation use is also permitted.

#### **C8.4.3 Policies**

- a) It shall be the policy of this Plan that ownership and responsibility for the provision and maintenance of services, inclusive of internal roads, water supply and sewage disposal systems, garbage collection, open space recreational areas and common buildings, shall rest with the owner/operator.
- b) Regard shall be had for the natural features and physical characteristics of the site in order to avoid environmental impacts. The design of new parks should provide for the arrangement of the sites in planned groups or clusters, utilizing a contemporary and innovative design approach rather than in rows to form a linear pattern adjacent access roads.
- c) It shall be the policy of this Plan to allow for limited expansion of mobile home areas by amendment to this Plan. In considering proposals for the development of new parks, Council shall have regard for the scale, design, location and financial implications of such development and that any expansion shall not increase the existing mobile home area to greater than a total of 40 units/lots for existing and proposed units.



- d) In areas where the existing topography or vegetative cover affords only limited protection from adjacent boundary roads, tree screening and earthen berms may be required to supplement existing tree cover so as to buffer the proposed park development from traffic on boundary roads. The means of buffering shall be undertaken with a view to creating privacy and preventing the development from becoming a visually dominant element in the rural landscape.
- e) New mobile home development shall not be permitted in areas which demonstrate a high resource capability in terms of either agriculture or mineral aggregate resource, or in areas which are environmentally sensitive.
- f) Compliance shall be had for the Minimum Distance Separation, as may be amended from time to time, in assessing applications for the expansion and/or development of new mobile home areas.
- g) Where an application is made to amend either this Plan and the implementing Zoning By-law to develop a new mobile home facility or to expand existing facilities, such application shall be accompanied by a report which considers the feasibility of providing full municipal water and sewer system to service the proposed development. Where the municipality, in consultation with the Ministry of the Environment, determines that a full municipal water and sewer system is not feasible, then development may be serviced by full services subject to the requirements of the authority responsible for their approval.
- h) Where it is demonstrated that the development of a mobile home facility will result in a need to upgrade local roads or require the extension of any other service by the Municipality, the application shall be considered premature unless the proponent is prepared to undertake the construction of such public works to the satisfaction of and at no cost to the Municipality.
- i) Adequate off-street parking facilities shall be provided for all permitted uses, and access points to and from the facility shall be limited in number and designed in a manner that will minimize the danger to both vehicular and pedestrian traffic.
- j) It shall be the policy of this Plan that mobile home facilities shall be zoned in a separate zoning classification in the implementing Zoning By-law, whereunder suitable provisions and regulations are prescribed to govern the future development and use of lands.

## **C8.5 POLICY FOR EXISTING COUNTRYSIDE RESIDENTIAL**

### **C8.5.1 General Principles**

Lands designated for Countryside Residential are intended for low density single-family residential dwellings. Countryside Residential development shall be located in areas possessing which includes, rolling topography, or other similar aesthetic qualities.

Countryside Residential development shall not be permitted in the logical path of the future expansion of existing built-up areas that would in any way prejudice such natural expansion.

Convenient access shall be provided from the development to a paved or surface treated public improved road maintained year-round and suitable to carry such additional traffic and be capable of ensuring ready accessibility for school buses, maintenance and emergency vehicles.

Such development shall be limited in scale to a maximum of 40 units where other development considerations of Council are satisfied in respect of both the number of lots in a proposed development and in respect of the frequency of development over the Municipality as a whole to maintain the rural character of the area.

It is the applicant's responsibility to demonstrate that such a site possesses the necessary physical characteristics at the submission of an application.

The design and development of an Countryside Residential area should result in a prestigious residential community.

### **C8.5.2 Permitted Uses**

The uses permitted shall be restricted to single-family dwellings developed by registered plan of subdivision of limited size and scope. Other uses permitted may include public parkland and common open space and public recreational facilities which form an integral component of the overall design concept.

### **C8.5.3 Policies**

- a) It shall be the policy of this Plan to allow for a limited amount of Countryside Residential development by amendment to this Plan. In considering proposals for Countryside Residential subdivisions, Council shall have regard for the scale, location and financial implications of such development. Consideration of proposed Countryside Residential

subdivision shall also be assessed in the context of the existing inventory of residential lots, the types and location of vacant lots of record, projection of population and a justification of the proposal in light of the above factors. Country residential development should not be considered in areas adjacent to or within one concession block of a settlement area or adjacent or in proximity to another country residential subdivision where the total number of lots would exceed 40; in areas adjacent or in close proximity to commercial, industrial or aggregate resource areas or operations; and/or, in areas of highwater table or sensitive groundwater recharge. Where the total number of lots exceeds 40, only where an approved local secondary plan has examined the impacts of the proposal on the existing subdivision and evaluates the cumulative transportation, water and sewer and general servicing issues. All proposals should be supported by a municipal growth management strategy and shall be supported by appropriate analyses.

- b) Countryside Residential development will generally be permitted by means of registered plan of subdivision. The design of such subdivisions shall ensure that lots within an Countryside Residential area are serviced by internal subdivision roads, the construction of which shall be in accordance with Township standards and the responsibility of the developer. It is further intended that such roads shall be maintained by the developer for such period as specified in the subdivision agreement and subsequently assumed by the Municipality at no cost. Regard shall also be had for the capability of existing external service roads to accommodate increased traffic volumes generated by such a development.
- c) Countryside Residential development shall be limited to those areas possessing substantial physical attributes such as a gently rolling topography adjacent to valley lands or other similar aesthetic qualities. The development should be in harmony with the landscape and should not result in any adverse environmental impact. Existing tree cover shall be preserved wherever possible and supplemented as necessary to afford the development a natural screening.
- d) In areas where the existing topography or vegetative cover affords only limited protection from adjacent boundary roads, tree screening and earthen berms may be required to supplement existing tree cover so as to buffer the proposed residential development from traffic on boundary roads. The means of buffering shall be undertaken with a view to creating privacy and preventing the development from becoming a visually dominant element in the rural landscape.

- e) Countryside Residential development shall not be permitted in areas which demonstrate a high resource capability in terms of agriculture (that is, lands designated as Agricultural Priority), or on lands designated as “Licenced Pit or Quarry”, “Primary Sand & Gravel Deposits”, “Bedrock Aggregate Resources” or “Secondary Sand and Gravel Deposits” as shown on Schedule C to this Plan, or in areas which are environmentally sensitive, or along designated haul routes.
- f) Countryside Residential development shall comply with the Minimum Distance Separation as may be amended from time to time.
- g) An application for development of an Countryside Residential area, which requires an amendment to this Plan, shall be accompanied by a detailed hydrogeological study and report which shall be required of the applicant at the draft plan approval stage with respect to the adequacy of groundwater supplies, surface drainage characteristics and the ability of soils to sustain development on the basis of individual private services. All private water supply and effluent treatment systems shall be installed in accordance with the standards and regulations of the authority responsible for their approval.
- h) The development shall provide for a range of lot sizes directly related to the site's topography, vegetation, soil and drainage characteristics, and the development may have a range of lot sizes from approximately 0.61 hectares to approximately 1.21 hectares, provided the overall average of the lot areas is not less than 0.81 hectares. The lots should be well proportioned and of regular shape and dimensions so as to discourage the creation of long narrow lots. Notwithstanding the range listed above, the ultimate size of lots will be determined through detailed hydrogeological and soil analysis which confirms the ability of the site's soils to assimilate the waste from the septic systems.
- i) The dwellings to be erected within an Countryside Residential area shall be of a large country estate nature with floor areas substantially greater than the more traditional forms of housing throughout the Township.
- j) Countryside Residential development shall be considered in areas which will not contribute in any significant way to an increased demand for services above the level currently provided.
- k) In assessing an application for Countryside Residential development, Council may require the submission of a detailed site development plan indicating the proposed location of roads and buildings, the landscape design, both existing and proposed, and any alterations to the natural environment. Regard shall also be had for the possible location of individual private water supply systems and effluent treatment facilities.

- l) Countryside Residential areas shall be zoned in a separate zoning classification in the implementing Zoning By-law, whereunder suitable provisions and regulations shall be prescribed to govern the development and use of such lands

## **C8.6 BED AND BREAKFAST ESTABLISHMENTS**

New bed and breakfast establishments may be permitted within the COUNTRY RESIDENTIAL AREA designation (except within existing Mobile Home Parks) by way of an amendment to the implementing Zoning By-law in accordance with the Provision of Section B4.2 and may be subject to Site Plan Control.

## **C9 LICENCED PIT OR QUARRY AND AGGREGATE POLICIES**

### **C9.1 OBJECTIVES**

It is the intent of this Plan to:

- a) recognize existing mineral aggregate operations;
- b) protect Primary and Secondary Sand and Gravel Deposits and Bedrock Aggregate Resources, as shown on Schedule C, from incompatible uses to maintain the potential for future extraction;
- c) ensure that new mineral aggregate operations are located where there will be no negative impact on significant natural heritage features and their ecological functions taking into account any proposed mitigation measures, rehabilitation and environmental enhancements;
- d) ensure that mineral aggregate operations are developed in an orderly fashion and thus not creating the necessity for major improvements to roadways over long distances unless there are no reasonable alternatives;
- e) ensure that the haul routes used are appropriate and future haul routes are protected from incompatible uses;
- f) ensure that extractive activities are carried out so as to minimize environmental impacts and impacts on surrounding sensitive land uses and communities; and,
- g) minimize conflicts between incompatible land uses.

## **C9.2 LOCATION**

The "Licenced Pit or Quarry" designation shown on Schedule A to this Plan applies to mineral aggregate operations that are licensed in accordance with the *Aggregate Resources Act*.

## **C9.3 PERMITTED USES**

Permitted uses on lands designated "Licenced Pit or Quarry" are limited to:

- a) the extraction of stone, gravel, sand and other aggregates and associated operations such as crushing, screening, washing and aggregate storage and the recycling of used concrete and asphalt;
- b) agricultural operations;
- c) essential transportation and utility facilities;
- d) forestry and resource management uses;
- e) archaeological activities; and
- f) accessory structures.

The establishment of permanent concrete batching plants or asphalt plants on lands within the "Licenced Pit or Quarry" designation may be permitted, subject to Council approval of an appropriate implementing zoning by-law.

## **C9.4 DEVELOPMENT POLICIES**

### **C9.4.1 Relationship between the Township and the Ministry of Natural Resources**

It is recognized that the Ministry of Natural Resources licenses and regulates mineral aggregate operations under the *Aggregate Resources Act*. It is the intent of this Plan to ensure that there is open and transparent consultation between the appropriate Provincial Ministries and agencies, the proponent of the mineral aggregate operation and the Township before licenses are issued or modified, in order to ensure that new mineral aggregate operations or expansions of existing operations are carried out in a manner that is consistent with the goals and objectives of this Plan.

### **C9.4.2 Development Adjacent to Lands in Licenced Pit or Quarry Designation or Adjacent to Aggregate Resource Protection Area on Schedule C**

When new development (through a Planning Act application) is generally proposed within 300 metres of a pit or 500 metres of a quarry within the Licenced Pit or Quarry designation, Council shall be satisfied that the proposed use is compatible with the operation of the pit or quarry. In some cases, setbacks

between the uses may be required to minimize conflicts. Regard shall be given to the location of the proposal in relation to the proposed or existing haul routes.

When new development (through a Planning Act application) is proposed within 300 metres of lands designated Primary or Secondary Sand and Gravel Deposits as shown on Schedule C or within 500 metres of lands identified as Bedrock Aggregate Resources as shown on Schedule C, the proponent of the proposed development shall demonstrate that the proposed development will not preclude or hinder the establishment of new mineral aggregate operations or access to the resource.

#### **C9.4.3 New Mineral Aggregate Operations or Expansions to Existing Operations**

All new mineral aggregate operations and/or expansions to existing mineral aggregate operations onto lands that are not designated Licenced Pit or Quarry shall require an Amendment to the Official Plan.

All such applications shall be supported by studies that are based on predictable, measurable, objective effects on people and the environment. Such studies will be based on provincial standards, regulations and guidelines where they exist and will consider and identify methods of addressing the anticipated impacts in the area affected by the new or expanded mineral aggregate operation. These studies shall address:

- a) the effect of the new or expanded mineral aggregate operation on:
  - i) the natural heritage features and ecological functions on the site and in the adjacent area;
  - ii) nearby communities;
  - iii) agricultural resources and activities;
  - iv) the quality and quantity of groundwater and surface water in the area of predicted impact;
  - vi) the built or cultural heritage resources in the area;
  - vii) significant geologic formations on the site and in the area;
  - viii) the groundwater recharge functions on the site and in the immediate area;
  - ix) surface water features in the area; and,
  - x) nearby wells used for drinking water purposes.

- b) the effect of the increased truck traffic on the residences along the proposed haul route;
- c) the suitability of the proposed haul routes;
- d) the effect of the noise and vibration generated by the new or expanded mineral aggregate operation;
- e) how the impacts of the new or expanded mineral aggregate operation on natural features and their ecological functions on the site and in the area can be minimized giving consideration to the design and rehabilitation of the proposed pit or quarry.
- f) proposed means of mitigation in order to minimize environmental and social impacts;
- g) how the site will be progressively rehabilitated to accommodate subsequent land uses after the extraction is completed; and
- h) public health and safety issues.

Some of the above information shall be contained in an Environmental Impact Study that is prepared in accordance with this Plan.

In addition to the above, the required studies shall take into account cumulative impacts of the new or expanded mineral aggregate operation in conjunction with any other existing mineral aggregate operation which would potentially impact the same natural or social environment.

In considering the added impact of the new mineral aggregate operation to existing known impacts, Council shall ensure that mitigation measures intended to minimize potential additional impacts are reviewed and applied as required. During the course of this review, phasing options shall be considered as one means to minimize the combined impacts of the proposed pit or quarry and existing pits or quarries on the general area.

#### **C9.4.4 Haul Routes**

Council recognizes that one of the most significant impacts of aggregate extraction is the use of area roads to transport mineral aggregates to market. On this basis, Council will require a review of all transportation options, including rail, when reviewing an application. If it is determined that the most appropriate means of transportation is by truck, it is a policy of this Plan to encourage the establishment of new mineral aggregate operations on the Existing Major Haul Routes and Existing Minor Haul Routes as shown on Schedule B. Any new haul route shall be identified on Schedule B. If a new haul route is being considered, Council shall be satisfied that the new haul route:



- a) is the route of least impact taking into consideration all alternatives;
- b) is, or will be, constructed to an appropriate standard for truck traffic; and,
- c) will be constructed in such a manner so as to minimize the impact on the character of the area.

#### **C9.4.5 Natural Heritage and Water Resource Policy**

Sections B1.9, B9 and C1 of this Plan do not apply to applications to establish or expand a mineral aggregate operation. Instead, the Natural Heritage and Water Resource policies of this Section are applicable when assessing applications to establish a new, or expand, a mineral aggregate operation.

It is a goal of this Plan to protect natural features for the long term. The diversity and connectivity of natural features in an area and the long term ecological function and biodiversity of natural heritage systems should be maintained, restored, or, where possible, improved recognizing linkages between and among natural heritage features and areas, surface water features, and groundwater features.

This Plan is based on the recognition that a healthy Natural Heritage System is a very important attribute of the community's well being and makes a positive contribution to the quality of life enjoyed by Township residents, business owners and recreational visitors now and into the future.

This Plan establishes a Natural Heritage System in accordance with the County of Simcoe Official Plan. The intent is to achieve this Plan's natural heritage goals by designating lands of important ecological value and establishing policies to guide decision making with respect to land use and development accordingly.

The Natural Heritage System in the Township of Severn is found within the following designations; Greenland and Environmental Protection Area. The Greenland designation identifies natural features and areas having Provincial and Regional significance. Lands designated Environmental Protection Area contain intermittent and permanent stream corridors, which are important to achieve the Natural Heritage goals and objectives of this Plan.

Reference to "significant natural heritage features" or "significant environmental features" in this Section are those features identified as significant in accordance with the Provincial Policy Statement 2005 and are the following:

- significant habitat of endangered species and threatened species;
- significant wetlands;

- significant coastal wetlands;
- significant woodlands;
- significant valleylands;
- significant wildlife habitat;
- significant areas of natural and scientific interest; and
- fish habitat.

C9.4.5.1 Objectives for Natural Heritage and Water Resources and Mineral Aggregate Operations

It is the intent of this Plan to:

- a) require that new mineral aggregate operations be established in a manner which minimizes impacts of aggregate operations on significant natural features, their associated ecological function and water resources;
- b) require that proponents of new or expanded mineral aggregate operations undertake appropriate study to understand the potential impacts of the mineral aggregate operation on natural features and their ecological functions and on water resources, and if there are potential unacceptable negative impacts, to determine the means of mitigation to minimize or prevent the negative impact from occurring. In assessing negative impact, proposed mitigation measures, rehabilitation and ecological enhancements, if any, shall be considered;
- c) encourage proponents of new or expanded mineral aggregate operations to design the proposed operation so as to include ecological enhancements to the natural heritage system;
- d) require proponents of new or expanded mineral aggregate operations to rehabilitate the proposed pit or quarry in a manner which is supportive of the surrounding natural heritage features and water resources;
- e) encourage proponents of new or expanded mineral aggregate operations to include ecological enhancements in the rehabilitation plan for the proposed mineral aggregate operation. Ecological enhancements are intended to improve ecosystem biodiversity and the quality and integrity of the natural heritage system and the processes necessary to sustain those component features and areas.
- f) ensure that development and site alteration within fish habitat is not permitted except in accordance with provincial and federal requirements; and

- g) encourage and support the Ministry of Natural Resources in evaluating unevaluated wetlands within the Township.

C9.4.5.2 Policy for Natural Heritage and Water Resources and Mineral Aggregate Operations

The following natural heritage/water resource policies apply to applications for new or expanded mineral aggregate operations:

- a) development and site alteration is not permitted within significant wetlands, significant habitat of endangered species and threatened species or significant coastal wetlands;
- b) development and site alteration is not permitted within significant woodlands, significant valleylands, significant wildlife habitat and significant areas of natural and scientific interest unless it can be demonstrated that there will be no negative impact on the identified natural features and their ecological functions;
- c) development and site alteration within fish habitat is not permitted except in accordance with provincial and federal requirements;
- d) development and site alteration shall not be permitted on adjacent lands to significant natural heritage features and areas identified above unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the significant natural features or their ecological functions. Adjacent lands are defined as:
  - 120 metres from the boundary of provincially significant wetlands;
  - 50 metres from the boundary of significant habitat of endangered species and threatened species;
  - 50 metres from the boundary of an area of natural and scientific interest;
  - 50 metres from the boundary of a significant woodland;
  - 50 metres from the boundary of a significant valley land;
  - 30 metres from the boundary of fish habitat area; and
  - 50 metres from the boundary of significant wildlife habitat
- e) the terms “significant” and “negative impact” are defined as set out in the Provincial Policy Statement 2005;
- f) where a proposed new or expanded mineral aggregate operation would negatively impact a natural feature or function which is not considered to

be significant, the proponent is encouraged, through the proposed rehabilitation plan to, if possible, replicate the impacted feature or function or undertake some other ecological enhancement, unless extraction takes place below the water table and there is insufficient room to do so.

- g) In considering applications for new or expanded mineral aggregate operations, the approval authorities and review agencies will seek to :
- Protect, improve or restore vulnerable surface and groundwater, sensitive surface water features and sensitive groundwater features, and their hydrologic functions; and
  - Maintain linkages and related functions among surface water features, groundwater features, hydrologic functions and natural heritage features and areas.
- h) Where this Plan requires that there be no negative impact on a significant natural heritage feature or related ecological function or where this Plan seeks to protect or maintain water resources, linkages and related functions, the assessment of negative impact or the consideration of protection/maintenance of water resources shall include the proposed progressive and final rehabilitation of the site and, if applicable, any ecological enhancement measures associated with the proposal to establish a new mineral aggregate operation.

#### **C9.4.6 Environmental Impact Studies for Proposed Mineral Aggregate Operations**

An Environmental Impact Study (EIS) must be prepared to assess impacts of a proposed new or expanded mineral aggregate operation.

##### **C9.4.6.1 Purpose of an EIS**

The purpose of an EIS is to identify and evaluate the potential environmental impacts of a proposed mineral aggregate operation, determine whether site design and/or mitigative measures are necessary to minimize disturbance to the natural environment and to thereby conclude whether the proposed development and site alteration at that location is appropriate given the goals, objectives and policies of this Plan.

To achieve this purpose, appropriate information is collected and evaluated in order to create a complete understanding of the boundaries, attributes and functions of the natural features and ecological functions within and adjacent to the site, and to make an informed decision as to whether the proposed mineral aggregate operation will have a negative impact on the significant natural features and their ecological functions, located within and adjacent to the site.

The EIS must describe to the satisfaction of the Township in consultation with appropriate agencies:

- a) the natural features and ecological functions of the Natural Heritage System located within and adjacent to the site,
- b) their significance and sensitivities, and
- c) how they will potentially be affected by the proposed mineral aggregate operation, including any proposed mitigation.

The EIS should give consideration to the aspects and inter-relationships of the various components of the Natural Heritage System on and off the site and not be limited to only the identified on site natural features and ecological functions.

Any unevaluated wetlands on lands proposed for site alteration which are located within 120 metres of the proposed mineral aggregate operation, will be required to be evaluated to the satisfaction of the Ministry of Natural Resources. Such an evaluation shall be completed prior to, or in conjunction with, the completion of the EIS.

An EIS must be considered complete and satisfactory by Council in consultation with appropriate agencies, before a planning application (e.g. zoning by-law amendment, official plan amendment, site plan agreement, consent, minor variance, subdivision application) which facilitates the mineral aggregate operation that is the subject to the Environmental Impact Study is adopted or approved by Council.

Where an EIS has indicated that the proposed mineral aggregate operation would have a negative impact on any significant natural heritage features and functions which cannot be appropriately mitigated, the application will not be supported or approved.

#### C9.4.6.2 **Contents of an EIS**

The EIS shall include a description of:

- a) the proposed mineral aggregate operation including a detailed description and plan of the proposed mineral aggregate operation and its location;
- b) the natural features and ecological functions on the site and adjacent lands; a description of those features and functions which may be potentially affected directly or indirectly by the proposed mineral aggregate operation; and their sensitivity to development, including an extensive inventory of the flora and fauna and the ecological conditions necessary to sustain them;

- c) any lands that support environmental attributes and functions that may qualify the lands for designation within the Greenland and the Environmental Protection Area designations;
- d) the direct and indirect effects to the ecosystem that might be caused by the proposed mineral aggregate operation;
- e) any environmental hazards (i.e. steep slopes, flooding contaminants) that need to be addressed;
- f) how the proposed mineral aggregate operation affects the possibility of linking core areas of the Natural Heritage System by natural corridors that may or may not be identified on Schedule A to this Plan;
- g) a Management Plan (MP) identifying how any potential negative impacts will be minimized over the construction period and the life of the proposed mineral aggregate operation and how environmental features and functions may be rehabilitated or restored where appropriate and describing the net effect of the proposed mineral aggregate operation after implementation of the MP. The MP shall also establish the limits of buffers and setbacks adjacent to watercourses, water bodies, valleys, significant wetlands and vegetation to protect the natural feature and its attributes and/or function from the effects of development; and
- h) an implementation and monitoring plan, including contingency, that may be required to ensure that mitigation measures are achieving the intended goal of having no negative impact on significant natural features, their ecological functions and the biodiversity of the Natural Heritage System,

#### **C9.4.6.3 What an EIS Should Demonstrate**

The EIS shall demonstrate that the relevant policies of this Plan are met, and, in particular, that the proposed new or expanded mineral aggregate operation will not have a negative impact on significant natural features and related ecological functions.

#### **C9.4.7 Criteria for Approval**

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

- a) an appropriate EIS has been completed in accordance with Section C9.4.6;
- b) the policies of Section C9.4.3, C9.4.4 and C9.4.5 are met; and
- c) as much of the site as possible will be rehabilitated by establishing or restoring natural self-sustaining vegetation.

#### **C9.4.8 Agriculture and Mineral Aggregate Policy**

In prime agricultural areas, on prime agricultural land, extraction of mineral aggregate resources is permitted as an interim use provided that rehabilitation of the site will be carried out so that substantially the same areas and same average soil quality for agriculture are restored.

On these prime agricultural lands, complete agricultural rehabilitation is not required if:

- a) there is a substantial quantity of mineral aggregate resources below the water table warranting extraction, or the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible;
- b) other alternatives have been considered by the applicant and found unsuitable. The consideration of other alternatives shall include resources in areas of Canada Land Inventory Class 4 to 7 soils, resources on lands identified as designated growth areas, and resources on prime agricultural lands where rehabilitation is feasible. Where no alternatives are found, prime agricultural lands shall be protected in this order of priority: specialty crop areas, Canada Land Inventory Classes 1, 2 and 3; and
- c) agricultural rehabilitation of remaining areas is maximized.

#### **C9.4.9 After Uses**

All uses of land that are not listed as permitted uses by Section C9.3 (Permitted Uses) shall not be permitted until such time as the resource is either substantially depleted or it is shown to Council's satisfaction that it is not feasible to undertake further extraction. In such cases, an Amendment to this Plan that has the effect of re-designating the lands to an appropriate designation will be required to facilitate the establishment of a use that will preclude the use of these lands for mineral aggregate extraction in the future.

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

The determination of the appropriate designation of the site for an after use will be made at the time an application for Official Plan Amendment is submitted following surrender of the licence. Factors to consider include:

- a) the use of the site before the extraction commenced;
- b) the land uses on adjacent properties;
- c) the proximity of the site to agricultural lands and activities;

- d) the character of the area;
- e) the accessibility of the site;
- f) the recreational opportunities that the site may afford;
- g) the opportunities that may be available to enhance natural heritage features and functions in the area; and
- h) the nature and cost of any long-term monitoring required on the site.

**C9.4.10 Rehabilitation**

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

**C9.4.11 Implementing Zoning By-law**

The implementing Zoning By-law shall place all existing mineral aggregate operations in a zone that permits quarries, sand and gravel extraction operations and wayside pits and quarries and portable asphalt plants for road works in the area.

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

**C10 MAJOR RECREATION AREA**

**C10.1 OBJECTIVES**

It is the intent of this designation to:

- provide for the development of land extensive recreational uses that are compatible with the rural character of the Township;
- ensure that new uses are properly planned and located and serviced with an appropriate supply of water and sewage services; and,
- ensure that new recreational uses will not have an impact on the environmental, hydrogeological and agricultural resources of the Township.



## **C10.2 LOCATION**

The *Major Recreation Area* designation as shown on Schedule A to this Plan applies to the major private recreational uses that were in existence or approved on the date this Plan was adopted by Council.

## **C10.3 PERMITTED USES**

Permitted uses in the *Major Recreation Area* designation include open-air recreational uses such as golf courses, conservation clubs, cross country ski facilities, mountain bike facilities, and similar uses.

## **C10.4 DEVELOPMENT POLICIES**

### **C10.4.1 New Uses and Expansions to Existing Uses**

Given the potential impacts of new major recreation uses and accessory recreational and commercial facilities on the countryside of the Township, only existing uses are recognized by this Plan.

The development of any new major recreation use shall require an Amendment to the Official Plan and zoning by-law and shall be subject to Site Plan Control. Major expansions to existing uses shall also require an amendment to the Official Plan and the implementing Zoning By-law and shall be subject to Site Plan Control.

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

- a) the proposed use is compatible with normal farm practices and the rural character of the area;
- b) the proposed use is located on a County road or a local road, where traffic impacts on the rural character of the area would be less;
- c) the proposed use can be designed and sited to blend in with surrounding land uses;
- d) there will be no negative impacts on any natural heritage features and ecological functions attributes on the subject property and surrounding lands;
- e) where appropriate the proposed use can be appropriately buffered from adjacent uses; and,

- f) an appropriate monitoring program, which serves to monitor the impact of the use on the quality and quantity of the groundwater, surface waters and the environment in general is prepared.

#### **C10.4.2 Zoning By-Law Implementation**

All lands in the MAJOR RECREATION AREA designation shall be placed in a Major Recreation Zone in the implementing Zoning By-law. Each of the existing major recreation uses may be placed in site-specific zones in the implementing Zoning By-law to recognize the nature and scale of development that existed on the date the implementing Zoning By-law is passed by Council. The intent of recognizing only the nature and scale of existing development is to ensure that the requirements of Section C10.4.1 (New Uses and Expansions to Existing Uses) are met before any expansion occurs.

### **C11 HIGHWAY EMPLOYMENT AREA**

#### **C11.1 OBJECTIVES**

It is the intent of this Plan to:

- a) recognize and protect the existing Highway Employment Area and the maintenance of those elements which contribute to the success of this area for employment uses;
- b) ensure that the design of new commercial development is sensitive to the character of the Township and contributes to the improvement of the appearance of the Highway and Arterial Corridors;
- c) promote the existing businesses and industries and associated activities and enhance their capacity to contribute to the economy of the Township;
- d) provide for the development of new employment uses which are compatible with the existing commercial and industrial development and residential development;
- e) ensure that new employment uses will not have an impact on the environmental and hydrogeological resources of the Township; and,
- f) ensure that the scale of development is compatible with the role and function of the highway employment area.

## **C11.2 LOCATION**

The Highway Employment Area designation as shown on the Schedules to this Plan apply to those employment lands in the Township which are considered to be prime employment lands.

## **C11.3 PERMITTED USES**

The land designated “Highway Employment Area” will be used primarily for those uses which primarily rely upon vehicular traffic and the motoring public for their economic existence and/or uses that serve the residents of the Township and may include, but shall not necessarily be limited to, motels; eating establishments inclusive of drive-in or take-out restaurants; motor vehicle service stations and dealerships; motor vehicle gasoline bars; self-storage units; auction barns and farm implement sales and service establishments; marine sales and service establishments; recreational vehicle and trailer sales and service establishments; a builder's supply outlet; garden nursery sales and commercial greenhouses, animal hospitals, gift or antique shops, arts and craft shops, taverns, service shops (light and personal), farmers market or other similar uses which serve the specialized needs of area residents on an occasional basis.

It is recognized that in certain circumstances the size, configuration, and location of the Highway Employment Area will lend themselves to other forms of commercial or dry industrial uses, some of which may be permitted in other land use designations in this Plan. Council may permit retail and service commercial uses and light industrial uses that may not be dependent solely on passing traffic. Council will, in the Comprehensive Zoning By-law, identify the size and type of these additional uses.

## **C11.4 POLICIES**

### **C11.4.1 Vehicular Traffic**

Lands designated as Highway Employment Area are primarily intended for those uses and activities which place a heavy reliance upon vehicular traffic and the motoring public to maintain their economic existence. It is the policy of this Plan to encourage the development of such uses and activities adjacent to similar uses in accordance with good design principles. Specific regard shall be had for the means of ingress and egress to such areas so as to not create a traffic hazard or result in the disruption of through traffic movements.

### **C11.4.2 Shopping Mall Exception**

No new shopping malls shall be permitted within the Township of Severn outside of a settlement area without an amendment to this Plan.

Any such Zoning By-law Amendment or Official Plan Amendment must be supported by a detailed and comprehensive market analysis prepared at the developer's expense. Such market analysis shall be prepared prior to consideration of the Zoning By-law Amendment and Official Plan Amendment. If

the market analysis indicates that the proposed expansion or new establishment will unduly detract from the importance of the Orillia Square Mall or the Central Business District of the City of Orillia, or will have a detrimental effect thereon, then such Zoning By-law Amendment or Official Plan Amendment will not be approved nor will the proposed development be allowed to proceed.

#### **C11.4.3 Land Use Compatibility and Design**

Regard shall be had for the compatibility of the Highway Employment Area use with uses in adjoining areas so as to ensure that the Highway Commercial use will not have a detrimental effect upon adjoining properties and use of the road. Development or redevelopment proposals shall incorporate reasonable site planning standards which will result in a desirable civic design.

- a) Adequate buffer planting shall be provided between the commercial use and any adjacent residential units. Such buffer planting may include provision for grass strips and appropriate planting of trees and shrubs.
- b) Adequate off-street parking facilities shall be provided for all permitted uses, and access points to and from such parking areas shall be limited in number and designed in a manner that will minimize the danger to both vehicular and pedestrian traffic.
- c) In the absence of municipal water supply and sewage treatment systems, only those Highway Commercial establishments which place no demands for water supply or sewage disposal, beyond the requirements normally considered necessary for the personal use of employees, shall be permitted.
- d) Highway Commercial uses should be encouraged to consolidate in nodes adjacent to similar uses and shall not be permitted to develop in an indiscriminate manner, particularly in those areas which demonstrate a high resource capability for agriculture or mineral aggregate resource. Wherever possible, Highway Commercial uses and activities should be encouraged to locate adjacent major roads and highways within the areas designated under this Plan. Further new Highway Commercial uses proposed in close proximity to existing residential areas should be designed with the intent of providing adequate pedestrian and vehicular access to these built-up residential areas, as well as servicing the travelling public. These measures can be assured through effective site plan control measures.

- e) An application for an amendment to this Plan or the implementing By-law, to allow for the development of a permitted use, shall be accompanied by a site plan prepared in accordance with the requirements of Sections G1.4 and G1.5 of this Plan.
- f) Development proposals under the Highway Commercial designation shall be encouraged to provide access off serviced roads and/or secondary roads.
- g) On those lands located within part of the south-east quarter of the west half of Lot 5, Concession IX, North Division, within the former of the Township of Orillia and being on the west side of Highway No. 11, the only permitted uses shall be a parking lot, a bridge abutment for an overhead pedestrian walkway, public uses and accessory uses thereto.
- i) It shall be the policy of this Plan that Highway Commercial uses be included in a separate zoning classification in the implementing Zoning By-law, whereunder suitable provisions and regulations are prescribed to govern the future development and use of such lands.

#### C11.4.4 **Site Plan Approval**

The policies of this section shall be considered by Council when an application for Site Plan Approval is submitted.

- a) Adequate parking and loading facilities shall be provided on the site.
- b) Adequate buffering from adjacent residential uses shall be provided on site.
- c) No new entrances to Highway 11 shall be permitted. As a result, new uses must be accessed by an existing entrance or an entrance from a municipal or County road.
- d) Buildings shall be designed to blend in with their surroundings and with other buildings in the area.
- e) Buildings or structures on untreed sites shall incorporate landscaping to enhance the site and surrounding area.
- f) A high standard of landscaping shall be required on the lands adjacent to Highway 11.
- g) Outdoor storage areas shall be substantially screened from view from passing traffic on Highways 11/12/400.

Where a proposed use abuts or is in close proximity to an existing residential use, fencing, landscaping, berming or a combination of these features shall be utilized to ensure that there is adequate screening between the uses.

**C11.4.5 Implementing Zoning By-law**

All lands within the HIGHWAY EMPLOYMENT AREA designation shall be placed in an appropriate Commercial Zone in the implementing zoning by-law.

**C12 RESORT COMMERCIAL AREA**

**C12.1 OBJECTIVES**

Throughout the Township, and particularly the shoreline areas, there exists a significant natural recreational resource base which is capable of sustaining moderately intensive activities in terms of lodging and accessibility to the water for such activities as boating, angling and other similar outdoor recreational activities.

It is the intent of this Plan to provide for the continuation of existing tourist establishments and Resort Commercial uses and, wherever possible, to promote the further development of this component of the local economic base in keeping with changing lifestyles and leisure activities.

**C12.2 LOCATION**

This designation is applied only to areas presently developed for such purposes due to the difficulty of predicting the location of new Resort Commercial uses. Development of new resorts will require an amendment to this Plan.

**C12.3 PERMITTED USES**

The use permitted in the Resort Commercial designation shall be limited to tourist establishments and resorts, or other similar uses and facilities which are privately owned and operated to provide accommodation on a temporary basis (which includes tent and trailer camps, rental cabins and housekeeping cottages), lodges, motels, marinas or other similar recreational commercial uses. Ancillary uses and activities, such as indoor and outdoor recreational facilities, retail commercial uses of a convenience nature, or eating establishments which primarily serve the needs of persons using the Resort Commercial use shall also be permitted. A single-family detached dwelling or residence in a portion of a non-residential building shall also be permitted for the accommodation of the owner or caretaker or other similar personal and family members.

## **C12.4 POLICIES**

- a) Regard shall be had for the layout and design of Resort Commercial areas such that the internal road pattern provides for the adequate movement of vehicular traffic. Access points to and from public roads shall be limited in number and designed in such a manner that will minimize the danger to both vehicular and pedestrian traffic.
- b) It is the intent of this Plan to encourage the setback of development from the shoreline areas. Setbacks for buildings, structures and uses requiring proximity to the water such as docks, boat houses, marina service facilities and water pumping equipment shall be identified in the Zoning By-law.
- c) It shall be the policy of this Plan to require a minimum of five percent of the gross area associated with those Resort Commercial uses which provide accommodation for improved outdoor purposes. For the purposes of this Plan, improved outdoor areas shall mean lands which have been graded and levelled and, as may be necessary, sodded or seeded or otherwise enhanced so as to provide suitable areas and facilities for the use and enjoyment of visitors or patrons.
- d) An application for development of a Resort Commercial use which requires an amendment to either this Plan or the implementing Zoning By-law shall be accompanied by a detailed hydrogeological report with respect to the adequacy a quality of groundwater supplies impact on surrounding land uses/wells and the ability of the soils to sustain development on the basis of private services. All private water supply and effluent treatment systems shall be installed in accordance with the authority responsible for their approval.
- e) In considering an application for an amendment to this Plan to permit the development of a Resort Commercial use, Council shall have regard for the physical suitability of the site and the adequacy of vegetative cover, the location of the proposed site relative to the land use policies and designations contained in this Plan.

Specific regard shall also be had for such matters as the provision of adequate setbacks, buffer planting and landscaped open space, the design and location of off-street parking facilities and access points, and the location of signs and outdoor lighting so as to provide for a reasonable

degree of compatibility with adjacent land uses in accordance with the provisions of Section B.1.4.

- f) The development of new Resort Commercial uses shall comply with the provisions of the Minimum Distance Separation as may be amended from time to time.
- g) An application for an amendment to this Plan or the implementing By-law to allow for the development of a Resort Commercial use shall be accompanied by a site plan prepared in accordance with the provisions of Section G1.4 of this Plan.
- h) It shall be the policy of this Plan that Resort Commercial uses shall be zoned in a separate classification in the implementing Zoning By-law, whereunder suitable provisions and regulations shall be prescribed to govern the development and use of such lands.



**PART D**

**OVERLAY DESIGNATIONS**

## **D1 FLOOD PLAIN OVERLAY DESIGNATION**

The boundaries of the Environmental Constraint Areas are delineated in a conceptual manner on Schedules "A1, A2, A3 and A4, the Land Use Plan. The extent and exact location of the boundaries of the Environmental Protection Areas shall be delineated in the implementing Zoning By-law.

In 1980, the former Village of Coldwater had flood line mapping completed and established a regional flood elevation (Timmins Storm). Schedule 'D' of the Plan identifies the flood prone areas within the community. The Zoning By-law will specify minimum flood elevations for new development within the community.

In this Plan, the floodline is defined as the level of the 100-year flood or the County flood, whichever is greater. In view of the absence of detailed mapping, Council shall seek the technical assistance of the Ministry of Natural Resources and Severn Sound Environmental Association and shall use the boundaries of the Environmental Protection Areas delineated on schedules "A1, A2, A3 and A4" as a general guideline in the preparation of the Zoning By-law and the assessment of development proposals.

In this regard, it should be noted that, due to the flood susceptibility of some areas along the shoreline of Severn River and Lake Couchiching, flood plain calculations will be required for development proposals and implemented in the Zoning By-law. The Zoning By-law will include floodproofing elevation requirements and setback requirements for new and/or redevelopment development. In addition, the flood susceptibility of the shoreline areas along the Severn River may limit development in some areas. Once detailed floodplain mapping has been completed in accordance with the Ministry of Natural Resources and Severn Sound Environmental Association Technical Guidelines to the satisfaction of the Ministry, Severn Sound Environmental Action and the Township Council, they will be incorporated into this Plan by an Official Plan Amendment.

Where the two zone concept for flood plains is applied, development and site alteration may be permitted in the flood fringe, subject to appropriate floodproofing to the flooding hazard elevation or another flooding hazard standard approved by the Minister of Natural Resources.

Further to two zone concept, and except as prohibited within a dynamic beach hazard, floodway, hazard lands (C1.3.1 i) and hazardous sites, development and site alteration may be permitted in those portions of hazardous lands and hazardous sites, where the effects and risk to public safety are minor so as to be managed or mitigated in accordance with provincial standards, as determined by the demonstration and achievement of all of the following:

- a) development and site alteration is carried out in accordance with floodproofing standards, protection works standards, and access standards;
- b) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;
- c) new hazards are not created and existing hazards are not aggravated; and no adverse environmental impacts will result.

Minor alterations to the boundaries of the Environmental Protection Areas resulting from some more detailed mapping, which are implemented in the Zoning By-law, will not require an amendment to this Plan provided the general intent of this Plan is maintained. Existing detailed mapping, floodproofing elevations and setback requirements will be placed in the Zoning By-law and amended as new mapping becomes available.

Whenever any flood control or other similar works are undertaken which result in significant changes to the boundaries of an Environmental Protection Area designation, such changes shall be incorporated on Schedules "A1, A2, A3 and A4" by amendment to this Plan.

It shall be the policy of this Plan to impose building setbacks from the Environmental Protection Areas in the implementing Zoning By-law in relation to the extent and severity of the existing or potential hazard.

## **D2            AGGREGATE RESOURCES POTENTIAL AREA**

Areas having high aggregate or mineral resource potential are identified on Schedule C attached to this Plan as Primary Sand & Gravel Deposits, Bedrock Aggregate Resources and Secondary Sand & Gravel Deposits, which designations are collectively referred to in this Plan as the Aggregate Resources Potential Area. The Aggregate Resources Potential Area shall be protected for long-term use for aggregate extraction. The underlying land use designations shown on the Schedules to this Plan have been determined to be compatible with the long term protection of these areas for aggregate extraction. New development in these areas for purposes other than aggregate resource extraction will not be permitted except where it can be shown that the proposed development has a greater public interest than the extraction of the aggregate resource and will not hinder or preclude the establishment of future extractive activities or that the extraction of the aggregate resource is not practical due to existing surrounding land uses or other physical or man-made features. Proponents of non-aggregate land uses in these areas will be required to submit technical reports and the reports will address the subject property and the larger surrounding area to the satisfaction of Council to support application for alternate land uses. Where a geological investigation reveals a high potential for mineral

aggregate extraction, the identified aggregate resource shall be removed prior to the occurrence of development.

Once the mineral aggregate potential of an identified site has been exhausted, or shown to be insignificant, development may proceed in accordance with the land use designations delineated on the Schedules to the Plan or in accordance with the approved development application.

Some of the lands identified as Aggregate Resources Potential Area are also designated Greenland. As stated in Sections A and C of this Plan, new development or expansion to existing uses within the Greenland designation can only take place in accordance with the Policies of Section C9 of this Plan. There may be cases where it can be shown that mineral aggregate extraction will not have a negative impact on the significant natural heritage features and their ecological functions. In such cases, Council shall be satisfied that the criteria set out in Section C9 are met to its satisfaction prior to approving new mineral aggregate operations in these areas.

## **D2.1 NEW MINERAL AGGREGATE OPERATIONS OR EXPANSIONS TO EXISTING OPERATIONS**

All new mineral aggregate operations shall require an Amendment to the Official Plan and Zoning By-law if the subject lands are within the “Aggregate Resources Potential Area” overlay designation and will be considered in accordance with the policies of Section C9 of this Plan.

Applications to expand existing mineral aggregate operations on lands within the “Aggregate Resources Potential Area” overlay designation will require an Amendment to the Official Plan and an Amendment to the Zoning By-law and will be considered in accordance with the policies of Section C9 of this Plan.

Applications to develop new mineral aggregate operations and expand existing mineral aggregate operations on lands not designated “Aggregate Resources Potential Area” overlay will require an Amendment to the Official Plan and Zoning By-law and will be considered in accordance with the policies Section C9 of this Plan.

The same policies and criteria of this Plan apply to applications to develop new mineral aggregate operations for sites within and outside the Aggregate Resources Potential Area overlay provided that for sites outside the Aggregate Resources Potential Area, it is demonstrated that there exists economically recoverable aggregate resource. Where it is demonstrated that there is recoverable aggregate resource outside the Aggregate Resource Potential Area, Schedule C shall be amended accordingly at the time of the next Official Plan review.

### D3

## WASTE DISPOSAL ASSESSMENT AREA OVERLAY

The "WASTE DISPOSAL ASSESSMENT AREA" overlay designation identifies potential environmentally sensitive areas for future development. The existing or prior use of the lands for the disposal of waste may have an impact on future uses of these lands and possibly adjacent lands. In recognition of this, an overlay designation WASTE DISPOSAL ASSESSMENT AREA is denoted on Schedule "D" to this Plan and identifies lands for which the following policies are intended to ensure that all development occurs cognizant of the existing or prior waste disposal use in the area so as to safeguard all future uses.

It is recognized that existing or prior use of lands for waste disposal sites may influence future uses that are not designed cognizant of the presence of a waste disposal site. In areas identified as a " WASTE DISPOSAL ASSESSMENT AREA " overlay uses may be permitted by the Township in consultation with the Ministry of the Environment and the County of Simcoe in accordance with the underlying land use designation subject to the following policies to the satisfaction of the Township and the County:

- a) Written approval has been received from the Ministry of the Environment that the development satisfies the provisions of the Environmental Protection Act;
- b) "D4"-Studies have been carried out to the satisfaction of the Township and the County of Simcoe that show that the development is compatible and can safely take place;
- c) The Township shall require the construction and phasing of all development to coincide with the control of any problems identified by the engineering studies;
- d) Studies of gas, leachate and hydrogeology, shall be carried out by a qualified engineer and/or Hydrogeologist to the satisfaction of the Township and the County;
- e) The Township shall be satisfied with the required studies with respect to any matter regarding structural stability, safety, and integrity of any and all structures; and
- f) Notwithstanding the land use designations on the various Schedules to this Plan, residential development will not be allowed to proceed on areas identified by Sections (b) and (d) above, as containing organic or chemical wastes.

In areas subject to a " WASTE DISPOSAL ASSESSMENT AREA " overlay, only land uses compatible with potential impacts of waste disposal sites or their

engineered controls will be permitted and may have to be determined by Amendment to the Zoning By-law as supported by the results of studies conducted under this Section.

Any development or site alteration to be proposed within 500 metres of the property boundaries of a waste disposal site, will require the completion of a D4 study done to the satisfaction of the appropriate approval authorities (Township the County, or the Ministry of Environment), which will determine that the proposed development and or site alteration will not be negatively impacted by the said waste disposal area.

Land subject to a " WASTE DISPOSAL ASSESSMENT AREA " overlay may be zoned in a holding category as an interim measure. When such areas are deemed suitable for development, lands affected by the overlay and holding zone may be rezoned in accordance with the policies of this Plan.

Accessory buildings such as barns or private garages and renovations to existing buildings shall not be subject to the policies of this section.

## **D4 GROUNDWATER PROTECTION AREA OVERLAY NON-DECISION**

The Township owns and maintains three municipal water systems that obtain all of their potable water supply from groundwater aquifers.

Lands identified within the Groundwater Protection Area Overlay on the Schedules to this Official Plan are areas within the ten-year capture zone for the municipal wells or area of high aquifer vulnerability. The boundaries of these areas may be altered in the future without amendment to this Plan as a result of updated information, natural fluctuations in the pattern of groundwater movement, and increases in the number of wells or the rate of withdrawal from the wells.

### **D4.1 DEVELOPMENT POLICIES**

It is intended that lands within the Groundwater Protection Area overlay be protected from contamination by uses and activities that could affect the quantity and quality of groundwater resources within this area. Existing legal uses of land within the overlay designation shall be allowed to continue. Proposals for change in use or additions shall be circulated for comment to the appropriate Provincial agency prior to any decision by Council.

Within the Groundwater Protection Area overlay designation new uses and activities that are likely to discharge contaminants into the groundwater aquifer shall be prohibited. Uses and activities to be prohibited shall include, but are not necessarily limited to, the following: storage or processing of solid and liquid

chemical products, gasoline, oil or salt storage depots, service stations, vehicle maintenance, service yards and manure storage.

Applications for a Zoning By-law Amendment shall be supported by the submission of a report by a qualified consultant addressing groundwater protection issues relating to the proposed development. The report shall specify the nature of the proposed use, activities and operations to be conducted on-site, the nature and expected volume and storage procedures of any potential contaminants, best management practices and procedures including spills action mitigation. The report shall be reviewed by the appropriate Provincial Ministry and/or an independent hydrogeologist hired by the Township and at the applicants expense. The review shall be required prior to any approval by Council.

#### **D4.2 GROUNDWATER PROTECTION STRATEGY AND PROGRAM**

The Township will establish a Groundwater Protection Strategy and Program to better protect the municipal ground water supply system. The Strategy and Program may include a number of initiatives including but not limited to the following:

- a) A cooperative program with property owners may be established to limit fertilizer and pesticide applications, manage grass cover and replacement, replace and/or upgrade heating oil storage tanks, limit vehicle repair and maintenance, and better manage residential fuel and chemical storage.
- b) Reduction or the elimination of roadside salt use within the Groundwater Protection Area.
- c) Reduction or the elimination of fertilizer and pesticide use on public lands.
- d) Develop a spills action plan
- e) Develop a regular sewage system re-inspection and a sanitary sewer inspection program.
- f) Develop a signage program so that drivers, especially truck drivers, are aware that they are entering a groundwater protection area and should report any spills immediately.

**PART E**  
**SECONDARY PLAN**

**TOWNSHIP OF SEVERN**  
**SOUTH OF DIVISION ROAD SECONDARY PLAN**

**(Forming Section 11 of the Official Plan for the  
former Corporation of the Township of Orillia)**

*Adopted by Council: March 16, 1995*

*Approved by MMAH with Modifications: October 29, 1999*

*Consolidated: May 2000*



**TOWNSHIP OF SEVERN**  
**SOUTH OF DIVISION ROAD SECONDARY PLAN**  
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## **E1 SOUTH OF DIVISION ROAD SECONDARY PLAN**

### **E.1 INTRODUCTION**

#### **E.1.1 PURPOSE**

The purpose of the South of Division Road Secondary Plan is to establish detailed development and land use policies to guide future development in the area generally bounded by the City of Orillia in the south, Provincial Highway No. 11 in the east, Provincial Highway No. 12 and the road allowance between Concessions 1 and 2 in the west and Division Road in the north.

#### **E.1.2 LOCATION**

The area affected by the secondary plan encompasses approximately 1467 hectares (3625 acres) and includes Lots 1 and 2 and Part of Lots 3, 4 and 5, Concession 2; Lots 1, 2 3 and 4 and Part of Lot 5, Concessions 3 and 4; Lots 1 and 2 and Part of Lots 3 and 4, Concession 5 and Lot 1 and Part of Lots 2 and 3, Concession 6 in the Township of Severn (formally the Township of Orillia).

#### **E.1.3 BASIS OF THE SECONDARY PLAN**

Section 9.2 of the Official Plan for the Corporation of the Township of Orillia states the plan's intent that a secondary plan, setting out major road systems and future land use patterns, be prepared prior to the occurrence of major development within the secondary plan area. The South of Division Road Secondary Plan results directly from this policy and is formulated on the basis of:

1. a background report which identified certain environmental, servicing, transportation and planning constraints including those relating to water and sanitary sewage services, storm water management, existing land uses, development limitations imposed by the natural environment and traffic generation;
2. a comprehensive hydrogeological study of the secondary plan area entitled, "The Township of Severn Secondary Plan - Report on Hydrogeological Studies" prepared by Dixon Hydrogeology Limited in 1993;
3. a comprehensive environmental analysis entitled "Township of Severn South of Division Road Secondary Plan - Environmental Inventory and Analysis" prepared by Heartland Environmental Design in 1993;

4. deliberations by the Planning & Development Committee and Council; and
5. public meetings conducted by Council.

#### **E.1.4 RELATIONSHIP OF THE SECONDARY PLAN TO THE OFFICIAL PLAN**

The South of Division Road Secondary Plan was adopted by the Council of the Township of Severn and approved by the Minister of Municipal Affairs and Housing, with modifications, as an amendment to the Official Plan for the Corporation of the Township of Orillia. The preparation of the plan resulted from the provisions of Section 9.2 of the official plan which call for the preparation of a secondary plan prior to the occurrence of major development within the secondary plan area. In accordance with this policy the secondary plan provides detailed planning criteria to guide development within the secondary plan area. The policies of the secondary plan, however, are not intended to stand alone. The development of the area shall proceed in a manner consistent with the policies contained within both this Section E (South of Division Road Secondary Plan) and the remaining sections of the official plan. In the event of a conflict, the policies of this Section E shall govern.

### **E.2 PLANNING PRINCIPLES**

#### **E.2.1 GENERAL**

Planning for lands such as the secondary plan area must be based on a clear statement of those planning principles which are considered relevant to the area. The goals and objectives of Section 2 of the official plan in addition to the following planning principles shall form the basis of the comprehensive development, land use, servicing and transportation policies contained in Sections E3, E.4, E.5 and E.6 of this secondary plan.

#### **E.2.2 NATURAL ENVIRONMENT**

Recognizing that significant parts of the secondary plan area accommodate areas of extreme environmental sensitivity, particularly those areas situated in the vicinity of the North River and Silver Creek tributaries, and recognizing that the environmental integrity of these cold water streams and associated biotic lifeforms, is dependent upon minimizing potential interference by surface and/or groundwater pollution, no development shall be permitted within identified areas of extreme environmental sensitivity and development in adjacent areas shall be limited to that of a low density nature, so that the quality and quantity of surface water and groundwater contamination is protected or enhanced.

High density forms of development, such as that common to urban centres with communal servicing infrastructures, shall not be permitted.

### **E.2.3 LIVING ENVIRONMENT**

Recognizing that a number of environmental factors will influence settlement patterns within the secondary plan area the secondary plan shall ensure that the living environment for area residents is optimized by preventing the occurrence of development on lands susceptible to environmental hazards, by encouraging the preservation of the area's natural amenities and by applying the standards established by the Ministry of the Environment and other concerned authorities to address any existing or potential sources of pollution or other forms of environmental degradation.

### **E.2.4 TRANSPORTATION**

New vehicular and pedestrian transportation routes and facilities shall be located to ensure minimal disturbance to existing residential areas and to natural landforms. Furthermore, new transportation facilities shall be constructed in accordance with the standards established by the Township of Severn and the Ministry of Transportation.

### **E.2.5 SERVICING**

New development shall be serviced by full municipal, on-site communal water and sewer services or private water supply and sanitary sewage disposal systems, each of which shall be in accordance with the standards established by the Ministry of the Environment and the Township of Severn. Development on partial services shall not be permitted. Furthermore, new development will only be permitted in accordance with the storm water management criteria established by the Township of Severn in consultation with the Ministry of Natural Resources.

### **E.2.6 RECREATIONAL**

The recreational potential of the area shall, wherever possible, be maximized by encouraging the preservation of the area's natural features, the development of scenic trails and the possible establishment of parks in or in the vicinity of area drainage basins. The development and expansion of active recreational areas such as baseball diamonds and soccer fields, shall be encouraged as development proceeds.

### **E.2.7 RESIDENTIAL**

Future residential development shall be located to optimize the natural amenities of the area and shall be separated from commercial and industrial sites and major roadways by appropriate buffers.

## **E.2.8 COMMERCIAL**

Future commercial development generally shall be limited to highway commercial uses, commercial uses accessory to industrial areas and space extensive commercial uses.

Highway Commercial type uses shall be permitted by amendment to this secondary plan.

## **E.2.9 COMMUNITY FACILITIES**

Community and other service facilities shall be located in the secondary plan area on the basis of the needs of area residents and those of the township as a whole.

## **E.2.10 INDUSTRIAL**

Industrial development shall be limited to non-noxious industrial uses which shall be located to optimize their proximity to Highway No.'s 11 and 12. Industrial uses shall be buffered from residential areas.

## **E.2.11 ARCHAEOLOGICAL**

Recognizing that the secondary plan area's favourable natural features and strategic location at the junction of two major trade routes, may have fostered relatively intensive Native settlement, the archaeological potential of the secondary plan area shall be investigated prior to major disturbances being permitted.

## **E.3 DEVELOPMENT POLICIES**

The development policies of this secondary plan relate to those contained in Section 8 of the official plan. The development of the secondary plan area shall proceed in accordance with the development policies of the official plan and the secondary plan. In the event of a conflict the policies of this Section 11.3 shall govern.

### **E.3.1 GENERAL**

To ensure orderly, economic and aesthetically pleasing development the secondary plan area has been divided into nine land use designations thereby separating activities which have conflicting requirements and functions. It is the intent of this secondary plan that all development within the secondary plan area occur in accordance with these land use classifications and the policies contained within the secondary plan's text. Furthermore, Council shall endeavour to ensure:

1. that no by-law is passed which does not conform to the intent of the secondary plan and the official plan;
2. that new development does not hinder the township's financial situation;
3. that all public works comply with the intent of the secondary plan and the official plan;
4. that new development is provided with water supply and sanitary sewage disposal services established in accordance with the requirements of the Ministry of the Environment and the Township of Severn; and
5. that new development is protected from flooding and/or other environmental hazards.

### **E.3.2 DEVELOPMENT STAGING**

It is the intent of Council that development be permitted to proceed concurrently throughout the secondary plan area in accordance with the servicing policies of this secondary plan and the official plan. It is anticipated however, that development will progress in an orderly manner and as such the extension of required services, including arterial and collector roads, shall be permitted to occur in stages.

### **E.3.3 ENERGY CONSERVATION**

Development within the secondary plan area shall be encouraged to utilize renewable energy sources and energy conservation measures through site planning, subdivision design, building design and landscaping. Wherever possible, this shall include:

1. the orientation of local roads in an east - west direction and the orientation of future buildings within 30 degrees of due south;
2. the preservation of existing vegetation to buffer development from northwest winds;
3. the utilization of the area's topography as a means of optimizing the solar potential of specific sites; and
4. the establishment of pedestrian and bicycle paths to provide an alternative to vehicular modes of transportation.

In considering new development the township may include an assessment of energy efficiency in its evaluation of development proposals.



#### **E.3.4 NOISE ATTENUATION**

The noise generated by Provincial Highway No.'s 11 and 12, the fairground and the existing aggregates operation in Lots 2, 3 and 4, Concession III poses a potential constraint on development. As such, where required, Council's consideration of residential development proposals in proximity to these uses shall be preceded by noise analyses undertaken in accordance with the requirements of the Ministry of the Environment and/or the Ministry of Transportation.

#### **E.3.5 DEVELOPMENT AGREEMENTS**

Refer to Section B8.3 of the official plan.

#### **E.3.6 DEVELOPMENT CHARGES**

Council may levy development charges on new development throughout the secondary plan area in order to finance the provision of municipal services.

#### **E.3.7 PUBLIC USES**

It is the intent of this secondary plan that public uses such as utility, communication and publically-owned transportation facilities, educational facilities, including public and separate schools, public institutions of post-secondary education, places of worship, public parks and playgrounds, pedestrian trails, municipal government buildings, libraries, museums, nursing homes and similar uses including any services and facilities normally provided by the Township of Severn or any other public authority or utility including any department or ministry of the Government of Canada or Ontario, the County of Simcoe, Hydro One, any natural gas distribution, utility and telephone or communication utility, inclusive of cable television, shall be permitted in all land use designations in accordance with the policies of Section B2 of the official plan and the provision set out below. Accessory uses such as a residence for a caretaker or watchman, administrative offices and minor commercial uses also may be permitted but only when clearly incidental to a permitted public use. In considering the establishment of a new public use or facility, the township shall have regard to the following:

Public uses shall occur on lots of an appropriate size. The minimum lot area and servicing requirements shall be determined in accordance with the policies of Section E.5;

- a) Public uses shall be designed in a manner compatible with adjacent land uses and, wherever necessary, measures shall be taken to ensure appropriate buffering through the use of landscaping and screening;

- b) The design of public uses, particularly public buildings and structures, shall be in general harmony with the uses permitted in the specific designation in which the public use is situated;
- c) Building setbacks from the Trans-Canada Pipeline right-of-way shall be in accordance with Section B2 of the Township of Severn Official Plan and Section E.3.16 of this secondary plan.
- d) The establishment of new public uses shall occur in a manner which does not hinder or preclude orderly planning within the remainder of the secondary plan area;
- e) Where a public use is contemplated within the Environmental Protection designation or on lands described as Special Policy Area: Environmental or Woodlot, Council shall be satisfied that the establishment of the public use can proceed without having a deleterious impact on the natural features and ecological functions for which the area has been identified. This may be established through the preparation of an E.I.S. undertaken in accordance with the provisions of Section E.4.1.12 or a similar analysis deemed appropriate by the municipality and/or through procedures pursuant to the Environmental Assessment Act. Despite the above, permitted public uses entailing the construction of buildings shall not be permitted in the “Environmental Protection” designation and shall be subject to the polices of Section E.4.1; and,
- f) Public uses may be included in separate zoning classifications in the implementing zoning by-law.

Notwithstanding the foregoing provisions or those of Section B2 of the Township of Severn Official Plan:

- i) the establishment of sewage treatment and/or water supply works shall be permitted in all land use designations in accordance with the provisions of this secondary plan; and,
- ii) the establishment of new electric power facilities, excluding electric power generating stations, shall be permitted in all land use designations subject exclusively to the provisions of the Environmental Assessment Act.

### **E.3.8 DESIGN GUIDELINES**

The secondary plan area displays a predominantly natural landscape. It is an objective of this secondary plan to retain as much of this natural character as possible while permitting development within the policy framework of the plan.

Some of the basic elements contributing to the character of the secondary plan area include its undulating topography, forest cover and prominent upland and lowland environmental areas. In order to protect and enhance this landscape a number of design guidelines are stated below. These guidelines shall be utilized in assessing any new development proposal or public work.

- a) Existing vegetation, including forested areas, topography, views and watercourses shall be preserved as much as possible. Clear cutting of treed sites shall be discouraged and where deemed appropriate, tree inventories shall be undertaken and preservation techniques devised, to ensure the survival of designated trees.
- b) New roads, buildings, and utility installations shall, as far as possible, be designed to blend with the natural landscape.
- c) Existing landforms and grades shall be maintained as much as possible.
- d) New development, particularly in forested areas, shall be located and designed so as to diminish the effect on existing vegetation and topography.
- e) New development on steep slopes shall be avoided wherever possible and where such development occurs, design guideline 3 above shall apply.
- f) Generally, new development shall be screened from major roads, both within and surrounding the secondary plan area, by existing tree cover, planting areas or other appropriate vegetation or berming.
- g) Where fencing is required, the use of natural construction materials such as wood or stone shall be encouraged and the fencing shall be maintained in a condition which blends with the landscape. Preference shall be given to designs incorporating additional planting or properly designed berming rather than fencing.
- h) Outside storage shall be avoided wherever possible and, where permitted, it shall be screened from adjacent roads and/or surrounding properties.
- i) Where additional landscaping is necessary as a component of site development, it should generally consist of plants which are indigenous to the area.
- j) The landscaping of individual lots or sites should be designed to blend with surrounding properties and with the character of the area as a whole.

- k) The use of building materials and building designs that blend with the landscape and with each other shall be encouraged. The natural character of the landscape shall be respected and reinforced, particularly in forested areas.
- l) Buildings or structures on untreed sites shall incorporate landscaping to enhance the site and the surrounding area.
- m) The scale of new buildings and structures should be appropriate to their surroundings.
- n) On-site parking shall be integrated with the development of the site and generally shall be screened from surrounding roads and properties.

### **E.3.9 DESIGN CRITERIA FOR THE PHYSICALLY CHALLENGED**

Recognizing the unique concerns of the physically challenged as they pertain to building design, the township shall ensure that the construction of new facilities and the reconstruction of old facilities occurs in a manner that is consistent with the needs of the physically challenged. In pursuing this goal the township shall:

- a) require building construction to occur in accordance with the regulations of "The Building Code", and
- b) encourage any construction or reconstruction on public lands to occur in a manner consistent with the needs of the physically challenged.

### **E.3.10 ARCHAEOLOGICAL CONSERVATION**

In that the secondary plan area's favourable natural features and strategic location at the junction of two major trade routes, may have fostered relatively intensive Native settlement, Council acknowledges that parts of the secondary plan area could be of special archaeological and historical significance. It, therefore, is the intent of this plan that final approval of major new public works and/or private development proposals within the secondary plan area be preceded by an assessment of the archaeological resources of proposed development sites. In the event the investigations reveal that a site's archaeological resources warrant conservation, then appropriate mitigation techniques shall be devised and incorporated into the construction process.

In the case of private development initiatives, the archaeological assessment shall be undertaken by the proponent of the development in consultation with the Ministry of Citizenship, Culture and Recreation.

**E.3.11 HERITAGE CONSERVATION**

Refer to Section B7 of the official plan.

**E.3.12 SPECIAL POLICY AREA: ENVIRONMENTAL**

See Section E.4.1.12.

**E.3.13 SPECIAL POLICY AREA: WOODLOT**

See Section E.4.1.13.

**E.3.14 SPECIAL POLICY AREA: AGGREGATES**

See Section E.4.5.2.

**E.3.15 SPECIAL POLICY AREA: WASTE DISPOSAL ASSESSMENT**

Lands described as Special Policy Area: Waste Disposal Assessment on Schedule 3 - Special Policy Areas to this secondary plan encompasses areas situated within 500 metres of the closed County of Simcoe "South Landfill" site (Site Certification No. A2526) located on part of Lot 1, Concession 6 N.D. The landfill facilities have the potential to adversely affect future land uses in these areas. Accordingly, notwithstanding the land use designations on Schedule 1 - Land Use Plan development shall only be permitted to proceed on lands described as "Special Policy Area: Waste Disposal Assessment" where an assessment undertaken pursuant to Ministry of the Environment (MOE) Policy 07-07-01, Land Use On or Near Landfills and Dumps (MOE, 1987) demonstrates to the satisfaction of the MOE and Council that it can occur safely and in an environmentally sound manner.

Where it has been established that development may occur, then it shall proceed on the basis of the land use designations delineated on Schedule 1.

**E.3.16 TRANS-CANADA PIPELINES**

The Trans - Canada Pipelines right-of-way, which traverses the secondary plan area, presents both safety and design related development constraints. It therefore is the intent of this secondary plan that public works and/or private development initiatives located within 200 metres of the right-of-way, be undertaken in consultation with Trans-Canada Pipelines Limited. All permanent structures and excavations shall be located a minimum of 10 metres from the right-of-way.

The Trans-Canada Pipelines Limited, "Urban Development Adjacent to Pipeline Facilities Guidelines" may be utilized in the consideration of new public works and/or private development proposals.

### **E.3.17 AGRICULTURAL RESOURCES**

Council recognizes that parts of those lands designated for development on Schedule 1 are vacant and in some areas in general agricultural use. It is the intent of this secondary plan that these lands be maintained in agricultural and quasi-agricultural use, for as long as possible, in the period leading up to their development. Such agricultural and/or quasi-agricultural activities might include nurseries, greenhouses, veterinary services, apiaries and kennels in addition to the more traditional agricultural operations. Intensive agricultural uses shall be discouraged.

## **E.4 LAND USE POLICIES**

The land use policies of this secondary plan complement Section 3 of the official plan by providing land use criteria specific to the secondary plan area. Development within the secondary plan area shall proceed in accordance with the land use policies of the secondary plan which are intended to stand alone.

The following land use policies relate to the designations delineated on Schedule 1. Schedule 1 establishes the pattern of development by dividing the secondary plan area into nine land use classifications: Environmental Protection, Open Space, Countryside Residential, Community Facility, Industrial, Highway Commercial, Extractive Industrial, Mobile Home Residential and Rural. These designations and associated land use policies shall provide the basis for development within the secondary plan area and guidance in the consideration of amendments to the township's comprehensive zoning by-law.

Except as specifically provided for in this secondary plan, any changes to "Schedule 1" or the "Land Use Policies" shall require an amendment to the secondary plan.

### **E.4.1 ENVIRONMENTAL PROTECTION**

Lands designated Environmental Protection generally are located within the secondary plan area's drainage basins and play primary roles in supporting the natural/ecological functions for the area. As well, certain of the lands are susceptible to flooding while others have inherent environmental hazards such as ponds, wetlands, flood or erosion susceptibility, poor drainage, organic soils and steep slopes. It is essential that these lands be protected from development in order to preserve the area's natural resources and to permit the implementation of an effective storm water management system within the secondary plan area as a whole.

Reference can be made to Schedule 1 for an indication of the location of the areas recognized by the Environmental Protection designation; however, the precise location of these areas shall, in all cases, be determined as development proceeds, in consultation with the Ministry of Natural Resources.

The following describes the general principles to be considered in regulating the use of lands designated Environmental Protection.

#### **E.4.1.1 Permitted Uses**

The uses permitted shall include forestry and conservation uses, wildlife areas, public uses described in Section E.3.7 not requiring the construction of buildings, public parks, walking, jogging, bicycling and cross-country skiing trails, and other similar open space and recreational uses.

#### **E.4.1.2 Planning Approach**

The establishment of any permitted use shall occur in a manner which ensures no negative impacts on the natural features or ecological functions for which the area is identified (see "Township of Severn South of Division Road Secondary Plan - Environmental Inventory Analysis", Heartland Environmental Design - 1993 and "Report on Hydrogeological Studies", Dixon Hydrogeology Limited - 1993).

Pedestrian trails shall be established in accordance with Section E.6.2 and it is intended that the theme of public parks be orientated toward the preservation of the natural environment as a recreational/educational resource for the benefit of area residents.

An Environmental Impact Statement (EIS) is required for permitted uses within the Environmental Protection designation, and all development or site alteration within 50 metres of the Environmental Protection designation. Further, an EIS is required within 120 metres of provincially significant wetlands, the habitat of threatened or endangered species or hazardous lands. The content of an EIS is set out in Section E.4.1.15.

#### **E.4.1.3 Buildings and Fill**

No structures nor the removal or placing of fill of any kind whether originating on the site or elsewhere, shall be permitted in Environmental Protection areas except with the approval of the township in consultation with the Ministry of Natural Resources and/or the Nottawasaga Valley Conservation Authority. Buildings or structures required for flood control or other conservation or public projects shall be permitted.

#### **E.4.1.4 Building Setbacks**

Building setbacks shall be imposed from Environmental Protection areas and be determined through an Environmental Impact Statement which includes an assessment of the nature of the feature and related ecological functions for which the Environmental Protection area was identified.

#### **E.4.1.5 Flood Control**

Whenever any flood control or other works are undertaken which result in significant changes to the Environmental Protection boundaries, such changes shall be incorporated on Schedule 1 by an amendment to this secondary plan.

#### **E.4.1.6 Land Under Private Ownership**

It is essential that Environmental Protection areas be protected from future development to preserve the secondary plan area=s natural resources and ecological functions. There is therefore no public obligation to redesignate any Environmental Protection land and nothing in this secondary plan shall be construed to imply that Environmental Protection areas are free and open to the general public or that such areas will be purchased by the township or any other public agency.

#### **E.4.1.7 Land Dedicated Under the Planning Act**

Where new development is proposed on a site which includes lands designated Environmental Protection because of physical or environmental hazards, such lands shall not necessarily be acceptable as part of the parkland dedication pursuant to the provisions of the Planning Act.

All Environmental Protection lands that are dedicated to the municipality under subdivision/condominium procedures or site plan control agreements shall be conveyed in a satisfactory physical condition and if an open watercourse is involved the dedication shall provide sufficient land for property maintenance operations to be carried out.

#### **E.4.1.8 Detailed Delineation**

It is the intent of this secondary plan that the boundaries of the Environmental Protection areas shown on Schedule 1 be used as a guide in preparing the implementing zoning by-law and that appropriate setbacks from the high water mark of any creek, stream or wetland be established in the implementing zoning by-law in consultation with the Ministry of Natural Resources. When more detailed mapping becomes available Council may amend the secondary plan and implementing zoning by-law to reflect the improved mapping and the more detailed mapping shall take precedence in the consideration of development applications.

#### **E.4.1.9 Boundaries**

The boundaries of the Environmental Protection designation are approximate and it is the intent of this secondary plan that their precise location be determined, in consultation with the Ministry of Natural Resources, at the time of



the township's consideration of development applications. An amendment to this secondary plan shall not be required to make modifications to the boundaries of the Environmental Protection designation providing the overall intent of the plan is maintained.

#### **E.4.1.10 Parking and Access**

When Environmental Protection lands are designated for public and/or private recreational or conservation uses, adequate off-street parking shall be provided and maintained in a manner supported by an E.I.S. and beyond the limit of the Environmental Protection land. Accesses supported by an E.I.S. shall be permitted within the Environmental Protection designation and access points to parking areas shall be located in such a manner so as to provide for the safe movement of vehicular and pedestrian traffic. Such facilities shall only be established with the approval of Council in consultation with the Ministry of Natural Resources.

#### **E.4.1.11 Site Plan Control**

Policies concerning site plan control in Section G1.4 of the official plan shall apply.

#### **E.4.1.12 Special Policy Area: Environmental**

All or parts of the lands described as a "Special Policy Area: Environmental" on Schedule 2 - Special Policy Areas are believed to have special environmental significance as a result of unique biological, zoological and/or other natural functions and features which include a deeryard, a coldwater fishery and extensive forest cover. In addition, these areas are believed to have ecological linkages with and support the ecological functions occurring within the Environmental Protection areas.

Accordingly, notwithstanding the land use designations on Schedule 1 - Land Use Plan, development within the "Special Policy Area - Environmental" designation shall only be permitted where it has been established to the satisfaction of Council and any appropriate approval agency, through the preparation of an acceptable Environmental Impact Statement (E.I.S.), that development can proceed without having a deleterious impact on the natural features and ecological functions for which the area has been identified.

Where it has been established that development can occur, then it may proceed on the basis of the land use designations on Schedule 1 and the recommendations of the E.I.S. Further, where deemed necessary by Council, a proponent may be required to enter into agreements pursuant to Section G1.4 of the Official Plan.

#### E.4.1.13 **Special Policy Area: Woodlot**

Lands described as “Special Policy Area: Woodlot” on Schedule A10 encompass areas of significant forest cover which may require protection as a result of their physical and/or aesthetic functions and qualities including groundwater storage, air filtration, buffering capabilities and ecological linkages with, and support of ecological functions occurring within, the Environmental Protection areas. Accordingly, notwithstanding the land use designations on Schedule 1 - Land Use Plan, development within the “Special Policy Area: Woodlot” designation shall only be permitted where it has been established to the satisfaction of Council and any appropriate approval agency, through the preparation of an acceptable Environmental Impact Statement (E.I.S.), that development can proceed without having a deleterious impact on the ecological functions associated with the woodlot.

Where it has been established that development can occur, then it may proceed on the basis of the land use designations on Schedule 1 and the recommendations of the E.I.S. Such recommendations should include a Tree Preservation Plan and/or Landscape Remediation Plan. Further, where deemed necessary by Council, a proponent may be required to enter into agreements pursuant to Section G1.4 of the Official Plan.

#### E.4.1.14 **Zoning**

Environmental Protection lands shall be zoned in a separate category in the implementing zoning by-law and lands identified as Special Policy Area: Environmental and Special Policy Area: Woodlot may be zoned in separate categories in the implementing zoning by-law.

#### E.4.1.15 **Environmental Impact Statement Guidelines**

Where the preparation of an Environmental Impact Statement (E.I.S.) is required by this secondary plan or deemed necessary to determine the suitability of proposed development and/or the adequacy of proposed mitigative measures, it shall proceed in general accordance with the following:

a) E.I.S. Content

A description of the physical features of the lands proposed to be developed including buildings, structures, soils, vegetation, wildlife, topography, watercourses and other relevant features.

i) A general description of the same physical features outlined in Subsection 1a) above for lands adjacent to the proposed development site.

- ii) A description of the development proposal including a detailed site plan.
- iii) A description of the potential impacts of the development on the site=s natural resources and ecological functions.
- iv) A review of alternate development options and alternate methods of mitigating the impacts of development.
- v) An analysis of the opportunities for environmental enhancement.
- vi) The preparation of an implementation and monitoring plan.

b) Environmental Issues

- i) The issue to be addressed and the complexity of an E.I.S. will vary with the scale and type of development and shall be determined on a site-by-site basis in pre-consultation with the County of Simcoe (Nottawasaga Valley Conservation Authority) prior to the E.I.S. proceeding. The following are examples of issues which may require redress through an E.I.S.:
- ii) the use and disposal of water/groundwater and the potential impact on recharge and discharge functions;
- iii) the potential impact on water quality (including temperature and conveyance);
- iv) the potential impact on aquatic habitat, including spawning grounds;
- v) the potential impact on waterfowl and mammal habitat;
- vi) the potential impact of erosion and siltation;
- vii) the potential impact of substance discharges other than water (eg. salt);
- viii) the potential impact of noise, air emissions and/or odour;
- ix) the quality and quantity of stormwater run-off;
- x) the potential impact of the loss of vegetation;
- xi) the potential impact of grade alteration and topsoil removal; and,

- xii) any other issues deemed to warrant consideration by the Township of Severn or the County of Simcoe (Nottawasaga Valley Conservation Authority).

The policies of Section E.4.1.13 shall apply to areas of significant forest cover.

## **E.4.2 OPEN SPACE**

Within the Open Space classification, the predominant land use shall be for public and private recreation.

### **E.4.2.1 Function**

It is the intent of this secondary plan that Open Space activities be focussed in and around floodplains and low-lying basins in conjunction with lands designated Environmental Protection, through the creation of trails and public and private parks. The trails will be developed in conjunction with public and private parks as part of the linked open space system described in Section E.6.2.

It is anticipated that the parks will vary in type from those involving outdoor sports and passive recreation activities to those oriented toward the preservation of the natural environment as a recreational/educational resource for the benefit of area residents. The parks will function both as destinations for individuals utilizing the pedestrian trails and as recreational areas for residents of the neighbourhoods in which they are located. Parks oriented toward the natural environment might incorporate interpretive displays explaining the biological and geological history of the area including the water cycle, wildlife and food chain, etc.

It also is the intent of this plan to permit the establishment of sports oriented park areas to accommodate sports facilities such as baseball diamonds and soccer fields, anywhere within the secondary plan area including industrial areas but excluding Environmental Protection areas. Uses proposed within lands designated Special Policy Environmental or Woodlot shall be supported by an E.I.S.

### **E.4.2.2 Permitted Uses**

The uses permitted within Open Space areas shall include forestry, agricultural and conservation uses, public uses, fairgrounds, public and private parks exclusive of campgrounds or trailer parks, and other public and/or private outdoor and indoor recreational uses and activities such as nature study and wildlife and wilderness areas, picnicking areas, bathing areas, angling, botanical and zoological gardens, arenas, golf courses, golf driving ranges, curling rinks and hiking, bicycling, jogging and cross-country skiing trails or other similar uses. In addition uses accessory to a permitted Open Space use shall be permitted including a residence for a caretaker or watchman, a clubhouse, restaurants and commercial establishments to serve the user needs of the Open Space area.

#### E.4.2.2.1 Open Space: Golf Course

Lands situated within part of Lots 4 and 5, Concession 4, to the west of the Burnside Line and south of Hurlwood Lane, are designated "Open Space: Golf Course" and "Countryside Residential 3". The designations are intended to permit the possible development of a golf course in conjunction with a new residential plan of condominium/ subdivision. The Open Space: Golf Course designation is conceptual and the eventual configuration of the subdivision/condominium development and golf course shall be dependent upon and subject to the studies identified in Section E.4.3.3.3.

#### E.4.2.2.2 Open Space: Shore-Cliff

Certain lands designated Countryside Residential 1", "Rural" and "Extractive Industrial" are situated within the Shore-cliff landform which is identified by the Open Space: Shore-cliff classification on Schedule 1. The Open Space: Shore-cliff classification is conceptual and recognizes the unique natural functions and qualities of the Shore-cliff landform which offers some of the most dramatic views and interesting terrain in the secondary plan area.

Accordingly, it is the intent of this secondary plan that the studies required by Section E.4.3.3.1 include an assessment of the hydrogeological and hydrological function of the Shore-cliff and provide appropriate recommendations to ensure maintenance of such functions. The Shore-cliff landform is more precisely identified and described in the "Township of Severn South of Division Road Secondary Plan - Environmental Inventory and Analysis" prepared by Heartland Environmental Design - 1993.

#### E.4.2.3 **Interconnection of Open Space Areas**

Recreational areas, including pedestrian trails located on lands designated for Open Space and Environmental Protection uses, may be interconnected to provide for both continuous pedestrian passage across the secondary plan area and a common means of access to parks located in the vicinity of low-lying basin lands. Access to all public open space areas shall be maximized by regulating landfill and the erection of buildings and through the design of bridges, culverts and stream improvement projects.

Where the linkage of recreational facilities results in conflicts between the Environmental Protection and Open Space policies of this secondary plan the Environmental Protection policies shall take precedence.

#### E.4.2.4 **Parkland Acquisition**

Public parkland shall be acquired by the township in the manner prescribed in the Planning Act.

In addition to the acquisition of parkland the township may obtain easements and/or enter into agreements with private land owners or public and private agencies for the use of lands for park purposes. This type of arrangement may be particularly relevant to the location of pedestrian trails on lands designated for Open Space or Environmental Protection use.

#### **E.4.2.5 Preservation of the Natural Environment**

In the interest of protecting the natural features of lands dedicated for park purposes, the placement of fill, stripping of topsoil, removal of vegetation or any other undertaking which disrupts the natural environment shall not be permitted without the approval of the Township of Severn.

#### **E.4.2.6 Pedestrian Routes**

The establishment of walking, jogging, bicycling and cross-country skiing trails shall occur in accordance with Section E.6.2.

#### **E.4.2.7 Buffering**

Adequate buffering shall be provided between Open Space areas and adjacent roadways. Such buffers shall be located on lands designated for Open Space use (not on a public road right-of-way) and may include the provision of grass strips, screening, the planting of trees and shrubs and the location of a berm or fence of sufficient height to provide a visual barrier between the Open Space and transportation uses.

#### **E.4.2.8 Parking and Access**

Adequate off-street parking areas shall be established in a manner complementary to the landscape features of the area. Access points to parking areas and open space areas shall be located in such a way that the external and internal road pattern provides for the adequate and safe movement of vehicular and pedestrian traffic.

#### **E.4.2.9 Lot Area**

Open Space uses shall occur on lots of an appropriate size for a specific open space use and, where applicable, servicing requirements shall be determined in accordance with the policies of Section E.5.

#### **E.4.2.10 Site Plan Control**

Policies concerning Site Plan Control in Section G1.4 of the official plan shall apply.

#### E.4.2.11 **Zoning**

Open Space lands may be zoned in separate categories in the implementing zoning by-law.

### E.4.3 **COUNTRYSIDE RESIDENTIAL**

The Countryside Residential designation of land shall mean that the predominant use of land in areas so designated shall be for low density residential uses. In addition, non-residential uses which serve and are complementary to residential areas shall be permitted. These additional uses may include home occupations, and public uses such as schools, places of worship and parks and playgrounds.

Development within residential areas shall conform to the following principles and to all other policies of this secondary plan particularly those relating to environmental preservation, servicing and transportation.

#### E.4.3.1 **Development Overview**

The Countryside Residential designation applies to four properties within the secondary plan area each being subject to separate and unique development criteria. It is the intent of this secondary plan that each site develop in accordance with the policies in Section E.4.3.3 below.

Residential plans of subdivision/condominium beyond the four areas designated on Schedule 1 shall require an amendment to the secondary plan in accordance with the provisions of Section E.4.8.2.

#### E.4.3.2 **Housing Objectives**

In order to address the long-term demand for high quality housing and to optimize the opportunity for the provision of an adequate, varied and affordable supply, the residential objectives of this plan are:

- a) to foster the availability of affordable accommodation by providing alternate locations for new residential development and hence a competitive housing market; and
- b) to stage development so as to ensure the efficient and cost-effective extension of required services.

### E.4.3.3 Residential Uses

The general principles to be considered in the development and control of residential uses within the secondary plan area are set out below. Site-specific criteria is provided for the designated development sites which are numerically identified on Schedule 1 and correspondingly described in the following sections as Residential Area 1, Residential Area 2, Residential Area 3 and Residential Area 4. Group homes shall be permitted in accordance with the provisions of the Township of Orillia Official Plan.

#### E.4.3.3.1 Residential Area 1 (West of Fairgrounds Road)

Where the number "1" is affixed to the Countryside Residential designation on Schedule 1 of this plan, the following policies shall apply.

a) Permitted Uses

The uses permitted shall be limited to single detached dwellings, accessory apartment units, home occupations and public uses such as parks, playgrounds and day nurseries.

b) Development Process

Development shall occur by registered plan of subdivision or registered plan of condominium and by amendment to the zoning by-law.

In considering a proposed plan of subdivision/condominium and/or an application for an amendment to the zoning by-law, it shall be demonstrated to the satisfaction of Council, through the conclusions of appropriate studies, that the matters in Section E.7.4 have been appropriately addressed. These studies shall be prepared in accordance with the policies of this secondary plan and, among others, which may be requested by the township or other approval authority, shall include:

- i) A Preliminary Drainage and Stormwater Management Report (pursuant to Section E.5.2 of this plan) which shall be prepared prior to draft approval of a plan of subdivision/condominium.
- ii) A Comprehensive Drainage and Stormwater Management Report (pursuant to Section E.5.2 of this plan) which shall be prepared prior to final approval of a plan of subdivision/condominium.



- iii) A Preliminary Hydrogeological Analysis (pursuant to Sections E.5.3 and E.7.4 of this plan) which shall be prepared prior to draft approval of a plan of subdivision/condominium.
- iv) A Final Hydrogeological Analysis (pursuant to Section E.5.3 of this plan) which shall be prepared prior to draft approval of a plan of subdivision/condominium.
- v) A Functional Servicing Report (pursuant to Sections E.5.3 and E.7.4 of this plan) which shall be prepared prior to draft approval of a plan of subdivision/condominium.
- vi) A Traffic Impact Analysis (pursuant to Sections E.6 and E.7.4 of this plan) which shall be prepared prior to draft approval of a plan of subdivision/condominium.
- vii) An Archeological Evaluation (pursuant to Section E.3.10 of this plan) which shall be prepared prior to final approval of a plan of subdivision/condominium.
- viii) A Noise Analysis (pursuant to Section E.3.4 of this plan) which shall be prepared prior to draft approval of a plan of subdivision/condominium.
- ix) A Utilities Capability Report (pursuant to Section E.5.6 of this plan) which shall be prepared prior to final approval of a plan of subdivision/condominium.
- x) An Environmental Impact Statement (pursuant to Sections E.4.1.12 and E.4.1.13 of this plan) which shall be prepared prior to draft approval of a plan of subdivision/condominium.
- xi) A Tree Preservation Plan and/or Landscape Remediation Plan (pursuant to Section E.4.1.13 of this plan) which shall be prepared prior to final approval of a plan of subdivision/condominium in accordance with the recommendations of the above noted Environmental Impact Statement.
- xii) An Aggregates Extraction Compatibility Report (pursuant to Section E.4.5.2 of this plan) which shall be prepared prior to draft approval of the plan of subdivision/condominium.
- xiii) A Recreational/Educational Opportunities Report (pursuant to Section E.4.2.2.2 of this plan) which shall be prepared prior to draft approval of a plan of subdivision/condominium.

The maximum extent of lands upon which development may actually occur within Residential Area 1 shall be defined by the above studies and any others that may be requested by the township or various approval authorities.

c) Servicing

Development may occur on the basis of private water supply and sanitary sewage disposal systems, on-site communal water and sewer services or full municipal services established in accordance with the standards and regulations of the Ministry of the Environment, the Township of Severn and the policies of Section E.5 of this secondary plan. Where private services are utilized, the subdivision design shall provide for residential intensification in the event that full municipal services become available.

d) Location

Residential development shall front on local roads rather than on collector or arterial roads.

e) Lot Area

The minimum lot area/servicing requirements for new residential development shall be determined in accordance with the policies of Section E.5.

f) Parking

Adequate off-street parking shall be provided for all permitted uses.

g) Buffering

Adequate buffering shall be provided between residential uses and any incompatible adjacent uses. Such buffering may include the provision of grass strips, screening and the planting of trees and shrubs and the location of a berm or fence.

Where necessary, spatial separation shall be provided between incompatible land uses in accordance with the guidelines of the Ministry of the Environment.

h) Special “Open Space: Shore-cliff” Criteria

Certain lands designated for Countryside Residential use are situated within the Shore-cliff landform which is identified by the Open Space: Shore-cliff classification on Schedule 1. The Open Space: Shore-cliff classification is intended to permit the establishment of open spaces which maximize the recreational opportunities offered by the Shore-cliff landform, as more precisely identified in the report entitled, “Township of Severn South of Division Road Secondary Plan-Environmental Inventory and Analysis” prepared by Heartland Environmental Design in 1993. The policies of Section E.4.2.2 of this secondary plan shall apply.

The Open Space: Shore-Cliff designation symbol on Schedule 1 is conceptual and the final configuration of residential open space areas shall be permitted without the need for an amendment to this secondary plan.

E.4.3.3.2 Residential Area 2 (West of Burnside Line)

Where the number “2” is affixed to the Countryside Residential designation on Schedule 1 of this plan, the following policies shall apply:

a) Permitted Uses

The uses permitted shall be limited to single-detached dwellings, semi-detached dwellings, linked semi-detached dwellings, townhouses, accessory apartments units, home occupations and public uses such as parks, playgrounds and day-nurseries.

b) Development Process

Development shall occur by registered plan of subdivision and/or registered plan of condominium and by amendment to the zoning by-law.

In considering a proposed plan of subdivision/condominium and/or an application for an amendment to the zoning by-law, it shall be demonstrated to the satisfaction of Council, through the conclusions of appropriate studies, that the matters in Section E.7.4 have been appropriately addressed. These studies shall be prepared in accordance with the policies of this secondary plan and, amongst others, which may be requested by the township or other approval authority, shall include:

- i) A Preliminary Drainage and Stormwater Management Report (pursuant to Section E.5.2 of this plan) which shall be prepared prior to draft approval of a plan of subdivision/condominium.
- ii) A Comprehensive Drainage and Stormwater Management Report (pursuant to Section E.5.2 of this plan) which shall be prepared prior to final approval of a plan of subdivision/condominium.
- iii) A Preliminary Hydrogeological Analysis (pursuant to Sections E.5.3 and E.7.4 of this plan) which shall be prepared prior to draft approval of a plan of subdivision/condominium.
- iv) A Final Hydrogeological Analysis (pursuant to Sections E.5.3 and E.7.4 of this plan) which shall be prepared prior to final approval of a plan of subdivision/condominium.
- v) A Functional Servicing Report (pursuant to Sections E.5.3 and E.7.4 of this plan) which shall be prepared prior to draft approval of a plan of subdivision/condominium.
- vi) A Traffic Impact Analysis (pursuant to Sections E.6 and E.7.4 of this plan) which shall be prepared prior to draft approval of a plan of subdivision/condominium.
- vii) An Archeological Evaluation (pursuant to Section E.3.10 of this plan) which shall be prepared prior to final approval of a plan of subdivision/condominium.
- viii) A Noise Analysis (pursuant to Section E.3.4 of this plan) which shall be prepared prior to draft approval of a plan of subdivision/condominium.
- ix) A Utilities Capability Report (pursuant to Section E.5.6 of this plan) which shall be prepared prior to final approval of a plan of subdivision/condominium.
- x) An Environmental Impact Statement (pursuant to Sections E.4.1.12 and E.4.1.13 of this plan) which shall be prepared prior to draft approval of a plan of subdivision/condominium.
- xi) A Tree Preservation Plan and/or Landscape Remediation Plan (pursuant to Section E.4.1.13 of this plan) which shall be prepared prior to final approval of a plan of subdivision/condominium in accordance with the recommendations of the above noted Environmental Impact Statement.

The maximum extent of lands upon which development may actually occur within Residential Area 2 shall be defined by the above studies and any others that may be requested by the township or various approval authorities.

c) Servicing

Development may occur on the basis of communal water and sewer services or full municipal services established in accordance with the standards and regulations of the Ministry of the Environment, the Township of Severn and the policies of Section E.5 of this secondary plan. Notwithstanding the above, uses permitted under the “Rural” designation may be permitted on private water supply and sanitary sewage disposal systems and/or on-site communal water and sewer services.

d) Location

Residential development shall front on local roads or on internal private roads owned and maintained by a condominium corporation rather than on collector or arterial roads, and shall be directed to that part of Residential Area 2 located to the south of Silver Creek. Although the lands to the north of Silver Creek may be utilized in conjunction with the operation of on-site communal water and/or sewer facilities servicing the development, residential dwellings shall only be permitted by amendment to the secondary plan and only in circumstances where:

- i) the lands in Residential Area 2 to the south of Silver Creek have been substantially developed, and
- ii) a comprehensive review of the secondary plan has been undertaken pursuant to Section E.4.8.2.

e) Parking

Adequate off-street parking shall be provided for all permitted uses.

f) Buffering

Adequate buffering shall be provided between residential uses and any incompatible adjacent uses. Such buffering may include the provision of grass strips, screening and the planting of trees and shrubs and the location of a berm or fence.

Where necessary, spacial separation shall be provided between incompatible land uses in accordance with the guidelines of the Ministry of the Environment.

#### E.4.3.3.3 Residential Area 3 (South of Hurlwood Lane)

Where the number “3” is affixed to the Countryside Residential designation on Schedule 1 of this plan, the following policies shall apply:

a) Permitted Uses

The uses permitted shall be limited to single-detached dwellings, semi-detached dwellings, linked semi-detached dwellings, townhouses, accessory apartment units, home occupations and public uses such as parks, playgrounds and day-nurseries.

b) Development Process

Development shall occur by registered plan of subdivision or registered plan of condominium and by amendment to the zoning by-law.

In considering a proposed plan of subdivision/condominium and/or an application for amendment to the zoning by-law, it shall be demonstrated to the satisfaction of Council, through the conclusions of appropriate studies, that the matters in Section E.7.4 have been appropriately addressed. These studies shall be prepared in accordance with the policies of this secondary plan and, amongst others, which may be requested by the township or other approval authority, shall include:

- i) A Preliminary Drainage and Stormwater Management Report (pursuant to Section E.5.2 of this plan) which shall be prepared prior to draft approval of a plan of subdivision/condominium.
- ii) A Comprehensive Drainage and Stormwater Management Report (pursuant to Section E.5.2 of this plan) which shall be prepared prior to final approval of a plan of subdivision/condominium.
- iii) A Preliminary Hydrogeological Analysis (pursuant to Sections E.5.3 and E.7.4. of this plan) which shall be prepared prior to draft approval of a plan of subdivision/condominium.
- iv) A Final Hydrogeological Analysis (pursuant to Sections E.5.3 and E.7.4 of this plan) which shall be prepared prior to final approval of a plan of subdivision/condominium.

- v) A Functional Servicing Report (pursuant to Sections E.5.3 and E.7.4 of this plan) which shall be prepared prior to draft approval of a plan of subdivision/condominium.
- vi) A Traffic Impact Analysis (pursuant to Section E.6 and E.7.4 of this plan) which shall be prepared prior to draft approval of a plan of subdivision/condominium.
- vii) An Archeological Evaluation (pursuant to Section E.3.10 of this plan) which shall be prepared prior to final approval of a plan of subdivision/condominium.
- viii) A Noise Analysis (pursuant to Section E.3.4 of this plan) which shall be prepared prior to draft approval of a plan of subdivision/condominium.
- ix) A Utilities Capability Report (pursuant to Section E.5.6 of this plan) which shall be prepared prior to final approval of a plan of subdivision/condominium.
- x) An Environmental Impact Statement (pursuant to Sections E.4.1.12 and E.4.1.13 of this plan) which shall be prepared prior to draft approval of a plan of subdivision/condominium.
- xi) A Tree Preservation Plan and/or Landscape Remediation Plan (pursuant to Section E.4.1.13) which shall be prepared prior to final approval of a plan of subdivision/condominium in accordance with the recommendations of the above noted Environmental Impact Statement.

The maximum extent of lands upon which development may actually occur within Residential Area 3 shall be defined by the above studies and any others that may be requested by the township or various approval authorities.

c) Servicing

With the exception of estate residential dwellings fronting on Hurlwood Lane and a golf course, which uses shall be permitted to develop on private water supply and sanitary sewage disposal services, development within Residential Area 3 shall occur on the basis of full municipal services established in accordance with the standards and regulations of the Ministry of the Environment, the

Township of Severn and the policies of Section E.5 of this secondary plan. Notwithstanding the above, uses permitted under the “Rural” designation may be permitted on private water supply and sanitary sewage disposal systems and/or on-site communal water and sewer services.

d) Location

Residential development shall front on local roads or internal private roads owned and maintained by a condominium corporation, rather than on collector or arterial roads.

e) Special Open Space: “Golf Course” Criteria

Lands comprising part of Residential Area 3, within part of Lots 4 and 5, Concession 4, are designated for “Countryside Residential” and “Open Space:Golf Course” use. These designations are intended to permit the development of a golf course in conjunction with a new residential plan of condominium/subdivision. The “Open Space:Golf Course” designation symbol on Schedule 1 is conceptual and the eventual configuration of residential development and the golf course shall be permitted without the need for an amendment to this secondary plan.

f) Parking

Adequate off-street parking shall be provided for all permitted uses.

g) Buffering

Adequate buffering shall be provided between residential uses and incompatible adjacent uses. Such buffering may include the provision of grass strips, screening and the planting of trees and shrubs and the location of a berm or fence.

Where necessary, spacial separation shall be provided between incompatible land uses in accordance with the guidelines of the Ministry of the Environment.

E.4.3.3.4 Residential Area 4 (Hawk Ridge Estates & Golfview Estates)

Where the number “4” is affixed to the Countryside Residential designation on Schedule 1 of this plan, the following policies shall apply:



a) Permitted Uses

The uses permitted shall be limited to single-detached dwellings, accessory apartment units, home occupations and public uses such as parks, playgrounds and day nurseries.

b) Development Process

Development shall primarily occur by registered plan of subdivision.

c) Servicing

Development may occur on the basis of private water supply and sanitary sewage disposal systems, on-site communal water and sewer services or full municipal services in accordance with the standards and regulations of the Ministry of the Environment, the Township of Severn and the policies of Section E.5 of this secondary plan.

d) Location

Residential development shall front on local roads rather than on collector or arterial roads.

e) Lot Area

The minimum lot area/servicing requirements for new residential development shall be determined in accordance with the policies of Section E.5.

f) Parking

Adequate off-street parking shall be provided for all permitted uses.

g) Buffering

Adequate buffering shall be provided between residential uses and any incompatible adjacent uses. Such buffering may include the provision of grass strips, screening and the planting of trees and shrubs and the location of a berm or fence.

Where necessary, spatial separation shall be provided between incompatible land uses in accordance with the guidelines of the Ministry of the Environment.

#### E.4.3.4 **Special Policy Areas**

Certain lands designated for Countryside Residential use on Schedule 1 fall within areas described as Special Policy Area: Environmental, Special Policy Area: Woodlot and/or Special Policy Area: Aggregates on Schedules 2 and 3 of this secondary plan. Development within these areas potentially is constrained and shall only proceed in accordance with the policies of Sections E.4.1.12, E.4.1.13 and E.4.5.2 of this plan.

#### E.4.3.5 **Accessory Apartment Units**

Within areas designated for Countryside Residential use on Schedule 1, accessory apartments shall be permitted by amendment to the zoning by-law.

The general principles to be considered in the development and control of accessory apartments are as follows.

##### E.4.3.5.1 Definition

For the purposes of this secondary plan, an accessory apartment shall mean an attached dwelling unit considered secondary and incidental to a single detached dwelling unit.

##### E.4.3.5.2 Accessory Apartment Amendment Criteria

Except where lands are already appropriately zoned, the establishment of a new accessory apartment within Countryside Residential areas shall require an amendment to the zoning by-law. In considering such zoning amendments, Council shall have regard to the following matters:

- a) that the accessory apartment forms part of a single detached dwelling and is secondary and incidental to the dwelling;
- b) that the zoning by-law amendment limits the number of accessory apartments permitted in conjunction with a single detached dwelling to a maximum of one, and the total number of dwelling units on any lot to a maximum of two, one being the accessory apartment and the other a single detached dwelling;
- c) that the proposed method of sanitary sewage disposal is satisfactory to the authorities responsible for the approval of such systems. The policies of Section E.5 shall apply;
- d) that an adequate supply of potable water is available to service the single detached dwelling and the accessory apartment;

- e) that the accessory apartment forms an integral part of the single detached dwelling and is so designed to maintain the character of the single detached dwelling and the surrounding neighbourhood;
- f) that the internal construction of the accessory apartment (i.e., washrooms, kitchens, etc.) complies with all applicable codes and regulations;
- g) that adequate parking for the accessory apartment is provided on site, based on a requirement of one parking space for every two bedrooms;
- h) that, where appropriate, buffering of adjacent uses is provided; and
- i) that the floor area of the accessory apartment does not exceed 60 square metres.

#### E.4.3.6 **Site Plan Control**

Policies concerning site plan control in Section G1.4 of the official plan shall apply.

#### E.4.3.7 **Zoning**

Residential uses shall be included in separate zoning categories in the implementing zoning by-law.

### E.4.4 **INDUSTRIAL**

The Industrial classification of land shall mean that the predominant use of land in the areas so designated shall be for industrial uses. In addition, non-industrial uses which are complementary to and/or which serve the respective Industrial uses also shall be permitted.

#### E.4.4.1 **Permitted Uses**

##### E.4.4.1.1 Industrial Uses

The uses permitted shall be limited to industrial uses such as workshops; service shops; manufacturing, processing, repairing, fabricating and assembly operations; warehouses; offices; printing or publishing establishments; broadcasting and communications establishments; bakeries; light equipment sales and rental establishments; establishments for the manufacture and sale of wine and beer and/or wine and beer products; motor vehicle repair garages;

motor vehicle body shops; research establishments; transportation terminals and depots; farm implement dealerships; maintenance yards and works depots associated with public services provided by the province, county or township or such utilities as Bell Canada, Hydro One and the Canadian National Railway. In addition, public uses such as parks and playgrounds may be permitted as may uses accessory to the various permitted uses including, business offices; a residence for a caretaker or a watchman, a wholesale outlet and an accessory sales outlet.

For the purposes of this secondary plan the following definitions shall apply:

- a) Accessory Sales Outlet shall mean an area within an individual business premises not otherwise permitted to engage in retailing, not exceeding 25% of the gross leasable area of such premises and clearly and definitely divided to prohibit access by the public to the balance of the premises, in which goods, wares or merchandise manufactured, assembled, processed or stored on the premises may be offered for sale to the public at retail. Notwithstanding the foregoing, in no event shall food, clothing or footwear be permitted to be sold through an accessory sales outlet.
- b) Gross Leasable Area shall mean the total floor area designed for tenants' occupancy and exclusive area, including basements, mezzanines, or upper floors expressed in square feet or square metres and measured from the centre line of joint partitions and four outside wall faces.
- c) Wholesale Outlet shall mean a building or part of building in which large quantities of goods, wares or merchandise are offered for sale in bulk or at wholesale to other businesses or institutions, but not to the general public or in a warehouse club membership format.
- d) Warehouse shall mean a building or part of a building used for the storage and distribution of goods, wares or merchandise, but no part of a warehouse shall be used for sales to the general public or in a warehouse club membership format, except as an accessory sales outlet.

#### E.4.4.1.2 Commercial Uses

Two distinct forms of commercial use shall be permitted within the Industrial designation. These include:

a) Accessory Commercial Uses

Accessory commercial uses primarily serving the industrial area shall be permitted. Such uses include, but need not necessarily be limited to, restaurants, business, professional and administrative offices, printing establishments, service shops and retail and service businesses for commercial and industrial equipment.

b) Space Extensive Commercial Uses

Space extensive commercial uses shall be permitted. Space extensive uses are large scale commercial operations requiring large land and building areas to function appropriately. Such uses include, but need not necessarily be limited to hotels/motels including accessory convention facilities, open storage areas, private fitness clubs and recreational facilities, marine sales and service establishments, motor vehicle and recreational vehicle sales and/or service establishments, building supply outlets, fruit markets, establishments for the sale of plumbing fixtures, pool, patio and spa supplies, paint and wallpaper, and electrical fixtures and nurseries and garden centres.

E.4.4.1.3 Prestige Industrial Uses  
(West of the Burnside Line)

E.4.4.1.3.1 Permitted Industrial Uses

Notwithstanding Section E.4.4.1 to the contrary on those lands designated for Industrial use in part of Lots 4 and 5, Concession 4, to the west of the Burnside Line, permitted industrial uses shall be limited to warehouses; workshops; service shops; manufacturing, processing, repairing, fabricating and assembly operations; offices; research establishments; broadcasting and communications establishments; printing or publishing establishments; bakeries; light equipment sales and rental establishments and establishments for the manufacture and sale of wine and beer and/or wine and beer products. In addition public uses such as parks and playgrounds may be permitted as may uses accessory to the various permitted uses including, business offices, a residence for a caretaker or a watchman and a wholesale outlet and an accessory sales outlet as defined in Section E.4.4.1.1.

No outside storage shall be permitted either as a primary use or a secondary use in connection with any of the above uses.

#### E.4.4.1.3.2 Permitted Commercial Uses

The provisions of Section E.4.4.1.2 shall apply in their entirety save and except that no outside storage shall be permitted either as a primary use or a secondary use in connection with any permitted use except for fruit markets, garden centres, motor vehicle and recreational vehicle sales establishments, marine sales establishments, building supply outlets and nurseries.

Where goods or materials are stored in the open they generally shall be screened through the use of fencing or landscaping and shall not be visible from the road or surrounding properties.

Notwithstanding the above, where goods or materials such as motor vehicles, boats or recreational vehicles, fruits, vegetables, plants, trees or any other form of vegetation are being offered for immediate sale by a motor vehicle, marine or recreational vehicle sales establishment, or a nursery or garden centre, such goods or materials may be stored in such a way as to be visible from a road or adjacent property.

#### E.4.4.2 **Development Criteria**

##### E.4.4.2.1 Lot Area

Industrial development shall occur on lots of an appropriate size and with appropriate frontage for a specific industrial use, and the minimum lot area/servicing requirements for a new industrial use shall be determined in accordance with the policies of Section E.5.

##### E.4.4.2.2 Location Criteria

Industrial uses shall be encouraged to locate on a municipally assumed internal road network which has direct access to a provincial highway or an arterial or collector road. In the case of individual development proposals, industrial uses generally shall be located on arterial or collector roads, although Council may give consideration to the use of other public roads where it is satisfied that no suitable alternate locations are available. In all cases it shall be demonstrated that the proposed use will not create a traffic hazard and that the impact of the proposed use on adjacent land uses, particularly residential land uses, will be minimal.

##### E.4.4.2.3 Environmental Impact

No industrial use shall be permitted which creates an adverse impact on adjacent land uses as the result of the emission of contaminants into or onto the air, water or land. Adjacent uses shall be adequately protected from industrial emissions in accordance with and subject to the regulations of the Ministry of the Environment and Energy and Council.

Where deemed necessary a report(s) by a qualified professional shall be prepared which assesses the potential impacts and recommends mitigation and/or design measures as appropriate.

#### E.4.4.2.4 Servicing

Except in areas where full municipal services are available, and notwithstanding Section E.4.4.1, industrial and commercial uses permitted by this Section E.4.4 shall be limited to those of a “dry” nature, as defined by the Ministry of Environment (MOE). “Dry” and “Wet” industrial and commercial uses shall be zoned separately in the implementing zoning by-law.

#### E.4.4.2.5 Parking Facilities and Access

Adequate off-street parking facilities shall be provided for all permitted uses, including industrial employee and visitor parking areas.

#### E.4.4.2.6 Loading Facilities

Adequate off-street loading facilities shall be provided.

#### E.4.4.2.7 Buffering

Adequate buffering and setbacks shall be provided between Industrial areas and any adjacent open space and residential areas or roadways. Such buffering may include the provision of grass strips, screening, the planting of trees and shrubs and the location of a berm or fence.

Industrial buildings, structures and parking areas shall be screened from adjacent residential properties by a berm and/or a fence of sufficient height to provide a visual barrier between the industrial use and adjacent residential uses.

Where necessary, spatial separation shall be provided between incompatible land uses in accordance with the guidelines of the Ministry of the Environment

The design guidelines of Section E.3.8 shall be utilized as they relate to landscaping, parking and outside storage.

#### E.4.4.2.8 Special Policy Areas

Certain lands designated for Industrial use on Schedule 1 fall within areas described as Special Policy Area: Environmental, Special Policy Area: Woodlot and Special Policy Area: Waste Disposal Assessment on Schedule 2 and Schedule 3 of this secondary plan. Development within these areas potentially is constrained and shall only proceed in accordance with the policies of Sections E.4.1.12, E.4.1.13 and E.3.15 of this plan.

#### **E.4.4.3 Existing Uses**

Industrial uses existing at the date of adoption of this secondary plan may be recognized by an appropriate zoning category in the implementing zoning by-law and extensions thereto may be permitted.

#### **E.4.4.4 Site Plan Control**

Policies concerning site plan control in Section 9.9 of the official plan shall apply.

#### **E.4.4.5 Zoning**

"Dry" and "Wet" industrial areas shall be zoned in separate categories in the implementing zoning by-law. Consideration may also be given to the application of multiple industrial and/or commercial zones to differentiate between the industrial, accessory commercial and/or space extensive commercial uses permitted by the Industrial designation.

### **E.4.5 EXTRACTIVE INDUSTRIAL**

The Extractive Industrial designation encompasses pits and/or quarries that have been licensed by the Ministry of Natural Resources for mineral aggregate excavation.

Commercial pits and quarries shall be permitted in accordance with Section C.10 of the official plan. The establishment of new commercial pits and quarries or the expansion of existing pits and quarries shall require an amendment to this secondary plan and the zoning by-law.

#### **E.4.5.1 Special "Open Space: Shore-Cliff" Criteria**

The Extractive Industrial designation in Part of Lots 2, 3 and 4, Concession 3, is situated within the Shore-cliff landform as identified by the Open Space: Shore-cliff classification on Schedule 1, and, as more precisely delineated, in the report entitled "Township of Severn South of Division Road Secondary Plan - Environmental Inventory and Analysis" prepared by Heartland Environmental Design in 1993. This landform offers some of the most dramatic views and interesting terrain in the secondary plan. The recreational opportunities offered by the landform are recognized by the "Open Space: Shore-cliff" classification on Schedule 1 and it is the intent of this secondary plan that these recreational opportunities be fully explored at the time of the township's consideration of future extractive industrial development applications. The policies of Section E.4.2.2.2 of this secondary plan shall apply.



#### **E.4.5.2 Special Policy Area: Aggregates**

Lands described as "Special Policy Area: Aggregates" to this secondary plan encompass areas situated within 150 metres of the sites of pits licensed by the Ministry of Natural Resources which may require protection to ensure the long term viability of the adjacent extractive industrial operations. Accordingly, notwithstanding the land use designations on Schedule 1 - Land Use Plan development shall only be permitted to proceed on lands described as "Special Policy Area: Aggregates" where it is established to the satisfaction of Council and the Ministry of Natural Resources that it is compatible with existing or future extractive operations.

Where it has been established that development may occur, then it shall proceed on the basis of the land use designations delineated on Schedule 1.

#### **E.4.6 HIGHWAY COMMERCIAL**

The Highway Commercial classification of land shall mean that the predominant use of land in areas so designated shall be for highway commercial uses.

##### **E.4.6.1 Overview**

It is the intent of this secondary plan that a variety of highway commercial uses be located within the secondary plan area to serve the commercial needs of the residents of the township and the travelling public. It also is the intent of this secondary plan that commercial activity be strategically located so as to ensure minimal disruption to residential areas.

##### **E.4.6.2 Permitted Uses**

The permitted uses shall be limited to those commercial activities which primarily serve vehicular traffic and the travelling public and which rely heavily upon such traffic for their economic existence. Such uses shall include but shall not necessarily be limited to motor vehicle gasoline outlets/service establishments; farm implement sales and service establishments; commercial greenhouses/garden centres; farmers markets; motel/hotel accommodation, taverns/eating establishments and uses accessory to permitted highway commercial uses including a residence for the owner or caretaker. In addition, retail commercial and office use may be permitted provided such uses are ancillary and incidental to the principal highway commercial use.

##### **E.4.6.2.1 Special Highway Commercial Uses (Orillia Square Mall)**

Notwithstanding Section E.4.6.2 above, on those lands designated for Highway Commercial use in part of Lot 4, Concession 5, a shopping centre shall be permitted in addition to all other permitted uses.

For the purposes of this secondary plan a "Shopping Centre" shall be defined to mean a group of commercial uses, including retail commercial uses in addition to those listed in Section E.4.6.2 above, contained within a building or grouping of buildings, that are developed and managed as a single enterprise.

These special Highway Commercial provisions serve to specifically recognize an existing shopping centre located in part of Lot 4, Concession 5. An expansion of the existing commercial facility, beyond the area presently designated for Highway Commercial use, shall require an amendment to this secondary plan and the comprehensive zoning by-law.

Before an amendment is made to this secondary plan or to the zoning by-law, the developer shall undertake impact studies which clearly indicate to the satisfaction of the municipality:

- a) that additional retail floor space is justified by reason of population growth, personal disposal income and retail sales per capita;
- b) that the proposed expansion will not have a detrimental effect on existing regional commercial areas;
- c) that no undue transportation difficulties will ensue from the proposed expansion; and
- d) that all other requirements of this secondary plan, including those of Section E.7.4, have been satisfied.

E.4.6.2.1.1 On land known as Part of the West Half of Lot 5, Concession 3, geographic Township of North Orillia, known municipally as 4573 Fairgrounds Road, the Highway Commercial uses shall be limited to the following: retail commercial shop; business, professional or administrative offices; an arts and crafts shop; and a gift or antique shop. No restaurants or food services uses are permitted on the property.

Notwithstanding the policy of Section E.5.3.3, the commercial uses as set out in Section E.4.6.2.1.1 shall be permitted on a lot having an area of 0.19 hectares which is serviced by private water and sewage systems.

All other policies of the Official Plan of the Township of Severn shall apply.

E.4.6.3 **Development Criteria**

E.4.6.3.1 Location Criteria

Highway commercial uses generally shall be located on arterial roads and shall not be permitted to infiltrate unnecessarily into adjoining residential areas. Such uses shall be encouraged to be located in groups at major intersections.

Where new highway commercial development is proposed adjacent to residential areas it shall be demonstrated that the commercial use will not create a traffic hazard and that its impact on the residential area will be minimal insofar as it relates to such matters as lighting, parking, drainage, noise and traffic movements, etc.

#### E.4.6.3.2 Lot Area

Highway commercial development shall occur on lots of an appropriate size and with appropriate frontage for a specific highway commercial use, and the minimum lot area/servicing requirements for a new commercial use shall be determined in accordance with the policies of Section E.5.

#### E.4.6.3.3 Storage

The open storage of goods or materials shall only be permitted in conjunction with vegetable and fruit markets, garden centres, motor vehicle and recreation vehicle sales establishments, antique dealers, farm implement sales establishments, marine sales establishments, lumber and building supply outlets and nurseries. Where goods or materials are stored in the open they generally shall be screened through the use of fencing or landscaping and shall not be visible from the road or surrounding properties.

Notwithstanding the above, where goods or materials such as motor vehicles, boats or recreational vehicles, antiques, fruit, vegetables, plants, trees or any other form of vegetation are being offered for immediate sale by a motor vehicle, marine or recreational vehicle sales establishment, an antique dealer, or a nursery or garden centre, such goods or materials may be stored in such a way as to be visible from a road or adjacent property.

#### E.4.6.3.4 Parking and Loading

Adequate off-street parking and loading facilities shall be provided. Access points to parking and loading areas shall be limited in number and/or designed in such a manner so as to minimize the danger to vehicular and pedestrian traffic.

#### E.4.6.3.5 Buffering

Adequate buffering shall be provided between highway commercial uses and adjacent land uses and roadways. Such buffers may include the provision of grass strips, screening and the planting of trees and shrubs and the location of a berm or fence.

#### E.4.6.4 **Highway Commercial Amendment Criteria**

Except where lands are already appropriately designated and zoned, the establishment of new highway commercial uses shall require an amendment to this secondary plan and/or the zoning by-law. In considering such amendments, Council shall have regard to the following matters:

- a) the compatibility of the commercial use with adjacent development;
- b) the scale of development as it relates to the commercial needs of the township and the surrounding area;
- c) the appropriateness of the location in relation to traffic generation;
- d) the adequacy of the proposed water supply and method of sanitary sewage disposal;
- e) the adequacy of off-street parking and loading facilities and buffering of adjacent residential development, the standards for which will be established in the implementing by-law; and
- f) that all other requirements of this secondary plan, including those of Section E.7.4, have been satisfied.

In addition before an amendment is made to this secondary plan or to the zoning bylaw to permit a "retail warehouse", the developer shall undertake impact studies which clearly indicate to the satisfaction of the municipality:

- i) that the proposed use is justified by reason of population growth, personal disposal income and retail sales per capita;
- ii) that the proposed use will not have a detrimental effect on existing regional commercial areas; and
- iii) that no undue transportation difficulties will ensue from the proposed use.

#### E.4.6.6 **Site Plan Control**

Policies concerning site plan control in Section G1.4 of the official plan shall apply.

#### E.4.6.7 **Zoning**

Highway commercial areas shall be zoned in a separate category in the implementing zoning by-law.

## **E.4.7 MOBILE HOME RESIDENTIAL**

The Mobile Home Residential designation encompasses an existing mobile home park.

Mobile homes shall be permitted in accordance with Section C9 of the official plan. The establishment of new mobile home residential areas or the expansion of existing mobile home residential areas shall require an amendment to this secondary plan and the zoning by-law.

### **E.4.7.1 Special Policy Areas**

Certain lands designated for Mobile Home Residential use on Schedule 1 fall within areas described as Special Policy Area: Environmental, Special Policy Area: Woodlot and Special Policy Area: Waste Disposal Assessment on Schedule 2 and Schedule 3 of this secondary plan. Development within these areas potentially is constrained and shall only proceed in accordance with the policies of Sections E.4.1.12, E.4.1.13 and E.3.15 of this plan.

## **E.4.8 RURAL**

The Rural classification of land shall mean that the predominate use of land in areas so designated shall be for agriculture and farm-related uses, inclusive of associated dwellings.

Rural uses shall be permitted in accordance with Section C6 of the official plan as well as the following special policies which shall have exclusive application to the secondary plan area.

### **E.4.8.1 Permitted Uses**

Notwithstanding the provisions of Section C6.3 of this official plan to the contrary, within the secondary plan area, abattoirs and specialized farms, involving the intensive feeding of livestock and/or the raising of chickens, turkeys or other fowl, fish, hogs, cattle or fur-bearing animals, shall not be permitted. All other provisions of Section C6 shall apply in their entirety.

### **E.4.8.2 Future Development Applications**

It is the intent of the secondary plan that residential, commercial and industrial uses be limited to those areas specifically designated for such use on Schedule 1 with the exception of those uses permitted in Section E.4.6.2. Accordingly, applications to amend the "Rural" designation to permit new residential, industrial or commercial uses shall only be considered in the context of a comprehensive review of this secondary plan. Such a review and any proposed amendment to this secondary plan arising therefrom must be supported by Council and any relevant approval authority, be accompanied by an appropriate amendment to the County of Simcoe Official Plan and consider the following:

- a) the need for the designation of additional lands for such purposes relative to growth projections and land inventories for both the Township as a whole and the secondary plan area;
- b) the most appropriate location(s) for the redesignation of rural land based on such matters as:
  - i) the evolving community structure and/or land use pattern of the secondary plan area;
  - ii) compatibility with surrounding uses and designations;
  - iii) potential to complement and support the environmentally significant lands;
  - iv) adequacy of the proposed method of servicing (water supply, sanitary sewage disposal and storm water management) and consistency of the servicing proposal with the policies and objectives of the County, Province and this secondary plan;
  - v) traffic generation and the ability to provide contiguous extension, or timely provision of, existing or needed transportation infrastructure; and,
  - vi) all other relevant policies of this secondary plan and the Township of Orillia Official Plan

Applications to amend the Rural designation to permit all other uses shall proceed in accordance with the applicable policies of the official plan and this secondary plan including Sections E.4.5, E.4.6.4 and E.4.7.

#### E.4.8.3 **Special “Open Space: Shore-Cliff” Criteria**

The Rural designation on part of Lots 2, 3 and 4, Concession 3, encompasses the “Shore-cliff” landform, as identified in the report entitled “Township of Severn South of Division Road Secondary Plan - Environmental Inventory and Analysis” prepared by Heartland Environmental Design in 1993, which offers some of the most dramatic views and interesting terrain in the secondary plan area. The recreational opportunities offered by the landform are recognized by the “Open Space: Shore-cliff” designation symbol on Schedule 1 and, it is the intent of this secondary plan that these recreational opportunities be fully explored at the time of the township’s consideration of any future development applications which may result in the alteration of the natural landscape.

**E.4.8.4 Special Commercial Use**  
(Former Township of Severn Municipal Offices)

Notwithstanding any provisions of Section E.4.8 to the contrary, on those lands designated for Rural use in part of Lot 3, Concession 4, more particularly described as Part 1, Plan 51R-19811, which lands accommodate the former Township of Orillia Municipal Offices, a business, professional and/or governmental office, post office, bank or financial institution, medical clinic or dental clinic, spa complex - health complex, arts and craft shops, including a gallery, gift or antique shop, commercial school or not-for-profit school, veterinary clinic in a wholly enclosed building and personal service shop shall be permitted in addition to all other permitted uses.

**E.4.8.5 Site Plan Control**

Policies concerning site plan control in Section G1.4 of the official plan shall apply.

**E.4.8.6 Zoning**

Rural uses shall be included in a separate zone classification in the implementing zoning by-law.

**E.5 SERVICING POLICIES**

The servicing policies of this secondary plan complement the policies of the official plan by providing servicing criteria specific to the secondary plan area. The development of the secondary plan area shall proceed in accordance with the servicing policies of the official plan and the secondary plan. In the event of a conflict the policies of this Section E.5 shall govern.

**E.5.1 SERVICING OVERVIEW**

It is the general intent of this secondary plan to preserve the environmental integrity of the secondary plan area, particularly those lands situated in the vicinity of the North River and Silver Creek tributaries, which have been identified as areas of environmental sensitivity. To this end, it is the further intent of this secondary plan:

- a) that development be serviced by water supply and sanitary sewage disposal systems established in accordance with the standards and regulations of the Ministry of the Environment and the Township of Severn;
- b) that the potential for surface water runoff, groundwater contamination and thermal impact on coldwater streams from new development be minimized, through careful site design and thorough hydrogeological investigation; and

- c) that development only be permitted upon the completion of or entering into of agreements for the construction of necessary transportation, electrical, and storm-water management works to service all or part of the secondary plan area.

## **E.5.2 STORM WATER MANAGEMENT**

Two basic objectives for development in the secondary plan area are to implement appropriate storm water management techniques and to minimize the volume and rate of flow and maximize the quality of surface drainage from new development. These are critical factors which will significantly influence development within the secondary plan area.

### **E.5.2.1 Drainage Basins**

The secondary plan area forms part of the Lake Couchiching, North River and Silver Creek drainage basins. As development proceeds, certain storm water management works and control techniques will be required and considered at a drainage basin scale.

To ensure the implementation of proper water management techniques, the following policies shall apply:

- a) Stormwater management within the secondary plan area shall occur in accordance with the requirements of the Township of Severn, Level 1 of the Ministry of the Environment's "Stormwater Quality Best Management Practices" 1994 (or as amended), and the Ministry of Transportation (MTO) including the MTO's Drainage Management Technical Guidelines and Directives PRO B-100 and PHY B-237. Where appropriate, the engineering approach may be guided by the recommendations of the report entitled "South of Division Road Secondary Plan - Background Report" prepared by Ainley and Associates Limited in 1993, as a prelude to this secondary plan.
- b) The engineering design of all storm water management works shall be approved by the Township of Severn.
- c) Prior to the occurrence of major development within the secondary plan area, a program of work, acceptable to the township, shall be prepared to ensure that all major stormwater management works are completed within a reasonable period of time.
- d) The financing of major storm-water management facilities shall be the responsibility of area developers.



### E.5.2.2 **Surface Drainage**

Stormwater quality is the primary stormwater management concern in the secondary plan area due to the sensitivity of receiving coldwater streams. Accordingly, the run-off from individual development sites shall be the same in both pre and post development conditions and the potential impact of any proposed development on local and area wide drainage patterns and coldwater fisheries shall be identified prior to the occurrence of development. A suitable method of handling surface run-off shall be developed and implemented as an aspect of the development approval process. In this regard the following policies shall apply.

- a) Infiltration techniques shall be incorporated, wherever feasible, to maintain the existing hydrological regime. Wet ponds shall be utilized with caution in view of the possible thermal impact on receiving coldwater streams.
- b) Stormwater quantity detention facilities should not be needed for residential subdivisions comprised of lots encompassing a minimum average area of .7 hectares. This shall be confirmed however, through a comprehensive engineering analysis, at the time of a development application.
- c) On-site stormwater quantity detention facilities shall be employed for future commercial and/or industrial development as a means of reducing flows into the secondary plan area's drainage basins. The engineering design of such facilities shall be approved by the Township of Severn.
- d) Pre-development and post-development analyses shall be completed for each of the secondary plan area's drainage basins prior to the occurrence of development, to ensure post development flows match pre-development flows.
- e) All municipal road crossing culverts shall be designed for a twenty-five (25) year storm event. The design characteristics of culverts crossing Provincial highways shall be assessed for their drainage capacity based on the highway classification in accordance with the MTO's Directive B-100.
- f) The retention of existing tree cover and natural vegetation and the provision of significant grassed and natural areas shall be encouraged in order to facilitate the infiltration of surface water into the ground and to prevent erosion.
- g) All major development proposals shall be accompanied by a comprehensive drainage plan showing the method of surface water disposal and anticipated impacts on adjacent or affected properties.

### **E.5.3 WATER SUPPLY AND SANITARY SEWAGE DISPOSAL**

It is a primary objective of this secondary plan to ensure that existing and proposed development within the secondary plan area has an adequate supply of potable water and is serviced by proven sanitary sewage disposal systems. Accordingly, development shall proceed in accordance with the servicing policies set out below.

#### **E.5.3.1 General**

During the planning period of this secondary plan, it is expected that development will proceed on the basis of private water supply and sanitary sewage disposal systems, on-site communal water and sewer services and full municipal services, in accordance with the standards of the authorities responsible for their approval.

Where new development is contemplated on full municipal services (whether extended from the City of Orillia or maintained by the township), or on-site communal water and sanitary sewage services, it is the intent of this plan that such development only proceed after:

- a) the terms upon which full municipal services are to be extended from the City of Orillia or provided by the township have been determined to the satisfaction of the township, including but not limited to the amount of the financial contribution to be made by the developer(s) toward the construction and maintenance of the services and the responsibility to be assumed by the township with respect to the operation and maintenance of the services; or
- b) the terms upon which on-site communal water and sanitary sewage services are to be provided by the owner have been determined to the satisfaction of the township, including but not limited to the amount of the financial contribution to be made by the developer(s) toward the construction and maintenance of the services and the responsibility, if any, to be assumed by the township with respect to the operation and maintenance of the services.

In the case of communal services, the responsibility for their installation, including the financial responsibility, shall rest entirely with the developer. Once a system has successfully operated for a period of time specified in an agreement between the developer and the Township of Severn, it shall be turned over to the municipality at no cost.

#### **E.5.3.2 Permitted Private Sewage Disposal Systems**

It is the intent of this secondary plan that private sanitary sewage disposal systems primarily consist of septic tanks and tile systems. However

consideration may be given to the use of other proven systems subject to the approval of the Ministry of the Environment and Council.

### E.5.3.3 **Minimum Lot Areas on Private Services**

Where the use of private water supply and sanitary sewage disposal services is proposed, it is the general intent of this secondary plan that site-specific development standards, relating to minimum lot sizes and densities, be formulated for individual development proposals on the basis of detailed hydrogeological studies prepared in accordance with the standards established by the Ministry of the Environment and the Township of Severn. In order to ensure that the township's environmental objectives are met however, Council shall be guided by the servicing conclusions and projected land area requirements of the report entitled "The Township of Orillia Secondary Plan - Report on Hydrogeological Studies" prepared by Dixon Hydrogeology Limited in 1993 including the report's recommendation that minimum gross lot area standards for single detached residential development on private services be established on the basis of the secondary plan area's three dominant soil types, in general accordance with the following:

<u>Soil Type</u>	<u>Minimum Gross Lot Area</u>
Lacustrine sand	0.73 hectares
Till-derived soils	0.97 hectares
Lacustrine silt and clay	1.18 hectares

For the purposes of this secondary plan "gross lot area" means the average lot area within a proposed development site inclusive of roads, parks, lands required for utilities, and areas maintained in an open space condition due to identified environmental constraints.

Notwithstanding the flexibility afforded by the above definition of "gross lot area", in no instance shall the net lot area for a permitted residential commercial or industrial use on private services be less than 0.61 hectares.

### E.5.3.4 **Development Applications**

Where required by this secondary plan or where deemed necessary by the Ministry of the Environment and/or Council, development applications shall be accompanied by a functional servicing report and/or a hydrogeological report prepared by a professional engineer indicating that an adequate supply of potable water will be available for each new lot or use and that the proposed method of sanitary sewage disposal conforms to the standards of the authority responsible for its approval.

### **E.5.3.5 Existing Substandard Services**

It is the intent of this secondary plan that any existing sub-standard private sanitary sewage disposal systems located within the secondary plan area be raised to the minimum standard established by the authority responsible for the approval of such systems.

### **E.5.4 RIGHTS-OF-WAY/EASEMENTS**

It is the intent of this secondary plan that all lands required for the location of municipal services either be acquired by the township or that easements be obtained to facilitate access to the facilities. The dedication of these lands or the granting of easements to the township shall be a condition of development approval.

### **E.5.5 FINANCIAL CONSIDERATIONS**

It is the intent of this secondary plan that development within the secondary plan area not create a financial hardship for the taxpayers of the Township of Severn. As such the construction of major facilities shall only proceed on the basis of cost sharing agreements with area developers or developers undertaking such works at no cost to the township.

### **E.5.6 OTHER SERVICES**

Individuals proposing to develop lands within the secondary plan area shall identify the nature and location of all services required by the proposed development and shall enter into development agreements with the township regarding the provision of such services. These services include, among others, electrical, natural gas, and telephone facilities.

## **E.6 TRANSPORTATION POLICIES**

The policies of this section concern the movement of vehicular and pedestrian traffic within the secondary plan area. It is intended that vehicles and pedestrians will move safely and efficiently within a rational system of routes which, wherever possible, shall be separated.

### **E.6.1 ROAD POLICIES**

The road policies relate to Schedule A9 and Schedule B1 - Proposed Transportation Plan of the official plan and complement the policies of the official plan by providing criteria specific to the secondary plan area. The development of the secondary plan area shall proceed in accordance with the transportation policies of the official plan and the secondary plan. In the event of a conflict the policies of this Section E.6 shall govern.

The road pattern shown on Schedule B1 – Transportation and Servicing Plan is designed to facilitate the movement of motor vehicles throughout the secondary plan area as well as to efficiently link the internal road system with that of the township and district as a whole. The road system is designed to embody a functional hierarchy of roads.

The following policies apply to the roads designated on Schedule B1.

#### E.6.1.1 **Environmental Impact**

The construction of roads within the secondary plan area shall proceed in accordance with the following:

- a) Road crossings of the North River Basin and Silver Creek Lowland, which landscape units are identified in the report entitled "Township of Severn South of Division Road Secondary Plan - Environmental Inventory and Analysis" prepared by Heartland Environmental Design in 1993, shall be kept to a minimum and new roads shall be designed so as to minimize their impact on natural landforms within the secondary plan area.
- b) Wherever possible, the alignment of new roads shall follow natural contours.
- c) The township shall ensure the compatibility of the engineering design of new roads with the engineering improvements required for storm water management.

#### E.6.1.2 **Road Classification**

The roads in the secondary plan area are classified on Schedule B1 – Transportation & Servicing Plan as provincial highways, arterial roads, collector roads and local roads. Provincial highways and arterial roads are intended to carry large volumes of through traffic, collector roads are intended to carry moderate volumes of local traffic between provincial highways, arterial roads and local roads, and local roads are intended to carry low volumes of traffic and provide access to abutting properties. When within the jurisdiction of the municipality, provincial highways and arterial roads shall have priority over collector roads and local roads and collector roads shall have priority over local roads in terms of access restrictions, road improvements, intersection improvements, and maintenance.

The following policies apply to the road classifications:

##### a) Provincial Highways

Provincial Highway No.'s 11 and 12 are designated as "Provincial Highways" on Schedule B1. These roads are designed to carry large

volumes of traffic at high operating speeds between major traffic generating areas and/or other provincial highways or arterial roads.

Access to provincial highways from abutting properties shall require the approval of the Ministry of Transportation and shall only be permitted where alternate access to an arterial, collector or local road is not possible. No access shall be permitted where a traffic hazard would be created. Provincial highways shall be located according to the pattern shown on Schedule B1, but variations in alignment will be permitted without the need for an amendment to this secondary plan provided the general intent of the plan is maintained.

The provision of Section E.6.1.10 shall apply.

b) Arterial Roads

The Uthoff Line (Fourth Concession Road) and the Burnside Line (County Road No. 18) are designated as "Arterial Roads" on Schedule B. Arterial Roads are designed to carry large volumes of traffic at relatively high operating speeds between major traffic generating areas and/or provincial highways or other arterial roads. Arterial roads shall have a minimum right-of-way width of 30 metres and the zoning by-law shall incorporate appropriate setbacks in this regard.

Access to arterial roads from abutting properties shall require the approval of the township and/or the County of Simcoe and shall only be permitted where alternate access to a collector or local road is not possible. No access shall be permitted where a traffic hazard would be created. Arterial roads shall be located according to the pattern shown on Schedule B, but variations in alignment will be permitted without the need for an amendment to this secondary plan provided the general intent of the plan is maintained.

c) Collector Roads

Collector roads are designed to collect and carry local traffic to arterial roads and/or to distribute traffic to local roads. Collector roads shall have a minimum right-of-way width ranging from 20 to 30 metres and the zoning by-law shall incorporate appropriate setbacks in this regard.

Access to collector roads from abutting properties will be permitted with the approval of the township but such access shall be kept to a minimum. No access will be permitted where a traffic hazard would be created.

Collector roads shall be located according to the pattern shown on Schedule B but variations in alignment will be permitted without the need for an amendment to this secondary plan provided the general intent of the plan is maintained.

d) Local Roads

Local roads provide access to abutting properties and are designed to discourage through traffic. Local roads shall have a minimum right-of-way width of 20 metres and the zoning by-law shall incorporate appropriate setbacks in this regard.

It is the intent of this secondary plan that the precise location of new local roads be determined at the time of the submission of development applications.

Wherever possible local roads shall be oriented in an east - west direction to maximize the solar potential of the area.

**E.6.1.3 Transportation Improvements**

Refer to Sections F1 of the official plan and Section E.6.1.11 of this secondary plan.

**E.6.1.4 Intersection Improvements**

The number of intersections created by plans of subdivision and/or other developments shall be kept to a minimum. New intersections should be "T" intersections.

The municipality shall endeavour to minimize the number of new intersections by, wherever possible, aligning new intersections with existing or proposed roads.

New intersections along provincial highways shall only be considered if the intersection location meets the MTO's minimum spacing and safety requirements.

**E.6.1.5 Existing Roads**

It is not the intent of this secondary plan for provincial highways or arterial or collector roads existing in built-up areas to necessarily be widened or that direct access be eliminated or restricted.

**E.6.1.6 Parking, Access and Loading Facilities**

All uses shall be supplied with adequate off-street parking and in the cases of commercial and industrial uses adequate off-street loading facilities. Access points to off-street parking or loading areas shall be limited in number and designed in a manner that provides for the adequate and safe movement of vehicular and pedestrian traffic.

**E.6.1.7 Road Assumptions**

Refer to Section F1 of the official plan.

**E.6.1.8 Road Staging**

The construction of new roads may be staged to enable development to occur in phases. This phasing may include the intermittent extension of internal arterial and collector roads.

**E.6.1.9 Financial Considerations**

It is the intent of this secondary plan that development within the secondary plan area not create a financial hardship for the taxpayers of the Township of Severn. As such the construction of major new roadways and other transportation facilities shall only proceed on the basis of cost sharing agreements with area developers or developers undertaking such works at no cost to the township.

**E.6.1.10 Access to Provincial Highway No.'s 11 and 12**

Highway No.'s 11 and 12 are major provincial highways and it is the intent of this secondary plan that access to these roads only be permitted in accordance with the standards and regulations, and with the approval of the Ministry of Transportation. Accordingly:

- a) No access shall be permitted to Highway No. 11 between its intersection with Highway No. 12 and a point just north of its intersection with Highway No. 11B.
- b) Limited access shall be permitted to Highway No. 11 in accordance with approved Ministry of Transportation Controlled Access Highway Criteria in the area situated to the north of the highway's intersection with Highway No. 11B.
- c) Access to Highway No. 12 shall only be permitted in accordance with the recommendations of the Ministry of Transportation.

Where access is permitted to Highway No.'s 11 or 12, the following policies are intended to provide guidance to Council in its consideration of specific development proposals.

- i) No access to Highway No.'s 11 and 12 shall be permitted where alternate access is available.



- ii) Direct access to new single detached dwellings fronting onto Highway No.'s 11 and 12 shall be prohibited and in no case shall more than one access be permitted to an abutting industrial or commercial property or to lands divided by plan of subdivision. Where access is to be allowed it shall only be permitted in accordance with the Provincial Access Control Policy administered by the Ministry of Transportation, insofar as it relates, among other things, to the setback of buildings and structures and the construction of turning and exit lanes. No development proposals or secondary plan or zoning by-law amendments shall be approved until Council is satisfied that the Ministry of Transportation is prepared to issue an entrance permit.
- iii) In the interest of preventing strip or linear development along Highway No.'s 11 and 12, access to new development shall be encouraged to occur through the use of service roads and/or vehicular links between individual parking lots.

#### E.6.1.11 **Road and Intersection Improvements**

Development within the secondary plan area will necessitate a number of major transportation improvements including the following.

- a) It is anticipated that the secondary plan area's full development will create deficiencies at the intersections of an extended Uthoff Line (Concession 4) with Highway No. 12, Burnside Line (County Road No. 18) with Highway No. 11 and Concession 7 with Highway No. 11.

These transportation nodes afford primary access into the secondary plan area and serve to link the area with the transportation network servicing the surrounding district. As such, the Township of Severn in consultation with the Ministry of Transportation may initiate programs to assess and implement necessary improvements.

Improvements may also be required at the intersections of the Burnside Line (County Road No. 18) with Division Road and with Brodie Drive. As such, the Township of Severn in consultation with the County of Simcoe may initiate programs to assess and implement necessary improvements.

- b) The easterly extension of Brodie Drive to Concession 7 and the westerly extension of Brodie Drive to the Uthoff Line will be required. Conceptualized alignments for these extensions are shown on Schedule 4; however, variations in the alignments will be permitted without the need for an amendment to this secondary plan provided the general intent of the plan is maintained.

- c) The upgrading/rebuilding of the Uthoff Line between Division Street and Highway No. 12 and Brodie Drive between Concession 7 and Highway No. 11 will be required.

While in the short term development within the secondary plan area need not be constrained by a need for transportation improvements, at such time as the Township of Severn and/or the Ministry of Transportation determines that traffic conditions warrant, development may be curtailed pending the implementation of necessary transportation works.

## **E.6.2 PEDESTRIAN ROUTES**

The township shall encourage the establishment of a system of pedestrian routes oriented toward the secondary plan area's open space lands, particularly those associated with the Trans-Canada Pipeline right-of-way, the North River Basin, the Silver Creek Lowland and possibly the Shore-cliff landform, the latter three natural features being identified in the report entitled "Township of Orillia South of Division Road Secondary Plan - Environmental Inventory and Analysis" prepared by Heartland Environmental Design in 1993. The system shall be for non-motorized use such as walking, jogging, bicycling and cross-country skiing and should enable travel to other neighbourhoods and recreational facilities, with minimal use of roads. Future subdivisions may be oriented toward these public open space areas and where possible may provide access to the trails.

Lands already owned by the township and those obtained by donation, dedication and direct purchase shall be improved as they become available. Initially the township may wish to seek the assistance of local service clubs and school groups to develop the trails, thereby increasing community interest. Such projects could include trail blazing and the development of interpretive trails in biologically interesting areas. The township may wish to utilize the technical expertise of the Ministry of Natural Resources which could be approached for assistance.

Lands obtained by parkland dedication shall be improved by the developer to the satisfaction of the Township of Severn. The precise nature of these improvements shall be included as part of the applicable development agreements.

### **E.6.2.1 Design Principles**

The following principles shall apply to the design and construction of pedestrian routes within the secondary plan area.

- a) The paths should be in harmony with the natural environment.
- b) The paths should incorporate changes in elevation and direction, however steep grades generally should be avoided.

- c) Road crossings should be kept to a minimum and, where viable, pedestrian underpasses may be constructed where paths intersect major roads.
- d) Generally, paths should not parallel roads and where they do they should be separated from the travelled surface of the road as much as possible. The space between the path and road should retain its natural vegetation or be replanted by trees or shrubs if no buffer exists.
- e) Wherever possible, paths should incorporate junctions or points of interest such as nature observation areas along their routes.
- f) The travelled surface should be suitable for pedestrian traffic and be of a material that requires little maintenance.
- g) It is not anticipated that the use of the paths will be sufficient to warrant separate pedestrian and bicycle trails, however if separation of these activities appears necessary in certain areas, an additional path may be constructed or part of the path widened and designated for bicycle use.

## **E.7 IMPLEMENTATION**

### **E.7.1 GENERAL**

This secondary plan shall be implemented in general accordance with the provisions contained in Section G of the official plan. In view of the circumstances specifically relevant to the secondary plan however, the following additional implementation policies are required. In the event of a conflict between these policies and the policies of Section G, the policies of this Section E.7 shall govern.

### **E.7.2 PROVINCIAL ACTS**

Council shall implement this secondary plan by utilizing the powers conferred upon it by the Planning Act, the Municipal Act and such other statutes as may be applicable.

### **E.7.3 MUNICIPAL BY-LAWS**

#### **E.7.3.1 Zoning By-law**

Council shall prepare amendments to the township's zoning by-law to implement the policies of this secondary plan. Without limiting the generality of this section, the following zoning criteria is of particular relevance:

- a) Building setbacks shall be required from future road right-of-ways and to enable the widening of existing roads.
- b). When necessary the zoning by-law shall be amended to reflect the designations and policies of this secondary plan.

Land shall be zoned in accordance with the land use designations and policies of this secondary plan. However, all areas designated for a particular land use shall not necessarily be zoned for such use, but may be placed in holding zones until it is appropriate that development occur in such areas.

- i) Amendments

Amendments to the zoning by-law to facilitate the occurrence of development in the secondary plan area may be permitted when Council is satisfied that the policies of Section E.7.4 have been addressed.

- ii) Existing Uses

Uses of land which legally existed at the date of the adoption of this secondary plan may be recognized by an appropriate zoning category in the implementing zoning by-law and minor extensions and/or the construction of accessory buildings may be permitted.

- iii) Non-Conforming Uses

Refer to Section G2 of the official plan.

### E.7.3.2 **Holding By-law**

Pursuant to Section 36 of the Planning Act, Council may pass a holding by-law for the purpose of delaying development within specific areas until the development criteria contained in the policies for the various land use designations in addition to all other relevant policies of this secondary plan have been satisfied. For example, a holding by-law could be utilized to enable the phasing of development and the provision of services.

Without limiting the generality of the foregoing, it is the intent of this secondary plan that holding provisions may be applied in circumstances where Council is satisfied regarding the anticipated use of a parcel of land as designated in this plan but considers the actual development of the lands for the intended use to be premature pending the requirements and/or conditions of development. Such municipal requirements and/or conditions of development may include, but shall not be limited to, the following:

- i. that adequate municipal services are available to service the proposed development;

- ii. that development or redevelopment is appropriately phased;
- iii. that draft plans of subdivision/condominium, where deemed appropriate, have been approved;
- iv. that necessary transportation facilities are available to service the proposed development; and
- v. that necessary studies, as required by Council, regarding the timeliness of development, such as market impact studies, have been prepared.

#### Implementation

Lands subject to holding provisions shall be identified within the implementing zoning by-law by the placement of an "H" immediately following the relevant zone symbol. Permitted uses within an area subject to holding provisions shall be limited to the uses existing at the time of the passing of the by-law and the holding by-law may be utilized to restrict the expansion of existing uses. Notwithstanding these limitations, Council may permit development which it deems to be similar to or compatible with the designated land use as delineated on Schedule 1 of this secondary plan.

#### Removal of the Holding Zone

The holding zone shall be removed from the lands so zoned, by an amendment to the zoning by-law, once Council is satisfied that development can proceed in accordance with the policies of this secondary plan.

#### **E.7.3.3 Interim Control By-law**

Where Council, by by-law or resolution, directs that a review or study be undertaken with respect to lands within the secondary plan area, then Council may pass an interim control by-law pursuant to Section 38 of the Planning Act which serves to control the use of land, buildings, or structures within the secondary plan area or within the defined parts of the secondary plan area that are subject to the review and study.

An interim control by-law may remain in effect for a period of time specified in the by-law but shall not be in effect for longer than two years from the date of the passing of the by-law.

#### **E.7.3.4 Temporary Use By-law**

Pursuant to Section 39 of the Planning Act, and notwithstanding the other policies of this secondary plan, temporary uses may be permitted in any land use designation. Council, before passing a by-law to permit a temporary use, shall

be satisfied that those of the following requirements which are relevant to the specific amendment application are, or will be, fulfilled in order to safeguard the wider interest of the general public:

- a) that the proposed development or redevelopment is consistent with the temporary nature of the proposal;
- b) that the proposed use is compatible with adjacent uses;
- c) that the size of the parcel of land or building to be used is appropriate for the proposed use;
- d) that services such as water supply, sanitary sewage disposal, and roads are adequate;
- e) that matters such as noise, vibration, fumes, smoke, dust, odours, lighting and traffic generating capacity are considered to ensure that the impact of any such use will not be detrimental in regard to adjacent uses or the wider community;
- f) that, where necessary, neighbouring uses will be protected by the provision of areas for landscaping, buffering or screening, appropriate setbacks for buildings, structures or uses; devices or measures to reduce nuisances; and regulations for alleviating adverse effects caused by outside storage, lighting, advertising signs, etc., and
- g) that the by-law has suitable regulations governing setbacks, lot coverage, parking and other such items as may be required.

#### **E.7.4 IMPACT ANALYSIS**

Before an amendment is made to this secondary plan and/or before an amendment is made to the implementing zoning by-law (which may or may not require an amendment to this secondary plan), it shall be demonstrated to the satisfaction of Council:

- a) that the proposed use will not have a deleterious impact on adjacent uses;
- b) that the proposed use does not pose a danger to adjacent uses by virtue of its hazardous nature;
- c) that the proposed use conforms with the environmental policies of this plan and will not pollute the air, water and/or soil;
- d) that no undue transportation difficulties will ensue from the establishment of the proposed use; and

- e) that the proposed use conforms to the policies (including the "Servicing" and "Transportation" policies) and designations of this secondary plan and the provisions of the Planning Act.

**E.7.5 SITE PLAN CONTROL**

Refer to Section G1.4 of the official plan.

**E.7.6 COMMITTEE OF ADJUSTMENT**

The Committee of Adjustment in dealing with applications for minor variances and applications for consent for the conveyance of land shall be guided by the intent and purpose of this secondary plan, the official plan and the implementing zoning by-law when making decisions pursuant to Sections 45 and 53 of the Planning Act.

**E.7.7 PLANNING & DEVELOPMENT COMMITTEE**

The Planning & Development Committee shall be guided by the intent and purpose of this secondary plan, the official plan and the implementing zoning by-law when advising Council on planning matters.

**E.7.8 PARKLAND DEDICATION**

New residential development shall require the conveyance of up to a five percent parkland dedication, while commercial and industrial development shall require up to a two percent parkland dedication. Council may accept cash-in-lieu payments or apply the provisions of Section 51 (7) of the Planning Act when deemed appropriate.

All land dedicated for parkland purposes must be in satisfactory physical condition and located in a manner which provides for its use by the general public. Lands susceptible to flooding or other environmental hazards need not be accepted as part of the parkland dedication.

**E.7.9 CAPITAL WORKS PROGRAM**

Refer to Section G1.9 of the official plan.

**E.7.10 ONTARIO BUILDING CODE**

All construction shall adhere to the regulations of the Ontario Building Code.

**E.7.11 PLANS OF SUBDIVISION/CONDOMINIUM**

Refer to Section B8 of the official plan.

**E.7.12 PUBLIC INFORMATION**

In order to adequately inform the general public of the policies and proposals contained in this secondary plan, Council shall reproduce the plan in sufficient numbers to enable its review by the general public.

**E.7.13 CONSENTS**

Refer to Section B8 of the official plan.

**E.7.14 MAINTENANCE AND OCCUPANCY STANDARDS**

Refer to Section G1.6 of the official plan.

**E.7.15 LAND ACQUISITION**

Refer to Section G1.8 of the official plan.

**E.7.16 PLANS TO ACCOMPANY AMENDMENT APPLICATIONS**

Where deemed necessary by Council applications for amendments to this secondary plan and/or the zoning by-law, shall be accompanied by a site plan prepared in accordance with the provision of Section G1.4 of the official plan.

**E.8 INTERPRETATION**

**E.8.1 LAND USE BOUNDARIES AND ROADS**

It is intended that the boundaries of the land use designations shown on Schedule A9 - Land Use Plan be considered as approximate and absolute only where bounded by roads, railways, rivers, lakes, or other similar clearly defined physical features. It is also intended that the location of roads as indicated on Schedule B1 - Roads Plan be considered as approximate and not absolute. Amendments will not be required in order to make minor adjustments to the land use boundaries or the location of roads, provided the overall intent of the plan is maintained.

**E.8.2 LOT AREAS/LOT FRONTAGES**

It is intended that all minimum lot area and lot frontage criteria herein be considered as approximate and not absolute. Amendments to this secondary plan will not be required for any reasonable variation from the criteria providing that the overall intent of the plan is maintained.



### **E.8.3 ACCESSORY USES**

Wherever a use is permitted in a land use designation it is intended that uses, buildings or structures normally incidental, accessory and essential to the use also be permitted.

### **E.8.4 PUBLIC USES**

It is intended that public uses such as utility, communication and publicly owned transportation facilities, educational facilities including public, separate and private schools, public institutions of post secondary education, places of worship, public parks, and public playgrounds, as well as uses deemed similar in function be permitted in all land use designations in accordance with the provisions of Section B2 of the official plan and E.4.4 of this secondary plan.

### **E.8.5 SUBSEQUENT LEGISLATION**

Where a Provincial Act or Regulations made thereunder, are referred to in this secondary plan, it is intended that such reference be interpreted to include any subsequent legislation that may replace the specified Act or Regulations made thereunder.

### **E.8.6 MEASUREMENTS**

All measurements in this secondary plan are in the metric form.

### **E.8.7 RELATIONSHIP OF THE SECONDARY PLAN TO THE OFFICIAL PLAN**

Pursuant to Section E.1.4, development within the secondary plan area shall proceed in a manner consistent with the policies contained within this Section 11 (South of Division Road Secondary Plan) and the remaining sections of the official plan. In the event of a conflict, the policies of this Section E shall govern.

### **E.8.8 ALTERNATE PUBLIC NOTIFICATION**

The requirements of the Planning Act, R.S.O. 1990, as amended, as set out in Sections 17. (15) and (17) and Sections 34. (12) and (13) shall apply and be complied with unless the following alternative procedures for public notification are complied with.

Township Council or a Committee of Council, which has been delegated the appropriate authority, shall when considering proposed Official Plan Amendments or Zoning By-law Amendments, ensure that adequate information and opportunities to comment are made available to the public with respect to the proposal by holding a public meeting.

The notice of the public meeting shall be given at least fourteen (14) days prior to the meeting date.

The notice shall be given by personal service or prepaid first class mail to every individual and agency that has made a written request to the Clerk to be notified of the public meeting. In addition, the notice shall be given by either:

- a) publication in a local newspaper having general circulation in the area to which the proposed Official Plan Amendment or Zoning By-law Amendment applies; or
- b) personal service or prepaid first class mail to all assessed persons within the area to which the proposed Official Plan Amendment or Zoning By-law Amendment applies and within 120 metres of that area.

Prior to Township Council making a decision with respect to an Official Plan Amendment, a minimum of fourteen (14) days notice shall be provided from the date of the public meeting for the making of written submissions to the Clerk's office.

Where a Zoning By-law Amendment is being considered and where the Clerk is notified in writing prior to the public meeting, or representations are made at the public meeting, that persons wish to make written submissions, seven (7) days following the public meeting shall be made available for the making of written submissions to the Clerk's office prior to Township Council making a decision with respect to the Zoning By-law Amendment. Where representations are made at the public meeting for an additional seven (7) days (total of fourteen (14) days) in which to make written submissions, Township Council or a Committee of Council shall consider the scale, impact and nature of the application and, where significant, shall provide the additional time.

No further public meeting shall be required where written submissions are made, but Township Council shall ensure that such submissions are considered before making a formal decision with respect to the proposed Official Plan Amendment or Zoning By-law Amendment.

Township Council may forego public notification and public meeting(s) in connection with a technical Official Plan Amendment or Zoning By-law Amendment if such will not affect the provisions and intent of the Official Plan or Zoning By-law or an Amendment previously enacted to either document, in any material way, and may include the following matters:

- a) altering the number and arrangement of any provisions;
- b) correction punctuation or altering language to obtain a uniform mode of expression;
- c) correcting clerical, grammatical, dimensioning or typographical errors; and

- d) effecting changes in format.

Where a change is made to a proposed Zoning By-law Amendment subsequent to the public meeting required by this section, a further public meeting will be required only if, in the opinion of the Township Council, the change is one which would significantly alter the form, type and density of development. The notification requirements for such a further meeting shall be at least fourteen (14) days prior to such meeting and shall be in accordance with the provisions of this section.

#### **E.8.9 MINOR TEXTUAL MODIFICATIONS**

Spelling and numbering may be corrected and/or altered without the need for amendment to this secondary plan.

**PART F**

**TRANSPORTATION AND SERVICING**

## **F1 TRANSPORTATION**

### **F1.1 OBJECTIVES**

It is the objective of this Plan to:

- a) facilitate the movement of people and goods within the Township's communities and to and from adjacent municipalities;
- b) establish an integrated transportation system that safely and efficiently accommodates various modes of transportation including trains, automobiles, trucks, cycling and walking;
- c) protect transportation corridors to facilitate the development of a transportation system that is compatible with and supportive of existing and future land uses due to the inter-dependency of land use and transportation planning decisions in relation to environmental and topographical features;
- d) ensure that new roads in development areas are constructed safely, and designed to help distribute car and truck traffic evenly and provide access for the future operation of an efficient roads system;
- e) ensure that appropriate right-of-way widths for all existing and proposed roads are provided in accordance with the *Planning Act*;
- f) encourage the use of alternative development standards for roads, where appropriate;
- g) restrict development on private roads.

### **F1.2 PEDESTRIAN AND CYCLING ROUTES AND FACILITIES**

Council may develop an interconnected system of cycling and walking routes providing access to major activity and employment areas. In this regard, Council shall develop a Trails Master Plan to provide the basis for the establishment of a trail network in the Township.

In addition to the Master Plan, and in order to plan for and encourage walking and cycling, Council shall:

- a) consider the provision of safe and convenient cycling and walking routes in the review of all development applications;
- b) require the provision of sidewalks in *Settlement Areas*, where appropriate;
- c) investigate and provide for bicycle lanes wherever possible in the construction or reconstruction of roads and bridges;

- d) encourage and support measures which will provide for barrier-free design of pedestrian facilities;
- e) ensure that lands for bicycle/pedestrian paths are included with the land requirements for roads;
- f) ensure that the rights and privacy of adjacent property owners are factored into the design process for pedestrian and cycling routes; and,
- g) ensure that all pedestrian and cycling routes are designed to be safe.

### **F1.3 ROAD NETWORK**

#### **F1.3.1 General Policies**

##### **F1.3.1.1 Road Classification System**

For the purposes of this Plan, all roads in the Township are classified as follows:

- Provincial Freeway;
- Provincial Highway;
- County /Arterial Road;
- Collector Road;
- Local Road; and,
- Private Road / Condominium Road/Private Laneway.

The types of roads described in this section of the Plan are shown on Schedule B. New roads, and re-constructed roads shall be developed to comply with the classification, function and general design requirements outlined in Table 1 – Function and Classification of Roads.

Any road transferred from the Province of Ontario to the Township shall be considered a Arterial Road for the purposes of this Plan. Any road transferred from the County to the Township will be classified in accordance with the current and intended function of the road and will be subject to the policies of this Plan.

The location of any future roads shown on Schedule Band B1 are approximate. The exact alignment of future roads shall be determined either through municipal studies or during the consideration of development applications. No Amendment to the Official Plan will be required to modify the locations of future roads, provided their function and location will continue to generally conform with the intent of the Official Plan.

<b>Table 1 – Transportation Network</b>		
<b>Type of Facility</b>	<b>Function</b>	<b>General Design Guidelines*</b>
Provincial Freeway	<ul style="list-style-type: none"> <li>◆ Serve inter-County travel demands and long distance traffic</li> <li>◆ Carry large volumes of traffic</li> </ul>	<ul style="list-style-type: none"> <li>◆ Under the jurisdiction of MTO</li> <li>◆ Minimum of 4 travel lanes</li> <li>◆ Access is fully controlled (under the jurisdiction of MTO)</li> </ul>
Provincial Highways	<ul style="list-style-type: none"> <li>◆ Serve mainly County (inter-municipal) travel demands</li> <li>◆ Carry large volumes of traffic</li> </ul>	<ul style="list-style-type: none"> <li>◆ Up to 4 travel lanes</li> <li>◆ Right-of-way width up to 50 m</li> <li>◆ Access is restricted (under the jurisdiction of MTO)</li> </ul>
Arterials and County Roads	<ul style="list-style-type: none"> <li>◆ Serve mainly local travel demands</li> <li>◆ Connect communities to Provincial Highways</li> <li>◆ Provides internal truck routes</li> <li>◆ Predominantly in rural area, but when in urban area, has moderate property and intersection access</li> </ul>	<ul style="list-style-type: none"> <li>◆ Up to 4 travel lanes</li> <li>◆ Right-of-way width up to 30 m</li> <li>◆ Consolidated access points where possible</li> <li>◆ On-street parking may be permitted where appropriate</li> <li>◆ Access is restricted to County Roads</li> </ul>
Collectors	<ul style="list-style-type: none"> <li>◆ Connect neighbourhoods</li> <li>◆ Distribute traffic to and from arterials</li> <li>◆ Provide access to adjacent land uses</li> </ul>	<ul style="list-style-type: none"> <li>◆ 2 to 4 travel lanes</li> <li>◆ Right-of-way width up to 26 m</li> <li>◆ On-street parking generally permitted</li> <li>◆ Access is partially controlled</li> </ul>

**Table 1 – Transportation Network (cont'd)**

Type of Facility	Function	General Design Guidelines*
Local Road	<ul style="list-style-type: none"> <li>◆ Provide access to urban land uses</li> <li>◆ Connect individual properties to collectors and arterials</li> <li>◆ Carry comparatively low volumes of traffic</li> </ul>	<ul style="list-style-type: none"> <li>◆ 2 travel lanes</li> <li>◆ Right-of-way width up to 20 m in urban areas</li> <li>◆ Right-of-way width up to 26 m in rural areas</li> <li>◆ Convenient linkages to collector roads and arterial roads</li> <li>◆ Parking in rural areas is generally restricted</li> <li>◆ Parking in urban areas may be allowed on both sides depending on pavement widths</li> <li>◆ Access control not required</li> </ul>
<ul style="list-style-type: none"> <li>◆ *Right-of-way widths in some cases, may need to be wider to accommodate design features, noise walls, turning lanes, bike paths, and utilities etc. Final right-of-way requirements along roads will be determined through functional designs reports and subdivision approvals or as determined by the road authority.</li> </ul>		

**F1.3.1.2 Changes to the Road Classification System**

An Official Plan Amendment is required to change the classification of a road on Schedule B if the change will reclassify the road from County to Provincial or from Local to County only when the classification of the road goes up in scale, ie. collector road to an arterial road.

**F1.3.1.3 Right-of-Way Widths**

Right-of-way widths for every type of road are set out in Table 1 or as determined by the Road Authority. The right-of-way width for any public road may allow for the placement of travel lanes, turning lanes, utilities, infrastructure, high occupancy vehicle lanes, sidewalks, paths, bicycle lanes, medians, streetscaping and landscaped boulevards, where appropriate.



In addition to the road right-of-way widths set out in Table 1, the Township may, without the need for an amendment to the Official Plan, require the dedication of lands to be used for daylight triangles to provide sufficient sight distances and turning lanes and/or traffic control devices to provide safe and appropriate access to major generators or attractors of traffic. A greater right-of-way width may be required in cases where design solutions require additional lands for road improvements.

As a condition of a development approval, land for road widenings shall be conveyed at no expense to the Township in accordance with the provisions of the *Planning Act*. As a general principle, required road widenings will be taken equally from both sides of the right-of-way. Unequal road widenings may be considered by the Township where:

- a) the area is the site of a topographic feature which is difficult to overcome or costly to develop for road purposes; and/or,
- b) the location of an identified cultural heritage resource limits design options; and/or,
- c) the presence of a significant natural heritage feature limits design options; and/or,
- d) the location of mature trees contributes to the character of an area.

Notwithstanding the policies set out in this Plan, the Township recognizes that the reconstruction of roads to approved minimum standards in some existing developed areas may not be appropriate from a right-of-way acquisition or community design perspective, or economically or physically feasible. Any attempt to reconstruct such roads to minimize deficiencies shall only be undertaken after a study to determine a right-of-way which will result in a streetscape which minimizes impacts on abutting properties and is appropriate to the character of the area, while serving anticipated traffic volumes. No amendment to the Plan shall be required to implement such a modification to the right-of-way.

#### F1.3.1.4 Financing of Road Construction

Construction of any part of the road network shall be in accordance with the ability of the authority having jurisdiction to finance such infrastructure. In addition, road construction under the jurisdiction of the Township shall be in accordance with the approved Capital Budget and/or the Capital Forecast.

#### F1.3.1.5 Road Design Standards

Council shall endorse a road standard design manual that reflects the Township's design policies and which will serve as the basis for the construction and design of roads that are under the jurisdiction of the Township. Council may consider alternative design standards to provide for the more efficient use of land in newly developing areas of the Township. In addition, the Township shall upgrade roads, sidewalks and related facilities to provide better access to the physically challenged. Changes to standards and design criteria for such roads and facilities may be permitted without an amendment to this Plan.

#### F1.3.1.6 Road Closures

Council may stop up and close existing local roads and road related facilities, subject to the provisions of the *Municipal Act, 2001*, as amended without the need to amend the Official Plan.

#### F1.3.1.7 Use of Township Roads by Trucks

Truck traffic, and specifically truck traffic generated by aggregate operations, is expected to use Arterial Roads and defined Haul Routes as shown on Schedule B to this Plan and may be discouraged from using Collector and/or Local Roads. All haul routes will be regulated in accordance with the policies of this Plan and the provisions of a By-law passed pursuant to the Municipal Act.

#### F1.3.1.8 Special Road Policies

- a) Schedule "B and B1" to this Plan identifies a number of road realignments and or extensions. It is the intention of this Plan that these improvements occur at such time as appropriate or warranted by development in the area.
- b) Schedule "B1 and B1" to this Plan identifies a number of roads that require, because of volume, planned function, or substandard width, road widenings to the required width. It is the intention of this Plan that these improvements occur at such time as appropriate or warranted by development in the area. The road widenings are identified on Table 1.
- c) Schedule "B and B1" to this Plan identifies a number of intersections and bridges requiring improvement because of volume or substandard level of service. It is the intention of this Plan that these improvements occur at such time as appropriate or warranted by developments in the area.

#### F1.3.1.9 Roads Needs Plan

The Township has completed a Roads Needs Study as input into this Plan and to the Five Year Capital Budget.

## **F1.4 PRIVATE ROADS**

Private roads are lanes, driveways, roads or right-of-ways maintained by private individuals, Condominium Corporations or Road Associations. It is the policy of this Plan to limit new development on private roads to a Plan of Condominium. The creation of a new lot for any purpose on a private road is not permitted unless approved by Council and is located in an identified seasonal dwelling and/or resort areas.

If the Township is to assume any private road, it must be brought up to a municipal standard. The cost of bringing such a road up to municipal standards shall not be borne by the Township.

Development on vacant lots of record existing at the date of the adoption of this Plan shall be subject to Site Plan Control. It is not the intent of this Plan to control the siting of building or structures on the lot, unless it is deemed by the Township that issues relating to buffering, building placement and/or drainage should be dealt with in the context of a Site Plan Agreement.

The Site Plan Agreement shall contain wording that indicates that:

- a) the owner acknowledges and agrees that the lot in question does not front on an improved public road;
- b) the owner acknowledges and agrees that the Township does not, or is not, required to maintain or snowplow the said road or street;
- c) the owner acknowledges and agrees that the Township will not take over or assume a private road or street as a Township public road or street unless it has been built according to an appropriate road standard; and,
- d) the owner acknowledges and agrees that the Township is not liable for any injuries, losses or damages as a consequence of the Township issuing a building permit.

## **F1.5 OFF-STREET PARKING**

The Township shall require that, as a condition of development or redevelopment, adequate off-street parking and loading facilities are provided. In addition, points of ingress/egress to parking areas shall be limited in number and the sharing of access points with adjacent similar uses shall be encouraged.

The Township shall review off-street and on-street parking regulations to reflect evolving patterns of automobile use at the time of the preparation of the implementing Zoning By-law. Reduced parking requirements may be considered where sufficient public off-street and on-street parking facilities exist. In addition, parking requirements may be reduced if the uses on the lot each require parking at different times of the day. Opportunities for the sharing of parking in mixed use development will be considered during the review of a development application.

## **F1.6 RAIL NETWORK**

The following policies apply to the rail network in the Township:

- a) The Township shall work with the Railway Corporations, Federal, Provincial and County governments to establish grade separated railway crossings on major roads wherever possible. Improvements to existing at-grade crossings shall also be encouraged to improve safety.
- b) Industrial uses that are adjacent to existing rail lines will be encouraged to use rail transport for the distribution of goods in order to reduce the burden on the existing highway system and to better utilize existing infrastructure. In addition, aggregate extraction operators will be encouraged to utilize rail wherever possible to transport aggregate to market and thereby minimize the impact to truck travel on residents, businesses and the natural environment.
- c) All proposed development adjacent to railway corridors shall ensure that appropriate safety measures such as setbacks, berms and security fencing are provided to the satisfaction of the Township in consultation with the appropriate rail authority.
- d) The Township shall work with the appropriate agencies to develop appropriate strategies to deal with the movement of dangerous goods by means of rail, road and air through the Township.
- e) All proposed development within 300 metres of a railway right-of-way may be required to undertake noise studies, to the satisfaction of the Municipality in consultation with the appropriate railway, and shall undertake appropriate measures to mitigate any adverse effects from noise that were identified.
- f) All proposed development within 75 metres of a railway right-of-way may be required to undertake vibration studies, to the satisfaction of the Municipality in consultation with the appropriate railway, and shall undertake appropriate measures to mitigate any adverse effects from vibration that were identified.

## **F1.7 AIRSTRIPS**

It shall be a policy of this Plan that the township Council may recognize existing aircraft landstrips in the Zoning By-law for private use only. It shall be a policy of this Plan to permit and encourage the orderly development and expansion of air facilities in order to make the Township more accessible to the air traveling public and to provide adequate facilities that will maximize and be consistent with the development potential within the Township.

It shall be a policy of this Plan that adverse effects on the inhabitants of the Township from the operation of aircraft and air related facilities will be minimized if, when, and where new private airports are established. Any new airport to be established within the Township shall be subject to an amendment to this Plan.

## **F2 WATER AND SEWAGE SERVICES**

### **F2.1 GENERAL PRINCIPLES**

The planning, financing, and construction of water and sewage treatment services is an important part of the Township's planning process and corporate responsibility. The responsibility for planning infrastructure is shared with other government agencies and levels of government.

The principles for water and sewage servicing for the Township are as follows:

- a) The staging of development must be coordinated to ensure that adequate services are available to provide for the projected growth;
- b) Sewage treatment and water supply capacity are essential to meet the development requirements of the Townships identified Settlement Areas;
- c) Servicing options should be based on a hierarchy which considers environmental, technical, and capital and operating costs to determine the appropriateness of the servicing for new developments;
- d) Long term master planning should be undertaken or continued for the Townships infrastructure so that development can occur in a sustainable manner; and
- e) Innovative fiscal arrangements and partnerships with other levels of government and the private sector may provide opportunities for the cost effective provision of infrastructure services and should be explored.

To ensure that servicing for development is planned and coordinated with the Townships ability to finance same, the Township will prepare and update a Five Year Capital Budget. The Five Year Capital Budget should establish a schedule and staging for the construction of, and improvements to, the Townships infrastructure.

## **F2.2 SEWAGE TREATMENT SERVICING**

### **F2.2.1 General Policies**

The following hierarchy of sewage treatment servicing options will be used to evaluate any development applications, except where specific exclusions are made in this Plan. The feasibility of the options will be considered in the following order:

- a) Extensions of servicing from a centralized sewage treatment facility;
- b) Extensions of servicing from a communal sewage treatment system;
- c) The development of a new communal sewage treatment system; or,
- d) Private sewage treatment systems.

Notwithstanding the above, the following exclusions from the servicing hierarchy will apply:

- i) Within the Coldwater, Washago, and Westshore Settlement Areas identified on Schedules "A1", "A2" and "A3" of this Plan, all sewage treatment servicing shall only be by way of the existing or proposed centralized sewage treatment facility;
- ii) The use of communal sewage systems for treatment of industrial waste water will not be permitted;
- iii) The designation of new residential areas or the expansion of settlement areas will not be permitted except in accordance with the policies of Section F2.2.1.

Subject to the policies of F.2.2, lot creation will be allowed only if there is confirmation of sufficient reserve sewage system capacity and reserve water system capacity within municipal sewage services and municipal water services or private communal sewage services and private communal water services. The determination of sufficient reserve sewage system capacity shall include treatment capacity for hauled sewage from private communal sewage services and individual on-site sewage services.

## F2.2.2 **Centralized Sewage Treatment Facilities**

Where lands fall within a Settlement Area identified on Schedules "A1", "A2" and "A3" to this Plan and are serviced by a centralized sewage treatment system, they shall be serviced from that facility. However, this policy is not intended to commit Council to provide funding for the provision of sewage treatment capacity, nor approve development until sewage treatment capacity is available.

The nature and concentrations of wastewater flows from industrial and commercial uses will be regulated by the Township through a Sewer Use By-law that may be amended from time to time.

## F2.2.3 **Communal Sewage Treatment Facilities**

Development applications proposing the use of a new communal sewage treatment system in accordance with the sewage servicing hierarchy of Section F2.2.1, will be reviewed by the Township and may be considered for approval where:

- a) The areas where communal sewage treatment systems are considered appropriate are established by amendment to this Plan and are set out in Section F2.2.3 (i);
- b) There is a reasonable expectation that full centralized sewage treatment services can be extended in the future to service the area and the system shall be designed to permit connection to that centralized sewage treatment system;
- c) A detailed hydrogeological study and an engineering design report shall demonstrate that the system will operate satisfactorily with respect to impacts of the effluent from both a quality and quantity perspective;
- d) Appropriate maximum and minimum densities and number of tile fields and area are established;
- e) The Township will own and be responsible for the design, construction, start-up, operation, and maintenance of all communal sewage treatment systems; and
- f) Where the development of a communal sewage treatment system is proposed by a private developer, the costs related to the design and construction of the system shall be the responsibility of the developer and financial assurance shall be provided for capital improvements should repair or replacement of the system be necessary;

- g) Notwithstanding Policy F.2.3 (e), the Township may as part of the approval process, enter into agreements with the developer respecting the design, construction, operation, maintenance, and financial assurances of the system. Municipal ownership does not apply to sewage facilities which service single ownership commercial/industrial developments or condominium developments;
- h) Effluent criteria of the communal sewage treatment system shall be satisfactory to, and meet the requirements of, the Township and the Ministry of the Environment;

#### **F2.2.4 Private Sewage Treatment Systems**

Generally throughout the Township the minimum servicing requirement shall be an in-ground sewage treatment system on an individual lot basis. Each development application shall comply with the policies of Section F2.2.1 of this Plan regarding the sewage servicing hierarchy. Private sewage treatment systems shall be approved by the appropriate agency pursuant to the Ontario Building Code Act or the Environmental Protection Act. Well/septic systems adjacent to a County road shall comply with the County's requirements.

Prior to the approval of any development application for five or more residential units or industrial and commercial developments generating wastewater in excess of 10,000 litres per day that proposes the use of private sewage treatment systems, a Hydrogeological Study shall be submitted and have demonstrated to the satisfaction of the appropriate agency that the systems will operate satisfactorily.

The Township may establish and/or participate, where appropriate, in programs to inform residents about the proper care and maintenance of private sewage treatment systems and establish an active re-inspection program for existing in-ground sewage treatment systems.

The Township, while it does not encourage partial servicing, will permit development within existing designated settlement areas which have been development on partial services, could be completed. Any expansion of a settlement area would be expected to complete a study to determine what is appropriate servicing. Part of the analysis would be the risk of the septic systems being hydraulically overloaded as a result of increased water use and the environmental impacts which may occur.



## **F2.3 WATER SERVICING**

### **F2.3.1 General Policies**

The following hierarchy of water supply servicing options will be used to evaluate any development applications, except where specific exclusions are made in this Plan. The feasibility of the options will be considered in the following order:

- a) Extensions of servicing from a centralized water supply facility;
- b) Extensions of servicing from a communal water supply system;
- c) The development of a new communal water supply system; or,
- d) Private wells.

Notwithstanding the above, the following exclusions from the servicing hierarchy will apply:

- i) Within the Coldwater, Washago, Bass Lake, and Westshore Settlement Areas identified on the Schedules to this Plan, all water supply servicing shall be by way of the existing or proposed centralized water supply facility; and
- ii) The designation of new residential areas or the expansion of settlement areas will not be permitted except in accordance with the policies of Section F2.2.

### **F2.3.2 Centralized Water Supply Systems**

Where lands fall within a Settlement Area identified on Schedules "A1", "A2", "A3" and part of "A6" and are serviced by a centralized water supply system, all development shall be serviced from that facility. However, this policy is not intended to commit Council to provide funding for the provision of water supply capacity, nor approve development until water supply capacity is available.

The Township may consider the implementation and installation of water meters on all individual connections to a centralized water supply system. The Township may also consider, where appropriate, the integration of its water supply systems to improve the efficiency and operation of the systems.

### **F2.3.3 Communal Water Supply Systems**

Where lands fall within an existing development appropriately designated by this Plan and are serviced by a communal water supply system, they shall be serviced from that facility. However, this policy is not intended to commit Council to provide funding for the provision of water supply capacity, nor approve development until water supply capacity is available.

Communal water supply systems, or extensions thereto, shall be designed in accordance with the Townships standards for communal water systems. The Township will own, and be responsible for the design, construction, start-up, operation, and maintenance of all communal water supply systems. However, where the development of a communal water system is proposed by a private developer, the costs related to the design and construction of the system shall be the responsibility of the developer. The Township may, as part of the approval process, enter into agreements with the developer respecting the design, construction, operation, and maintenance of the system.

#### **F2.3.4 Private Wells**

Generally throughout the Township the minimum water servicing requirement shall be a private well on an individual lot basis. Existing shoreline development may also be serviced by private surface water systems. Each development application shall comply with the Policy F2.3 of this Plan regarding the water supply servicing hierarchy. Private wells shall be constructed in accordance with the Ontario Water Resources Act.

Prior to the approval of any development application for five or more residential units or industrial and commercial developments that proposes the use of private wells, a Hydrogeological Study shall have demonstrated that such wells will provide sufficient quantity and quality of potable water without impacting adjacent wells .

### **F3 STORMWATER MANAGEMENT**

All commercial, industrial, institutional and residential development (five units or more) applications shall be supported by a conceptual Stormwater Management (SWM) report. The content and depth of the SWM report shall be determined when the development is proposed.

#### **F3.1 OBJECTIVES**

The objectives of a stormwater management plans are to avoid, minimize and/or mitigate stormwater volume, contaminant loads and impacts to receiving water courses in order to:

- maintain groundwater quality and flow and stream baseflow;
- protect water quality;
- minimize the disruption of pre-existing (natural) drainage patterns wherever possible;
- present increases in stream channel erosion;
- prevent any increase in flood risk, and protect aquatic species and their habitat.

The SWM Report shall be prepared by a qualified professional to the satisfaction of the Township, the County of Simcoe, and the appropriate agencies and be prepared in accordance with the MOE “Stormwater Management Practices Planning and Design Manual” (2003) and the Fish Habitat Protection Guidelines for Developing Areas (1994) or their successors and shall:

- a) provide recommendations on a stormwater quantity system which ensures that post-development run-off rates will not be greater than the pre-development run-off rates for storms up to and including the 1:100 year flood and the County storm flood (a storm centered event based on the Timmins storm of 1961);
- b) document the possible impacts of development on watershed flow regimes including their interconnection with groundwater resources;
- c) ensure that water quality is not made worse as a result of the development and if possible, water quality should be improved as a result of the proposed development and to thereby achieve the Plan’s natural heritage goals and objectives;
- d) document the means by which stormwater volume control will be provided; and,
- e) determine and describe the necessary measures required to be undertaken during construction to mitigate the potential negative impact of development.

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

#### **F4 UTILITY CORRIDORS**

All development in the Township shall recognize the importance of the high pressure natural gas pipelines and hydro transmission lines identified on Schedule B to this Plan. Any development within 200 metres of a utility corridor may affect the safety and integrity of the line. The Township shall require early consultation with the appropriate Utility for any development proposed within 200 metres of a utility line.

TransCanada is regulated by the National Energy Board which, in addition to TransCanada, has a number of requirements regulating development in proximity to the pipelines. This includes approval requirements for activities on or within 30 metres of the right-of-way such as excavation, blasting and any movement of heavy equipment. New development can result in increasing the population density in the area that may result in TransCanada being required to replace its pipeline to comply with the CSA Code Z662. Therefore, the Township shall require early consultation with TransCanada or its designated representative for any development proposals within 200 metres of its facilities.

A setback of 7 metres shall be maintained from the limits of the right-of-way for all permanent structures and excavations. A reduction in the 7 metre setback will only be considered if it can be demonstrated, to TransCanada's satisfaction, that it will not compromise the safety and integrity of the pipeline and if all necessary municipal approvals are obtained.

In areas of more urban development, the Township will encourage the development of TransCanada's right-of-way for passive parkland or open space purposes subject to TransCanada's easement rights.

## **F5 TELECOMMUNICATIONS AND UTILITY SERVICES**

The principles for telecommunication and utility services are as follows:

- a) Ensure that adequate telecommunication and utility networks are/or will be established to serve the anticipated development and that they can be phased in a way, that is cost-effective and efficient.

**PART G**

**PLAN IMPLEMENTATION AND INTERPRETATION**

## **G1 PLAN IMPLEMENTATION AND ADMINISTRATION**

### **G1.1 ZONING BY-LAWS**

A review of the Township's Zoning By-laws shall be undertaken to ensure that they properly implement the policies of this Plan.

Notwithstanding any designation shown on the schedules to this Plan, the areas of the Township where development is not imminent and/or the specific pattern of land use such as density and form, road design and patterns, or servicing or other requirements have not been determined, the lands may be placed in a deferred development zone category. For development to occur, an amendment to the Zoning By-law must be approved.

### **G1.2 TEMPORARY USE BY-LAWS**

The Township may pass temporary use by-laws apply to private land permitting:

- a) temporary housing;
- b) temporary tourist uses and facilities;
- c) garden suites;
- d) parking lots for a specific one-time event; and,
- e) industrial uses related to the resource and agricultural base of the area and other similar uses.

These temporary uses may be authorized for a specific time period up to three years and should be applied where it is considered inappropriate by the Township to permit the proposed use on a permanent or continuing basis and where alternatives such as relocation are not practical. A garden suite may be permitted on a property for up to 10 years. Subsequent by-laws granting extensions of up to three years (or 10 years for a garden suite) may be passed. However, once the by-law has lapsed, the use must cease or otherwise will be viewed as contravening the implementing zoning by-law.

Prior to the approval of a temporary use Zoning By-law, Council shall be satisfied that the following principles and criteria are met:

- i) The proposed use shall be of a temporary nature and shall not entail any major construction or investment on the part of the owner so that the owner will not experience undue hardship in reverting to the original use upon the termination of the temporary use;
- ii) The proposed use shall be compatible with adjacent land uses and the character of the surrounding neighbourhood;

- iii) The proposed use shall not require the extension or expansion of existing municipal services;
- iv) The proposed use shall not create any traffic circulation problems within the area nor shall it adversely affect the volume and/or type of traffic serviced by the area's roads;
- v) Parking facilities required by the proposed use shall be provided entirely on-site;
- vi) The proposed use shall generally be beneficial to the neighbourhood or the community as a whole; and,
- vii) The owner has entered into an agreement with the Township and/or posted securities, if necessary, to ensure that structures associated with a temporary use provision can be removed upon expiry of the by-law.

### **G1.3 HOLDING PROVISIONS**

In accordance with the Planning Act, Council may use a Holding (H) symbol in conjunction with the zoning of land to prohibit development until specific conditions of the Township have been met. These conditions may be set out in the policies applying to the land use designations in this Plan or may be specified within the language of a zoning by-law amendment. The objective of utilizing a Holding Provision is to ensure that:

- a) the appropriate phasing of development or redevelopment occurs;
- b) development does not proceed until services and utilities are available to service the development; and/or,
- c) agreements respecting the proposed land use or development are entered into.

### **G1.4 SITE PLAN CONTROL**

All areas of the Township are designated as proposed Site Plan Control areas under the provisions of the *Planning Act*. Specific uses subject to site plan control shall be identified in the Township's Site Plan Control By-law passed under the provisions of the *Planning Act*.

The intent of a Site Plan Agreement is to ensure that any proposed development is designed to be compatible with adjacent development, appropriately serviced and accessed and otherwise in conformity with the goals and strategic objectives of this Plan. Any required site plan agreement shall deal with the following, as appropriate:

- a) road widenings;
- b) location of vehicular access points;
- c) loading, parking and driveway locations;
- d) the surfacing of loading, parking and driveway areas;
- e) the location and design of walkways and walkway ramps,
- f) the location, massing and conceptual design of any buildings and structures;
- g) the location and type of lighting and landscaping;
- h) the location and type of garbage storage;
- i) the location and nature of easements;
- j) the grade and elevation of the land;
- k) the type and location storm, surface and wastewater disposal facilities; and,
- l) the location and type of snow removal facilities;
- m) overall lot grading and drainage plan.

## **G1.5 URBAN DESIGN**

### **G1.5.1 Objectives**

Urban Design encapsulates the way places work and matter and attempts to address the complex relationships between all of the elements of built and unbuilt space. It focuses on:

- the connections between people and these places,
- urban form and the relationship between buildings and the streets, squares, parks and waterways and other spaces which make up the public domain,
- patterns of movement,
- nature, and,
- the processes for ensuring successful places.



It is anticipated that the Township's population and the range of services offered will continue to grow over the planning period. This growth will occur within the existing built-up areas through redevelopment and intensification, and in new greenfield areas with defined Settlements. In order to ensure that the settlement areas evolve in a manner that enhances the quality and vibrancy of urban life, it is the desire of Council to create and encourage a high quality of built form that is sensitive to the Township's heritage and prescribes to the points listed above. On this basis, it is the objective of this Plan to:

- a) improve the aesthetic quality of the Township's built form, and promote development which is based on good design principles and standards that reflect the goals, objectives, and policies of this Plan;
- b) enhance the unique character of the Township's settlement areas by encouraging high quality design that is complementary and compatible with existing development, the Township's cultural and natural heritage, and which fosters a strong sense of civic identity and pride;
- c) enhance gateways into the Settlement areas, refine development in, and connections to, the City of Orillia, and revitalize the Highway 11 corridor;
- d) ensure high quality design is employed in the development of all public works and that these public works contribute to an improved urban environment; and,
- e) exercise appropriate municipal development control in order to achieve a consistently high quality of site, building and landscape design.

## **G1.5.2 Public Realm**

The look, feel and treatment of public areas such as roads, parks, and public open spaces is a key component of what makes up 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. The following policies shall apply, to the design of these public areas, and to the public works carried out in these areas, as appropriate.

### **G1.5.2.1 Streetscape**

- a) An integrated design and treatment of streetscape features shall be promoted throughout the municipality. Specialized streetscape designs and treatments may be adopted for particular areas of the Township in accordance with area, or site-specific, Council-adopted Urban Design Guidelines.

- b) Streetscape features located within public rights-of-way, such as lighting fixtures, directional and street signs, parking meters, transit shelters, 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 municipality, as identified in Council-adopted 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.

#### G1.5.2.2 Roads

- a) Road designs shall include well-designed streetscape features, incorporating, among other things: street tree planting, street lighting and furnishings, sidewalk and boulevard treatments, a variety of paving materials, and, where appropriate, bicycle lanes, community mailboxes.
- 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 Township will consider alternative standards for public road rights-of-way in order to achieve urban design objectives in certain areas of the municipality.
- c) The design of roads shall incorporate a high quality of urban design standards:
  - 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.
  - b. On collector and arterial roads with Settlement Areas a suitable boulevard may 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.
  - c. 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.
  - d. A regularized pattern of street tree planting shall be encouraged along roads within Settlement Areas, and the Township shall establish minimum planting standards and species types in the Site Plan Manual and/or Council-adopted Design Guidelines.

- e. 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.
- f. Street lighting shall, where appropriate, incorporate pedestrian-level lighting to maintain pedestrian safety.

**G1.5.2.3 Services and Utilities**

- a) Services and utilities shall be encouraged, wherever possible, to coordinate and locate within an initial common trench to avoid unnecessary over digging and disruption of municipal rights of way, and to maintain a pleasant visual environment along public roads;
- b) Above-ground utility and telecommunication service providers shall be encouraged to co-operate with the Township in identifying locations which minimize the visual impacts of such equipment and facilities where located within the public right-of-way and determine appropriate locations for large utility equipment and utility cluster sites;
- c) Services and utilities shall be clustered or grouped where possible to minimize visual impact; and
- d) Services and utility providers shall be encouraged to consider innovative methods of containing utilities and telecommunication.

**G1.5.2.4 Gateways**

Council may establish a program to design, develop, and promote gateways at the major entry points into the Township as identified on Schedule B and at other strategic locations within the Township as determined by Council. Such gateways will be designed to:

- a) provide a sense of welcome and arrival
- b) assist in orientation;
- c) create a memorable image of the Township; and
- d) contribute to the social, cultural, historical or thematic character of the area being defined.

**G1.5.3 Private Realm**

A high quality of design of the private realm shall be required in all new development and redevelopment.

### G1.5.3.1 Building Design

- a) The design of new buildings and redevelopment should achieve a complementary design relationship to existing buildings, while accommodating a diversity of architectural styles, building materials, energy conservation techniques and innovative built forms.
- b) 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.
- c) Buildings shall be encouraged to orient themselves to the public street, where possible, and 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.
- d) Buildings located at major vista terminations in their settlement 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.
- e) The protrusion of garages on residential buildings into the front yard, beyond the main front building wall, shall be discouraged.
- f) Building functions that do not directly serve the public, such as loading areas, shall not face a public street.
- g) The climate in Southern Ontario necessitates the use of weather protective apparatus. Buildings should employ devices such as awnings, canopies, building cantilevers / overhangs to minimize 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.

- h) 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.

#### G1.5.3.2 Landscape and Natural Area Design and Tree Preservation

- a) Landscaping is a major contributor to a vibrant streetscape. A high quality of landscape design will be required to enhance the visual aesthetics of development and to enhance the site and land use compatibility.
- b) Landscaping within private lands should be complementary to streetscape design and materials within the public realm.
- c) Landscaping shall be used to screen or buffer development from adjacent uses, and mitigate on-site operational activities such as loading and waste storage facilities, where necessary.
- 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 should be provided on either side of driveway entrances where appropriate, particularly at the main entrances.
- g) The use of berms along public street frontages shall generally be avoided due to their tendency to isolate buildings from the street. Also, they give an impression that the public right of way is primarily a channel only for vehicles.
- 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 should be used to separate each development and the associated parking areas.
- i) The presence of significant trees on a development site shall be determined through a tree survey and, should generally be preserved, maintained and integrated into the new landscape design.

### G1.5.3.3 Site Design

- a) Site design incorporates the built form of structures, landscaping, services and the layout of all amenities. Site design shall promote an appropriate design relationship 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 a development's compatibility with the density, height, form, setbacks, materials and colours of development on adjacent lands.
- c) The design of sites adjacent to parks, woodlots and watercourses shall be sensitive to natural areas. In these instances, buildings should be sited with the greatest possible setbacks from sensitive natural areas while on-site landscaping should 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 shall also address, where necessary, compatibility between differing adjacent land uses through appropriate site layout, building locations and landscape treatments.
- f) Site design along major roads should also consider the integration of future public transit access.
- g) Along collector and arterial roads within 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.

### G1.5.3.4 Building Sitting

- a) The locations of buildings and parking areas shall reflect their location in relation to adjoining buildings, open spaces and natural features.
- b) 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.

- c) Buildings on corner lots shall be located in close proximity to the street rights of way since intersections are prominent locations in the streetscape as they address two street frontages. 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.
- d) 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.

#### G1.5.3.5 Adjacent Development

- a) Buildings higher than two storeys should be designed to minimize overlook conditions particularly if located adjacent to residential areas. Massing strategies such as stepping down towards buildings of lower height should be employed to minimize impacts.
- b) Development on private lands shall be designed with the intent of recognizing the relationship between the public realm and adjacent land uses.
- c) Noise generating activities should be located away from noise sensitive land uses, such as residential areas, and buffered as necessary.
- d) 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. (Site Plan applications may be required to submit wind and/or shadow studies to address such potential conditions.)
- e) Landscaping plays an important role in buffering potential negative effects. There should be a wide and generously-planted landscape strip using a combination of deciduous and coniferous trees; as well as opaque fencing, with noise attenuation properties where required, along the property line abutting the residential area. Berms are recommended at rear yards where additional height for a buffer may be warranted.
- f) When a development abuts a street with a residential use on the opposite side, the frontage should be treated with a wide landscaped strip and, where possible, parking shall not be located closer to the street than the building face.
- g) On large sites, efforts should be made to encourage pedestrian linkages between uses and adjacent sites.

### G1.5.3.6 Parking

- a) The location of parking is a major determinant for the layout of a development or redevelopment that is pedestrian friendly and transit supportive. Therefore, surface parking shall be avoided or substantially minimized between the public street and buildings. Where appropriate, the Township 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.

### G1.5.3.7 Signage, Display Areas and Lighting

- a) All signs shall be in accordance with the Township Sign By-law and/or County of Simcoe and/or Province of Ontario sign regulations and designed as an integral element of the site layout and/or building design that does not dominate the overall development character.
- 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.



#### G1.5.3.8 Services, Utilities, Outside Processing, and Storage

- a) Site and building services and utilities such as waste storage facilities, loading, air handling equipment, hydro and telephone transformers and switching gears and metering equipment, shall be located and/or screened from public streets and adjacent residential areas or other sensitive land uses, in order to buffer their visual and operational effects.
- 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. Therefore, 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 paves where possible to reduce dust.

#### G1.5.4 **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 Commercial/Industrial sites only. Alternatively, a landscaped strip should be provided between the access points and the side property line. Landscaping for Commercial/Industrial sites only is considered to be any modification to the grade of the land adjacent to the right of way and any ground cover other than grass. Landscaping within the right of way is not permitted without written approval from the road authority. Each of the road authorities has their own requirements regarding access and it is the responsibility of the proponent to satisfy these requirements. It is also recognized by the Township, that landscaping shall be on-site.

- 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.

#### **G1.5.5 Safety**

New development and redevelopment shall incorporate design concepts that promote personal safety for individuals accessing the development, such as adequate lighting, safe pedestrian routes, and clear sight-lines.

#### **G1.5.6 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. 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.

#### **G1.5.7 Rail Corridor**

New development and redevelopment along rail corridors shall have regard to noise, vibration and safety mitigation measures as required by the respective rail company.

#### **G1.5.8 Implementation**

The Township shall employ all relevant municipal development controls in order to achieve a consistently high standard of site, building and landscape design.

The design policies of this Plan shall be implemented by:

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

- b) preparing specific Design Guidelines for key focal points in the Township, such as the Coldwater, Washago area and the Highway 11 corridors;
- c) ensuring that the Township's engineering standards are regularly refined to reflect the objectives and policies of this Plan and any Council – adopted Design Guidelines;
- d) ensuring that the Township's Site Plan process sets out the minimum requirements of the Township in a clear and concise manner.

#### **G1.5.9 Urban Design Guidelines**

- a) The Township may require the preparation of Design Guidelines for selected areas within the municipality, where appropriate, and shall require Design Guidelines/Architectural Control Guidelines for those areas identified in Sections G1.5. In addition, Design guidelines shall be prepared where new, or reviews of existing, local Secondary Plans are undertaken.
- b) 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.
- c) In areas where Design guidelines have been adopted by Council, all development applications shall be evaluated to determine the extent to which the application achieves the Design policies of this Plan and the relevant Council adopted Design Guidelines.
- d) Council may require the preparation of area specific Design Guidelines as part of the consideration of major development proposals or the preparation of area specific studies.
- e) For residential subdivision plans the Township shall require, prior to draft plan of subdivision approval, the preparation of Community Design Guidelines for the subdivision plan, to guide the overall character of the proposed subdivision through such design features such as street light design, sidewalk materials and locations, perimeter fencing, community mailbox locations and/or facilities, gateway or entrance features, street tree planting in the public right-of-way, and park and public open space design.
- f) For residential subdivision plans in excess of 25 units, the Township shall require, as a condition of draft plan of subdivision approval, the preparation of Architectural Control Guidelines which detail the proposed building designs and materials, in order to avoid repetitive building forms along internal streets within residential plans of subdivision. The

Township may also require, as a condition of draft plan of subdivision approval, an external architectural peer review to the issuance of construction permits for each building, and to ensure that the intent of the Architectural Control Guidelines is secured.

- g) Where applicable, Design Guidelines shall incorporate the principles listed in Section G1.5 of this Plan.

#### **G1.5.10 Development Approvals**

- a) 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 Township.
- b) The Township 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 in order to implement the Urban Design policies of this Plan and any Council-adopted Urban Design Guidelines.
- c) For development requiring site plan approval, the Township may request the applicant to prepare design guidelines in conjunction with the submission of site plan application, where the context of the development area is sensitive in nature.
- d) The Township 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.

### **G1.6 MAINTENANCE AND OCCUPANCY BY-LAWS (PROPERTY STANDARDS)**

#### **G.1.6.1 Minimum Standards**

Council shall enact a Property Standards By-law in accordance with the *Ontario Building Code Act*, regarding minimum standards for the following:

- a) the physical condition of buildings and structures;
- b) the physical condition of lands;
- c) the adequacy of sanitation; and,
- d) the fitness of buildings and structures for occupancy.

## **G1.6.2 Property Standards By-law**

The By-law may require that substandard properties be repaired and maintained to comply with the standards, prohibit the use of substandard property, and require the demolition and clearing of such property which the owner does not intend to repair and maintain. Upon passing a Property Standards By-law, Council shall appoint a Property Standards Officer who will be responsible for administering and enforcing the By-law.

## **G1.6.3 Property Standards Committee**

Council shall also appoint a Property Standards Committee, in accordance with the *Ontario Building Code Act*, for the purpose of hearing appeals against an order issued by the Property Standards Officer.

## **G1.7 COMMUNITY IMPROVEMENT PLANS**

### **G1.7.1 General Principles**

Community improvements are defined as encompassing numerous public and private sector activities which serve to maintain, rehabilitate and redevelop the existing physical environment. It is recognized that declining public sector revenues and increasing demands for service requires all levels of government to plan for maximum efficiency in the use of existing public services and facilities.

The current requirement of the Planning Act is to include community improvement as part of a comprehensive land use planning program. Within the Township of Orillia, the areas of concentration under this program will include those areas where there is evidence of physical deterioration or lack of an appropriate level of service. The improvements are intended to maximize the efficiency in the use of existing public services and facilities. These improvements may assist the area in promoting and stimulating economic development and redevelopment which may, in turn, promote job creation, an improved assessment base and the maintenance of the existing community structure. It is expected that this public sector investment within the community will further encourage an attractive atmosphere for private sector investment. Hence, it is the goal of this Plan to provide for the ongoing rehabilitation and upgrading of the existing community structure.

The policies stated in this Plan represent a statement of Council's commitment to the continual maintenance and upgrading of the existing community structure.

### **G1.7.2 Criteria Required for the Designation of Community Improvement Areas**

The criteria for which regard must be had in the identification and designation of a Community Improvement Area are outlined below:

- a) there are indications that the area will become deficient in terms of the level of municipal services; that it, watermains, sanitary and/or storm sewers, in that such services may be required to provide an adequate level of service to properly meet the needs of the area in the future;
- b) there are areas of existing or potential land use conflicts in the form of residential/commercial/industrial/institutional or other conflicts which may prejudice the functional or economic role of the area in accordance with the intent of this Plan;
- c) the area contains vacant and under-utilized lands and buildings or structures which could be developed or redeveloped in a manner which reinforces the functional role of the area, provides opportunities for energy conservation and, at the same time, provides for the enhancement of the municipal tax base;
- d) the area has been identified as requiring improvements in terms of streets, streetlighting and/or sidewalks, either now or in the future, in order to adequately serve the needs of area residents;
- e) the area has been identified as being deficient in terms of neighbourhood and/or community parkland, recreational or community facilities inclusive of such facilities as athletic fields, community centres, or other similar recreational facilities;
- f) the area contains man-made hazards, such as poor intersection design, which should be eliminated in order to ensure a greater degree of public safety and to further enhance the community function.

In accordance with the provisions of the Planning Act, R.S.O. 1990, as amended, the communities of Coldwater, Washago and Westshore as delineated on Schedules A1, A2, and A3 and forming part of this Plan are hereby designated as a Community Improvement Areas.

### **G1.7.3 Policies**

- a) In order to designate additional Community Improvement Areas to expand the boundaries of the existing Community Improvement Area, an amendment to this Plan shall be required. Council shall have regard for the criteria outlined in Section 11.7.2 of this Plan in the designation of a Community Improvement Area.
- b) The general principles and policies of this section shall be implemented in the following manner:
  - i) identifying specific community improvement project areas and the preparation of Community Improvement Plans;

- ii) utilizing public funds and participating in a variety of municipal, provincial and federal programs;
  - iii) through the acquisition of land;
  - iv) encouraging orderly development of lands as a logical and progressive extension of existing areas through infilling of under-utilized areas;
  - v) encouraging the private sector to utilize available public funds and participate in associated programs;
  - vi) encouraging the rehabilitation of existing buildings and structures to uses which are compatible with the surrounding area;
  - vii) through the Zoning By-law which encourages the intensification and integration of compatible land uses;
  - viii) considering an application to the Ontario Heritage Act; and
  - ix) through the property standards By-law.
- c) Council may by By-law designate the lands within a Community Improvement Area as a "Community Improvement Project Area". Council shall have regard for the basis of selection and boundaries and the Community Improvement Project Area.
- d) Where Council has adopted a By-law pursuant to the provisions of Section 28 (2) of the Planning Act, to designate a Community Improvement Project Area, Council may undertake the preparation of a Community Improvement Plan for the area. Regard shall be had for the following matters in the preparation and adoption of a Community Improvement Plan, namely:
- i) the land use designations and intent of this Official Plan;
  - ii) the nature of existing land uses and the physical condition of the buildings and structures;
  - iii) the existing level of services and the nature of improvements proposed to the municipal infrastructure; that is, roads, water supply, sanitary and storm sewers, public utilities and other community facilities;
  - iv) the identification of properties proposed for acquisition and/or rehabilitation;

- v) the estimated costs, means of financing and the staging and administration of the project;
  - vi) the phasing of improvements and the means of implementation;
  - vii) the provision of sufficient flexibility, as circumstances warrant, where project and costing revisions are necessary;
  - viii) the provision for citizen involvement during the preparation of the Community Improvement Plan; and
  - ix) the potential for stimulating private sector investment and an improved municipal assessment base.
- e) Council shall have regard for the phasing of improvements in order to permit a logical sequence of events to occur without creating unnecessary hardship for area residents and/or businesses. For the purposes of this Plan, priority shall be given to those improvements relating to municipal services, public roads, streetlighting, storm drainage, sidewalks and community and recreational facilities. The phasing of specific community improvement projects shall be determined by Council having regard for those matters set forth under paragraph (d) hereof.

## **G1.8 LAND ACQUISITION**

The Council of the Corporation of the Township of Severn may acquire land to implement any feature of this Plan in accordance with the provisions of the Planning Act, The Municipal Act or any other Act.

## **G1.9 CAPITAL WORKS PROGRAM**

The extension or development of capital works related to public projects within the Township of Severn shall be in conformity with the provisions of this Plan. Council shall consider the preparation and adoption, without the necessity of an amendment to this Plan, a five year capital staging improvement program to implement the provisions of this Plan. It is further intended that such a program be reviewed annually as part of the capital budgeting procedure with regard for changing socio-economic conditions throughout the Municipality.



## **G2 NON-CONFORMING USES**

### **G2.1 INTENT OF OFFICIAL PLAN**

As a general rule, existing uses that do not conform with the policies of this Plan should gradually be phased out so that the affected land use may change to a use which is in conformity with the goals of the Official Plan and the intent of the implementing zoning by-law. In some instances, it may be necessary and practical to allow the replacement, extension or enlargement of non-conforming uses through the granting of a minor variance or by placing the use in an appropriate zone in the implementing zoning by-law. In such instances, Council shall have regard for the following principles:

- a) The feasibility of acquiring the property for holding, sale, lease or development by the Township for a more appropriate permitted use; and,
- b) The possibility of relocating the non-conforming use to another site.

### **G2.2 ROLE OF THE COMMITTEE OF THE ADJUSTMENT**

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

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

### **G2.3 ROLE OF THE IMPLEMENTING ZONING BY-LAW**

Existing uses which do not conform with the policies of this Official Plan may be zoned in the implementing zoning by-law in accordance with their present use, provided that:

- a) the zoning will not permit any change of use or performance standard that may negatively impact adjoining uses;

- b) the uses do not constitute a danger to surrounding land uses, humans or animals by virtue of their hazardous nature;
- c) the uses do not interfere with the appropriate development of the surrounding lands; and,
- d) when the use is discontinued, re-zoning may only take place in accordance with the policies and intent of this Plan.

### **G3 NON-COMPLYING BUILDINGS, STRUCTURES OR LOTS**

A non-complying building, structure or lot is such that it does not comply with the regulations of the implementing zoning by-law.

A non-complying building or structure may be enlarged, repaired or renovated provided that the enlargement, repair or renovation:

- a) does not further increase a situation of non-compliance;
- b) complies with all other applicable provisions of this Plan and the implementing zoning by-law;
- c) does not increase the amount of floor area in a required yard or setback area; and,
- d) will not pose a threat to public health or safety.

A non-complying lot in existence prior to the effective date of the implementing zoning by-law that does not meet the lot area and/or lot frontage requirements contained within the implementing zoning by-law, may be used and buildings thereon may be erected, enlarged, repaired or renovated provided the use conforms with the applicable policies of this Plan and the implementing zoning by-law, and the buildings or structures comply with all of the other provisions of the implementing zoning by-law.

### **G4 AMENDMENTS TO THE PLAN**

It is the intent of this Plan to serve as the basis for managing change in the Township for the next 20 years. As a result, this Plan identifies enough land for residential, commercial and industrial uses to last until the year 2022.

It is the intent of this Plan that this Plan should only be amended when the policies of this Plan have been found not to address issues or alternatively, issues have been raised with respect to site-specific proposals that must be addressed in a comprehensive manner. However, where Amendments are contemplated by this Plan, they shall be considered by Council.

Council may eliminate notice to the public and a public meeting for a minor Official Plan Amendment that does the following:

- a) Changes the numbers of sections or the order of sections in the Plan, but does not add or delete sections;
- b) Consolidates previously approved Official Plan Amendments in a new document without altering any approved policies or maps;
- c) Corrects grammatical or typographical errors in the Plan which do not affect the intent or affect the policies or maps;
- d) Rewords policies or re-illustrates mapping to clarify the intent and purpose of the Plan or make it easier to understand without affecting the intent or purpose of the policies or maps; and,
- e) Translates measurements to different units of measure or changes reference to legislation or changes to legislation where the legislation has changed.

In all other instances, notification to the residents of the Township of public meetings held by Council shall be given in accordance with the procedures of The Planning Act.

## **G5 INTERPRETATION OF LAND USE DESIGNATION BOUNDARIES**

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

It is recognized that the boundaries of the *Environmental Protection* designation may be imprecise and subject to change. The Township shall determine the extent of the environmental areas on a site-by-site basis when considering development proposals, in consultation with the appropriate agencies. Any minor refinement to the *Environmental Protection* designation shall not require an Amendment to this Plan.

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

## **G6 OFFICIAL PLAN REVIEW PROCESS**

The assumptions, objectives and policies of this Plan shall be reviewed at least once every five years at a meeting of Council, which shall be advertised in accordance with the Planning Act, as amended.

The five-year review shall consist of an assessment of:

- a) the effectiveness of the Plan in protecting water quality, heritage resources, natural resources and habitat and the general environment within the Township;
- b) the continuing relevance of the vision that forms the basis of all policies found in this Plan;
- c) the degree to which the objectives of this Plan have been met;
- d) the amount and location of lands available for urban development;
- e) whether the Township has realized a desirable balance of commercial and industrial assessment in relation to residential assessment;
- f) the Township's role within the County and its relationship with other municipalities;
- g) development trends in the County and their effect on development in the Township; and,
- h) the nature of any Province - wide planning initiatives and their implications on the Township of Severn.