



# **OFFICIAL PLAN OF THE TOWN OF WASAGA BEACH**

**Adopted September 9, 2003  
Approved by County of Simcoe June 22, 2004**

## ***OFFICE CONSOLIDATION August 2025***

**(Includes Official Plan Amendment Nos. 1 through 59)**

Please Note: This is an Office Consolidation. An original copy of the Official Plan is lodged with the Planning Department and available upon request.

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## **SCHEDULES**

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<b>SCHEDULE “C”</b>	MUNICIPAL SERVICING AREA
<b>SCHEDULE “D”</b>	NATURAL HERITAGE SYSTEM
<b>SCHEDULE “E”</b>	RECREATIONAL TRAILS SYSTEM
<b>SCHEDULE “F”</b>	PLANNING AREA DESIGN POPULATIONS
<b>SCHEDULE “G”</b>	WELLHEAD PROTECTION AREAS AND VULNERABLE AQUIFER AREAS
<b>SCHEDULE “H”</b>	COMMUNITY IMPROVEMENT PROJECT AREAS

## **APPENDICES**

<b>APPENDIX 1</b>	Table WH1 – Risk Categories by Land Use Table WH2 – Wellhead Protection Area Land Use Restrictions
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## SECTION 1

### TITLE AND COMPONENTS

- 1.1 The Official Plan for the Town of Wasaga Beach consists of the written text of Sections 1 through 22 and Schedules “A-1” through to “A-10” and Schedules “B”, “C”, “D”, “E”, “F” “G” and “H”.
- 1.2 The accompanying appendices are not part of the Official Plan receiving formal approval from the County of Simcoe and are included as background information only.
- 1.3 The land uses shown on Schedule “A” to this document establish the pattern of land use for the following categories:
- Residential
  - Commercial
  - Tourism
  - Industrial
  - Waste Disposal
  - Institutional
  - Open Space
  - Natural Hazards
  - Natural Heritage
  - Rural
- 1.4 The symbols shown on Schedule “A” are not intended to control the precise locations of the land uses they represent. Similarly the Recreational Trails System shown on Schedule “E” is in some instances only representative of the general location of the current or proposed trail location and linkages.
- 1.5 This document shall be known as:
- “THE OFFICIAL PLAN OF THE TOWN OF WASAGA BEACH”**
- 1.6 Schedule “A” comprises nine separate map schedules being Schedules “A-1”, “A-2”, “A-3”, “A-4”, “A-5”, “A-6”, “A-7”, “A-8”, “A-9” and “A-10”. For the purpose of this Plan, a reference to Schedule “A” is understood to be a reference to any or all of the separate map Schedules being “A-1” through “A-9” or to any subsequent maps that may be added to this Plan that incorporate the letter “A” as an identifier.

## SECTION 2

### PURPOSE AND BASIS

#### 2.1 **PURPOSE**

- 2.1.1 This Plan is a guide to Town Council in the exercise of its powers of land use control and the construction of public works.
- 2.1.2 The Plan provides the framework within which Council and the Committee of Adjustment can assess the merits of proposals for the development and exercise of their powers to pass zoning by-laws, to control subdivision development and to grant consents for conveyances of land.
- 2.1.3 The Plan provides a means to set out and implement County and Provincial planning policy.
- 2.1.4 Council shall, from time to time, review this Plan in light of changing conditions and circumstances within the Municipality, and where or when necessary, the Plan shall be amended accordingly to keep in pace with such changes or trends. Furthermore, Council, in accordance with the *Planning Act*, as amended, shall, from time to time, and not less frequently than every five years, review this Plan by the holding of a special public meeting for the purpose of determining the need to make changes to the Plan.

#### 2.2 **BASIS**

##### 2.2.1 **Background Studies**

This Plan has been prepared based on a number of previous background studies listed as follows:

- i) Market Report on Wasaga Beach (2008)
- ii) Transportation Study Update (2006)
- iii) Development Charges Background Study (2007)
- iv) Culture and Recreation Master Plan (2003)
- v) Wasaga Beach Natural Heritage System Background Review and Landscape Model (2005)
- vi) Wasaga Beach Tourism Strategy (2007)
- vii) Active Transportation Plan for the Town of Wasaga Beach (2008)
- viii) South Simcoe Municipal Groundwater Study (2004)
- ix) Ten Year Capital Works Forecast (2008)

##### 2.2.2 **Assumptions**

This Plan is based on the following assumptions:

- a) Pressure for residential and economic growth within the region will continue;

- b) The Town of Wasaga Beach will continue to act as an important recreational and tourism centre;
- c) The Town of Wasaga Beach will play an increasingly important role as a residential centre in the Simcoe-Georgian Bay area;
- d) The Town will continue to attract a high proportion of persons of near retirement age or retirement age together with middle aged people and families of diverse origins from the Greater Toronto Area (GTA) and surrounding area; and,
- e) The Town will extend the current municipal sanitary sewer and water service, in the long term, to an area that would accommodate approximately 35,000 persons.

## 2.3

### **MISSION STATEMENT**

The Town is responsible for the delivery of municipal services to residents, businesses and tourists in a cost effective creative and environmentally sensitive manner that provides opportunities for all to enjoy family life, earn a living and pursue leisure activities. The Town is committed to developing an inclusive community in a managed fashion that understands the link between health, well-being and the environment while enabling everyone to enjoy the unique geography and quality of life offered within the Town of Wasaga Beach.

## 2.4

### **VISION STATEMENT**

Wasaga Beach is a thriving fully serviced community offering a variety of residential, educational and commercial choices in neighbourhoods developed in harmony with the environment and respectful of its history and culture that provides its residents, businesses and visitors with a full range of services, while promoting healthy lifestyle and high community standards.

## **SECTION 3**

### **GOALS OF THE OFFICIAL PLAN**

- 3.1 The Plan has been prepared within the context of urban development and tourism areas and the regional and recreational development patterns of the Province.
- 3.2 The goals of this Plan include
- a) Providing municipal sanitary sewer and water services to the urban development area of the Town;
  - b) Maintaining the natural amenity and agricultural function of the rural area of the Town in the short term, in compliance with Provincial growth management targets;
  - c) Protection and conservation of “Natural Hazards” and “Natural Heritage” areas in their natural state;
  - d) Developing tourism areas that serve as the focus for significant tourism activities in the Town;
  - e) Providing a general plan for staging of residential, commercial, and employment development in the Town that retains flexibility both in spatial and quantitative terms;
  - f) Designating areas for future employment lands that are compatible with surrounding uses;
  - g) Establishing and developing locations for local, retail, service and commercial centres. These locations should be centralized and provide maximum accessibility recognizing the existing and future pattern of residential development and transportation facilities;
  - h) Provide policies to restrict the creation of residential lots not served by a municipal sanitary sewer and water system;
  - i) Provide policies to encourage a broad range of housing choices and tenures;
  - j) Provide policies in regard to the encouragement, to continue the development, maintenance and enhancement of a system of recreational trails both internal to the Town and linking to trails on a regional level;
  - k) Provide policies that contribute to the protection, maintenance and enhancement of water and related resources;

- l) Provide policies to ensure that growth and development occur in a manner that will minimize public health and safety issues, including the protection of human life and property from water related hazards such as flooding and erosion;
- m) Provide policies for the conservation of the natural environment, including wetlands, woodlands, areas of natural and scientific interest, habitat of endangered species and threatened species, fish and wildlife habitat, and lakes, rivers and streams on an ecosystem management basis;
- n) Provide policies in regard to land use decisions that promote water and energy conservation and support the efficient use of water resources on a watershed basis;
- o) Policies to plan for public streets, spaces and facilities to be safe, accessible, meet the needs of pedestrians and facilitate pedestrian movement, including but not limited to walking and cycling;
- p) Ensuring that all development or redevelopment meets a high quality of community and urban design; and,
- q) Policies to improve accessibility for people with disabilities and to encourage the elimination of barriers to their mobility and full participation in the community.
- r) Supporting the achievement of a complete community through the revitalization of Downtown Wasaga Beach with Main Street as the focus for mixed-use development and intensification. The Downtown will function as a strategic growth area, represent the social, economic, and cultural heart of Wasaga Beach, and continue to develop as a high-quality pedestrian-oriented environment.

## SECTION 4

### GENERAL DEVELOPMENT POLICIES

- 4.1 The Town shall guide and control all development to prevent undue adverse effect to the environment.
- 4.2 The rate of population growth of the Town, while conditioned by national, provincial and regional circumstances, shall be integrated with the rate of employment growth such that the financial capability of the Town is not adversely affected.
- 4.3 Prior to the consideration of any development proposal Council may undertake or direct to be undertaken, planning studies including the ecological, social and economic impact on residents of the Town, delineation of internal road patterns, distribution of housing types, location of schools, parks, shopping facilities, pedestrian walkways, buffer strips, consideration of urban and landscape design concepts, and, effect on the municipal tax base.
- 4.4 The Town may require an environmental analysis of existing site conditions including servicing and stormwater management studies as a condition for approval of development. Refer to Section 17.3 for additional policies concerning stormwater management practices.
- 4.5 Council shall ensure, through enactment of Comprehensive Zoning By-laws and passage of other appropriate regulatory by-laws pursuant to the provisions of the *Planning Act*, as amended, and the *Municipal Act*, as amended, and the *Building Code Act*, as amended, that adequate development and land use standards are established and required for all development. Such standards may relate to such things as the display of signs and advertisements, off-street parking, loading requirements and other design criteria, including buffering, landscaping, improvements to the active transportation network, and controls to regulate the height, bulk, location, floor size area, spacing and the external design of buildings or structures.
- 4.6 Council will encourage all new development and redevelopment to have regard for, implement and maintain the latest and most appropriate healthy community standards and features.
- 4.7 The Town will promote and encourage alternative and sustainable energy features and designs, as appropriate, throughout the Municipality.
- 4.8 Council will encourage the maintenance and preservation of cultural heritage resources which include, but are not limited to archaeological sites, buildings and structural remains of historical and architectural value, and rural, village and urban districts or landscapes of historic and scenic interest.
- 4.9 The Town, public authorities and private individuals will be encouraged to develop open space areas as parks and recreational areas. Natural hazard

and natural heritage areas will be protected from undesirable and damaging forms of development including site and topography alteration except as may be permitted by the appropriate government agencies having jurisdiction. Compatible uses and various forms of recreation activities will be considered as will the public acquisition of these lands when practical so that these natural resources can be enjoyed by the public and preserved.

- 4.10 Council will encourage the development, maintenance and expansion of an active transportation network and recreational trails system to service both local and regional interests. In particular, new development should, where possible and appropriate integrate recreational trail aspects and active transportation considerations, especially where linkages to existing trails can be made or enhanced, in the design of such new development.
- 4.11 When considering applications for development or redevelopment, Council may require the completion of a Traffic Impact Study and shall ensure that any vehicular access to Provincial highways and arterial roads is through a limited number of defined entrances and exits in order to maintain the safety and efficiency of these roads.
- 4.12 No development shall be allowed in the Town that would place undue burden on the financial resources of the Municipality. A desirable balance of residential, commercial and industrial assessment shall be sought to maintain a good financial position for the Town. Developments which would require the expenditure of large amounts of public money shall be discouraged. Development should occur in such a manner as to minimize such expenditures.
- 4.13 Council shall ensure in considering any proposed Amendments to this Plan that the applicant provide a statement detailing the impact of such an Amendment on all related policies of the Plan.
- 4.14 Development shall have regard for the natural topography of the land. Where possible and practical, the topographic features should be integrated into any design to minimize the disturbance of the land pattern.
- 4.15 Retention of the natural tree and brush cover, where appropriate shall be the goal of any development. Where possible, groupings of stable, mature trees should be retained through attention to this detail in the design stage. Where the retention of the existing trees is not possible, the replanting of trees shall be incorporated into the development of the property.
- 4.16 Development shall be sufficiently set back from steep slopes and ravines so as to eliminate risks to persons and property from unstable slopes. The development setback distance shall be determined on a site specific basis by a qualified professional. As a minimum, in establishing a setback distance, the following should be considered; slope configuration including height and inclination, soil type, layering and groundwater patterns, vegetation type and cover, site surface and drainage and the nature of the development proposed.



The policies of Section 12.6 may apply in regard to a site having an adjacent watercourse.

- 4.17 The Town, in consultation with the Conservation Authority and other government agencies and organizations shall encourage the establishment of environmental monitoring programs in order to measure the effectiveness of the environmental polices of the Official Plan.
- 4.18 Development and site alteration proposed within a flood plain, fill plain and within watercourses shall require the prior written approval of the conservation authority under the *Conservation Authorities Act*.
- 4.19 All farm and non farm development within the Town should comply with the Minimum Distance Separation Formula, as amended.
- 4.20 Where new development is likely to have an adverse affect on existing uses or in the converse, a study which assesses the possible impacts, which may include noise, odour, vibration, particulates or other emissions, may be requested. Such a study will be completed to the satisfaction of the Town and other appropriate agencies and shall, as may be appropriate, make recommendations to adequately achieve separation distances and other mitigation measures.
- 4.21 Brownfield Development - Proposed development on any known or suspected contaminated site shall be the subject of a study by a qualified professional, in accordance with any applicable government guidelines, which will investigate and provide a remedial plan as required. Where the need for remediation is confirmed, the proposed restoration works will be completed or implemented prior to development taking place.
- 4.22 The Town has an interest in ensuring that all development or redevelopment meets a high quality of design relating to built form and meets all requirements of applicable Provincial legislation. Standards of urban design may be enacted through the creation and implementation of municipal urban design guidelines, which may be applicable to residential, commercial, industrial, and institutional development.

Municipal urban design guidelines should seek to identify the Town's overall design goals and core principles, including: environmental sustainability; healthy communities; transit supportive planning and design; high quality streetscapes; high quality neighbourhoods, communities and individual developments; preservation and enhancement of the natural environment; safety; establishment of an open space/parks master plan and/or trail development plan; development of urban fabric design principles; and creation and implementation of architectural design guidelines and/or control.

The purpose of the urban design guidelines is to represent the Town's vision for new development and redevelopment. The urban design guidelines shall set out the requirement for individual architectural design guidelines and

identify a design review process for the following development or redevelopment:

- a) Subdivision and infill development, including multi-unit development proceeding by way of site plan control and plans of condominium;
- b) Commercial subdivision, condominium and site plan applications;
- c) Industrial subdivision, condominium and site plan applications; and,
- d) Institutional site plan applications.

4.23 Council shall encourage accessibility improvements for seniors and people with disabilities by avoiding physical, technological, attitudinal and information barriers which restrict their full participation in the community. This shall include consideration of the needs of seniors and people with disabilities in the review, design, and construction of public and private spaces, in accordance with Provincial legislation.

4.24 Council will encourage the aesthetic improvement of the main vehicular and pedestrian entrances to the Town, particularly those with the highest volumes of traffic being Provincial Highway 26 and County Road 92. Signage, landscaping, trailheads, and urban design elements including but not limited to the establishment of view corridors are encouraged to further promote the Town as a unique tourism destination.

## **SECTION 5**

### **RESIDENTIAL**

#### **5.1      OBJECTIVES**

- 5.1.1      To provide distinct residential areas which have a harmonious integration of housing types;
- 5.1.2      To encourage and provide for a Town wide structure of residential communities separated from industrial and tourism areas;
- 5.1.3      To encourage a high standard of community design through creation and implementation of urban design guidelines, for both existing and new development such that the overall image of the Town is upgraded. The standards of community design should have regard for the urban, semi-rural and recreational aspects of the Town, and have consideration for existing residential neighbourhoods;
- 5.1.4      To encourage recreational trails system and particularly linkages to established or proposed trail systems in the design of any new development;
- 5.1.5      To control residential growth such that the existing level of commercial to residential assessment does not further decrease, and to endeavour to further reduce the dependence on residential assessment;
- 5.1.6      To encourage the provision of a wide range of housing types and styles on a range of lot sizes;
- 5.1.7      To support housing affordability and create rental housing opportunities by permitting accessory dwelling units within residential dwellings, where appropriate;
- 5.1.8      To allow limited infill development outside that area of the Town serviced by a municipal sanitary sewer and water system, while ensuring that the majority of approved residential development occurs within the serviced areas; and,
- 5.1.9      To maintain and encourage evenly spaced natural buffering zones which provide drainage, encourage and protect wildlife and their habitat and assist with controlling air and noise pollution.

## 5.2 **POLICIES**

### 5.2.1 **Land Uses**

5.2.1.1 The designation of land as “Residential” shall mean that the uses in the areas so designated shall be for residential purposes. Areas designated “Residential” are shown on Schedule “A”.

5.2.1.2 Such uses that are compatible with and serve the basic residential use generally termed public and institutional uses may be also permitted in residential areas subject to the zoning by-law. Public and institutional uses shall include churches, community centres, day care centres, libraries, schools and senior citizens housing.

5.2.1.3 In order to support housing affordability and provide for a wider range of housing options for residents of Wasaga Beach, an accessory dwelling unit is permitted in residential areas within a single-detached, a link, a semi-detached, and a townhouse dwelling unit. In order to maintain the character of the main residential use, any exterior alterations or additions shall not significantly change the appearance of the main residential dwelling and shall have regard for any applicable urban design guidelines.

The Zoning By-law will set out the limitations for permitted locations, servicing requirements, and development standards for accessory dwelling units. The Town may establish a registration or licensing program to regulate and/or administrate attached accessory dwelling units.

For the purpose of the interpretation and clarification, the following shall apply:

- a) When determining the density of a proposed development application or existing residential area, accessory dwelling units shall not be included in the density calculation to determine conformity with the maximum density constraints of Section 5, Residential, of this Plan; and
- b) This policy shall also apply to the Residential land use designations in Section 21, The Sunnidale Trails Secondary Plan Area, of this Plan.

5.2.1.3.1.1 Home occupation uses will be permitted providing they are secondary to the residential use and that they do not alter the character of the residential area. The Comprehensive Zoning By-law may set out the specific uses permitted and contain appropriate regulations pertaining to requirements such as maximum floor area, parking, signage, storage and any other appropriate regulation intended to protect adjacent uses.

5.2.1.4 The Town recognizes the importance of diversifying tourism accommodation opportunities as a means of attracting a broader range of choice for the travelling public. Bed and breakfast uses will be permitted in single-detached dwellings within the Low Density Residential and Country Club Community land use designations, provided they are secondary to the residential use, they

do not alter the character of the residential area, and they comply with the Town's Business Licensing By-law requirements. The comprehensive Zoning By-law may set out the specific uses permitted and contain appropriate regulations pertaining to requirements such as location, maximum floor area, parking, signage, storage and any other appropriate regulation intended to protect adjacent uses. A bed and breakfast use may be subject to Site Plan Control.

#### 5.2.2 **Buffering**

Buffers shall be provided between residential development and incompatible uses, to the satisfaction of Council.

#### 5.2.3 **Recreational Trails**

Subject to the policies of Section 11.4, Recreational Trails, it is the policy of the Municipality to promote the development of a multi level recreational trails system within the Town to service both local and regional interests. The development or redevelopment of any lands for residential purposes should have regard for this policy and the opportunity, if any, for the lands proposed for development to support this effort in concert with the recreational trails policy section noted above.

#### 5.2.4 **Low Density Residential**

- a) Shall generally be located in accordance with Schedule "A";
- b) In areas serviced by a municipal water system only, detached, semi-detached and duplex dwellings may be permitted to a maximum density of 8.75 units per net residential hectare (3.5 units per net residential acre);
- c) In areas with a municipal sanitary sewer and water system, detached, semi-detached and duplex dwellings may be permitted to a maximum density of 20 units per net residential hectare (8 units per net residential acre);
- d) In areas without a municipal sanitary sewer and water system, detached dwellings may be permitted, dependant on soil conditions, to a maximum density of 7 units per net residential hectare (3 units per net residential acre);
- e) Approval of new plans of subdivision in areas without a municipal sanitary sewer and water system shall be based on the demand for larger lots not available within the serviced area and shall be restricted so as to not create a large surplus of vacant lots and must conform to the County of Simcoe Official Plan, Servicing Policies;
- f) The granting of consents in areas not serviced by a municipal sanitary

sewer and water system shall not result in the creation of additional building lots. Notwithstanding this policy, consents may be granted in either of the following situations:

- i) One consent per lot may be permitted subject to the approval of servicing by the appropriate approval agency, provided the consent conforms with all other relevant policies of the Plan and there is a dwelling existing on the lot as of October 24, 1978, which is the date of adoption of the first Official Plan for the Town of Wasaga by Council; or,
  - ii) Consents may be granted on an infilling basis, provided that any consent shall be located between two existing residentially used lots, the distance between the two abutting property lines shall not exceed 75 metres (250 feet), the consent conforms with all relevant policies of the Plan, and subject to the approval of servicing by the appropriate approval agency. Further to the above, the timing of the eventual extension of municipal sanitary sewer and water systems shall be taken into account in the consideration of the granting of any consent. Where it is determined that services are likely to be extended to the subject area within approximately five years, the consent should be denied.
- g) The development of residential modular home parks, as defined herein, may be permitted within the “Residential” designation and are subject to the policies of this subsection:
- i) For the purpose of this subsection the term modular home park is used to identify the type of development addressed herein. A modular home park is a parcel of land used predominately for residential purposes. This type of use is typically predicated on the development of a single lot, land lease approach, which has been divided into sites upon which the modular home units are located. The development is centrally administered and features self contained amenities including accessory uses such as an administrative or rental office, limited ancillary commercial facilities to serve the residents, recreational and hobby shop uses including a recreation center, open space and park uses and accessory storage facilities.
  - ii) For the purpose of this subsection a modular home is a movable or portable dwelling unit constructed to be towed or transported on its own chassis, connected to utilities and provided with a permanent foundation for year round living. It may consist of one or more units that can be folded collapsed or telescoped when transported and expanded later, or of two or more units, separately transportable but designed to be joined into one integral unit. The modular home shall contain living and sleeping accommodation, sanitary and kitchen facilities and is serviced by

attachment to sanitary sewer and water systems beyond the individual unit.

- iii) All proposed modular home parks shall proceed by way of an Official Plan Amendment in conformity with the policies of this section and any other applicable policies of this Official Plan.
- iv) Development of modular home parks may be subject to site plan control under the applicable provisions of the *Planning Act*, as amended, and the policies of Section 19.6 of this Plan or through a development agreement suitable to the Municipality.
- v) Prior to any development occurring, a site plan or development agreement shall be entered into with the Municipality. Such an agreement shall include an accurate map showing road patterns, number of sites, stormwater management facilities, and shall include provisions relating to matters such as landscaping, street lighting, garbage disposal, general maintenance, storage facilities and open space and recreational areas and other aspects of construction, servicing and site design deemed necessary by the Municipality.
- vi) It is not intended that modular home parks will be developed in proximity to or integrated with either current or proposed residential development that has or will be developed through the registered plan of subdivision or condominium process.
- vii) As a general rule, modular home parks should be buffered from adjacent uses.
- viii) In regard to access, it is recommended that a single controlled access point serviced by a municipal road of appropriate standard to accommodate the anticipated traffic be required.
- ix) Any such development will be serviced by full municipal services or a communal servicing system as approved by the Municipality or the appropriate approval agency.
- x) The proposed development shall demonstrate a thorough consideration of community design and function.
- xi) The implementing zoning by-law shall include regulations relating to such items as minimum lot area and frontage, appropriate setbacks from lot lines, densities, minimum site size, minimum residential unit size, separation distance of residential units, open space and amenity requirements and other requirements deemed necessary by the Municipality.
- xii) As a minimum, 10% of the area of the modular home

development shall be reserved and developed for open space and recreational use.

#### **5.2.5 Medium Density Residential**

- a) Shall mean semi-detached, linked semi-detached, duplexes, triplexes, fourplexes, linked and street townhouses and similar multiple dwellings;
- b) Shall generally not exceed a density of 37 units per net residential hectare (15 units per net residential acre); and,
- c) Appropriate regulations including height, bulk and setback restrictions will be determined in the zoning by-law.

##### **5.2.5.1 In approving medium density residential uses, Council shall have regard for the following:**

- a) Specific sites which are well suited to medium densities because of their amenities or other physical attributes;
- b) The availability of adequate and appropriate facilities and services including shopping, schools, parks, parking, traffic circulation, and surrounding transportation features;
- c) The physical relationship between the proposed medium density use and the adjacent uses and in particular to minimize impact on adjacent lower density residential uses;
- d) The proposed treatment of existing vegetation and future landscaping and appropriate buffering;
- e) The eventual community structure and the desirability and fit of the proposed use in this context; and,
- f) The location of other medium density residential uses.

##### **5.2.5.2 In addition to the site selection policies, as set out in Section 5.2.5.1, it is not intended that townhouse and similar multiple dwelling uses should be allowed to occur in a random fashion within established residential neighborhoods. Such new uses, occurring through development or redevelopment, should be located such that they have frontage either on the lake or river or onto collector or arterial roads or in the immediate vicinity of such roads.**

##### **5.2.5.3 Careful consideration must be given to the potential impact of such development on adjacent residential uses and appropriate design features such as setbacks, height, buffering, landscaping and building style, treatment and layout in harmony with the surrounding neighbourhood will form important components in the approval process of such uses. The presence of any or all locational factors does not imply that medium density development will necessarily be considered appropriate.**



5.2.5.4 Areas for medium density residential uses will not be designated in this Plan, but may be implemented through a rezoning and site plan agreement in accordance with the provisions of the *Planning Act*, as amended, without Amendment to this Plan.

5.2.5.5 It is sometimes very difficult to attempt to describe or provide clear direction for the establishment of new uses into existing developed areas through written planning policy. In large part, this is due to the sensitivity of local residents and their perception of their neighbourhood. In addition to the other policies of this section and to assist in promoting medium density development and at the same time setting out policies to preclude this type of development where it may not be appropriate the following is provided:

- a) Medium density residential development is encouraged to locate within the following areas:
  - i) Within areas designated “Tourism Commercial” and “Tourist Accommodation”;
  - ii) Within the Dunes Gateway area (Section 7.4.1); and,
  - iii) Within the Mosley Village area (Section 7.4.2).
- b) Medium density residential development is specifically discouraged within the following areas:
  - i) Adjacent to or within recently created residential subdivisions unless forming part of an overall agreed to development plan or are transitioning an abutting commercial development;
  - ii) The outlying east area of Town, more specifically east of John Street with the exception of the redevelopment of tourist establishments;
  - iii) Within the area of Mosley Street between 14<sup>th</sup> and 17<sup>th</sup> Street;
  - iv) Along and south of River Road West between Blueberry Trails and Oxbow Park Drive;
  - v) South of Knox Road West;
  - vi) The area south of Mosley Street and being west of 45<sup>th</sup> Street with the exception of properties fronting on either street; and,
  - vii) The outlying west area of Town, more specifically west of 71<sup>st</sup> Street.

5.2.5.6 Medium density residential uses may only be permitted in areas provided with a municipal sanitary sewer and water system.

5.2.5.7 Access to townhouses, rowhouses and similar multiple dwelling structures should be limited to one or two properly maintained driveways emptying onto collector or arterial streets, wherever possible. Only triplex and double duplex dwellings should be located so as to require the use of local streets on which other residential uses are located.

5.2.5.8 New medium density residential uses permitted by the policies of this section may be subject to site plan control. In addition to the above, the development or redevelopment of existing medium density uses located within the "Residential" designation or otherwise permitted by this Plan, which would result in the significant expansion of usable floor area of the use, may be subject to site plan control. Reference should be made to Section 19.6 regarding additional policies concerning site plan control.

## 5.2.6 **High Density Residential**

- a) Shall mean apartments or similar kinds of multiple dwellings;
- b) Shall not exceed a density of 74 units per net residential hectare (30 units per net residential acre); and,
- c) Appropriate regulations including height, bulk and setback restrictions shall be determined in the zoning by-law.

5.2.6.1 In approving high density residential uses, Council shall have regard for the following:

- a) Specific sites which are well suited to low building coverage and higher densities because of their amenities or other physical attributes;
- b) The availability of adequate facilities and services including shopping, schools, parks and transportation;
- c) The physical relationship between the proposed high density use and adjacent uses;
- d) The impact of traffic on the street network;
- e) The eventual community structure; and,
- f) The location of other high density residential uses.

5.2.6.2 Areas for high density residential uses will not be designated in this Plan, but will be implemented through an Amendment to this Plan having regard for the criteria in Section 5.2.6.1.

5.2.6.3 High density residential uses may only be permitted in areas provided with a municipal sanitary sewer and water system.

5.2.6.4 Access to high density residential uses should be limited to one or two properly maintained driveways emptying onto collector or arterial streets, wherever possible.

5.2.6.5 Development or redevelopment of high density residential uses permitted by the policies of this section may be subject to site plan control as provided for in Section 19.6.

## 5.2.7 **Country Club Community**

This land use designation is intended to achieve the following objectives:

- a) To provide for the development of a prestige large-lot residential community;
- b) To integrate residential development with recreational opportunities;
- c) To encourage a high standard of community design;
- d) To preserve the natural landscape (Dunes Park and Creek Valleys); and,
- e) To enhance recreational opportunities associated with the country club community.

### 5.2.7.1 Land Uses

Lands designated as “Country Club Community” shall be limited to the permitted uses and shall include single detached dwelling units and recreational uses. Recreational uses shall include both passive and active parkland uses and country club and related club house facilities.

### 5.2.7.2 Policies

5.2.7.2.1 In approving country club uses, Council shall have regard for the following:

- a) Residential areas within the “Country Club Community” designation shall be developed by plan of subdivision. Consents to sever will only be considered if the proposed lot fronts on to a municipal street, meets the prevailing standard of development in the surrounding community, and it can be clearly demonstrated that a plan of subdivision is not necessary.
- b) Residential development shall be provided on the basis of communal water supply and individual sewage disposal systems. The Municipality is under no obligation to provide municipal sanitary sewers and watermains to any country club community development.
- c) Residential lots shall be a minimum area of 1,400 square metres

(15,000 square feet). However, this size is variable and shall be increased based on local soil conditions. A qualified soils consultant shall, in conjunction with the appropriate approval agency, conduct necessary soils analysis to determine the minimum lot size to accommodate private septic systems for residential use. In addition, a Hydrogeological Report will be required to determine the number of lots to be approved in a subdivision and the quality and quantity of potable groundwater that is available. Studies shall also address the issue of nitrate loading and potential impact on existing wells in the area.

- d) Residential development in the vicinity of any natural watercourse shall be sensitive to the natural environment. In order to prevent flooding of residential properties during storm conditions, all subdivision plans shall meet the requirements of the conservation authority. The developer shall prepare a Stormwater Management Report for any proposed development within the “Country Club Community” designation.
- e) Regulations for residential development shall be provided in the municipal zoning by-law. Regulations shall establish minimum lot sizes and dimensions, minimum dwelling sizes, appropriate setbacks from property lines, fencing and swimming pool regulations. Zoning standards shall provide for strict municipal control to maintain a high level of privacy and the country club community atmosphere of proposed residential development.
- f) Country club community development shall be contiguous with built-up urban areas or abutting other country club community development. No country club community development shall conflict with existing agricultural uses, particularly livestock or poultry uses.
- g) Recreational uses associated with the “Country Club Community” designation shall be developed concurrently with residential development. Public parkland shall be developed to blend with the natural landscape of the area.
- h) Golf and country club facilities shall be developed for the use of local residents and the general public. Overall neighbourhood design shall be carefully coordinated to ensure the design blends with the natural environment and is aesthetically pleasing as possible.
- i) Some open space areas, such as golf courses and river valleys, may be held in private ownership and may, therefore, not be opened to the general public. Neighbourhood design, which shall include private and public recreational areas, shall incorporate a public trail system, wherever possible.
- j) An Environmental Impact Study (EIS) shall be prepared by the proponent of any country club community development in order to determine the potential impact of the proposal on the natural

environment. The Environmental Impact Study shall include the following:

- i) Identification of natural environmental features such as hazard lands, watercourses, valley lands, sand dunes, etc. likely to be impacted by the development;
- ii) Detailed description of the development proposal and potential impact on the natural environment;
- iii) Identification of solutions and/or mitigating measures to ensure no negative impact of the development on the natural environment; and,
- iv) Setting up of a monitoring system to ensure both the short and long term protection of the natural environment and the person/agency responsible for the operation and maintenance of the monitoring system shall be identified in the report.

### 5.3 **IMPLEMENTATION**

- 5.3.1 Residential development, whether by subdivision or otherwise, will not be permitted if such development may cause an undue extension of public services or if such development would cause an undesirable pattern of growth which would prevent orderly growth in a compact manner.
- 5.3.2 Where appropriate, Council's approval of plans of subdivision will be subject to the completion of a drainage plan for the lands involved to the satisfaction of Council and the appropriate government agencies having jurisdiction. The proposed scheme shall ensure that there is no adverse impact within the watershed.
- 5.3.3 Generally, new residential development will not be approved unless parkland or funds in lieu of the land as may be required under the *Planning Act*, as amended, are dedicated or paid. The dedication of parkland or payment in lieu of such parkland shall be determined by Council on the merits of the individual subdivision including the physical condition of the land, the location of the subdivision and the availability of existing parkland facilities.
- 5.3.4 All lands dedicated to the Municipality shall be conveyed in a physical condition satisfactory to the Municipality. Where open watercourses are involved, adequate space shall be provided for maintenance operations.
- 5.3.5 In subdivision applications involving the dedication of relatively small areas of parkland, the Municipality shall have regard for the possibility of the future provision of adjacent available land to enlarge such a park. This policy is included to encourage the acquisition of parkland rather than the acceptance of cash in lieu.

- 5.3.6 Approval of development within residential areas will be subject to the availability, or the provision of, such services as may be required including adequate park and school facilities.
- 5.3.7 The cost of necessary physical services shall be normally borne by the developer.
- 5.3.8 Subdivisions will require Council approval of civic design and landscape concepts. Existing reference plans may require re-subdivision prior to approval by Council.
- 5.3.9 No extension shall be permitted to non-conforming uses within areas designated for "Residential" uses except in accordance with Section 19, Implementation, of this Plan.
- 5.3.10 All residential development shall have regard to the requirements outlined in Section 17, Servicing and Staging, of this Plan.
- 5.3.11 The Town shall investigate and encourage the provision of financial assistance in the rehabilitation of housing through senior government programs.
- 5.3.12 Urban design guidelines may be developed by the Town to provide direction for new residential subdivision and condominium development on the following matters:
- i) Residential development principles, including:
    - a) Housing types: detached and semi detached, townhouses, apartments;
    - b) Siting;
    - c) Garage placement;
    - d) Focal points and priority lots;
    - e) Massing and articulation: roofs, facades, materials, colours, projections;
    - f) Landscaping and fencing;
    - g) Streetscaping; and,
    - h) Variety of housing type and style.
  - ii) Implementation through Architectural Control;
- All new residential development shall take into consideration and generally conform with the Town's urban design guidelines.

## 5.4 **STAGING**

- 5.4.1 It is not intended that all land designated in this Plan for residential purposes will be zoned initially for such use. In order to regulate the development of such lands it shall be the policy of Council to place certain lands in Holding "H" Zones in order that such lands may be released for development when

required by Amendment to the Comprehensive Zoning By-law. Refer to Section 19.2 for further policies.

- 5.4.2 In considering any new plans of subdivision, Council will have regard for the existing inventory of vacant residential lots to ensure that an excess of undeveloped lots is not created.

5.5 **PLANNING AREAS**

- 5.5.1 For planning purposes, the Town is divided into planning areas which are generally bounded by arterial roads. The boundaries of the Planning Areas and their anticipated total potential populations are shown on Schedule "F".

- 5.5.2 In order to ensure that the future development of all or part of a planning area proceed in an orderly and satisfactory manner, the Town may require that prior to new urban development being approved, a comprehensive secondary plan be prepared for all or a portion of a planning area.

- 5.5.3 If a secondary plan is deemed to be required, the Town shall only recommend that development approvals be granted in accordance with the land use designations and policies of an approved secondary plan.

- 5.5.4 The natural hazards and natural heritage areas and policies identified by a comprehensive Environmental Impact Study completed as part of a secondary plan background study shall be general in nature and subject to refinement through further site specific study completed as a requirement of the draft plan of subdivision review and approval process.

- 5.5.5 A secondary plan required for all or a portion of a planning area should include policies concerning, but not restricted to, the following topics:

- a) Total long range estimated population forecasts for the secondary plan area;
- b) Anticipated pattern and distribution of land uses;
- c) Protection and conservation of natural heritage features of the area;
- d) Distribution, variety and density of permitted housing types;
- e) Establishment of neighbourhood focal points, including schools, parks, places of worship, open space, and other community facilities;
- f) Encourage the involvement of the appropriate education authority in the planning of school facilities and the evaluation of existing education facilities and services, to serve new and existing development;
- g) Urban design, architectural guidelines and cultural features;

- h) Road patterns and engineering standards for arterial, collector, local roads, pedestrian trail linkages and bicycle paths;
- i) Provision for local and/or district commercial facilities;
- j) Servicing and drainage strategies; and,
- k) Staging.

## 5.6 **EXCEPTIONS**

### 5.6.1 **Residential Modular Home Parks**

In addition to the other applicable policies of this Plan, the following site specific policies shall apply with respect to those lands designated “Residential” on the east side of Golf Course Road in part of the South Half of Lot 26, Concession 7, Schedule “A-6”, former Township of Flos.

- 5.6.1.1.1 Development may take the form of a modular home community on a land lease basis with appropriate accessory facilities and amenities such as a swimming pool, hall and open space areas.
- 5.6.1.2 Development of the site for a modular home community shall be subject to site plan control under the applicable provisions of the *Planning Act*, as amended, and the policies of Section 19.6 of this Plan.
- 5.6.1.3 Development of the site shall be phased to ensure the upgrading of services when required during the course of development. Such phasing may involve the use of Holding “H” Zones in accordance with the applicable provisions of the *Planning Act*, as amended, and Section 19.2 of this Plan. The holding “H” symbol shall be removed when the required improvements to the servicing systems have been completed to the satisfaction of the Town and all agencies having jurisdiction.
- 5.6.1.4 Although designated “Residential”, the seasonal use development of the subject lands is recognized as a permitted use. The conversion of this area to permanent occupancy modular home development is permitted. Any conversion will require an Amendment to the zoning by-law.
- 5.6.1.5 Any development of the subject lands shall be in conformity with the findings and recommendation of the November 1999, Wildlife Habitat Impact Study. In keeping with that study, a 10 metre wide buffer area shall be provided and maintained as a natural regeneration area abutting the entire length of the site’s eastern boundary. A barrier such as a fence that is impervious to egress by people and domestic animals shall be constructed along the entire inside edge of this 10 metre buffer area of natural vegetation. These features shall be approved by the Ministry of Natural Resources and shall be incorporated into the site plan and associated agreement for any development of the subject lands. Also, said agreement shall require the developer to provide to each



existing and new resident of the development an educational package on the significance of the adjacent wildlife habitat.

## **5.6.2 New England Village (The Eastern Gateway)**

That those lands located within Part of North Half of Lot 23, Part of North Half of Lot 22, Part of South Half of Lot 22 and all of South Part of Lot 23, Concession 8, former Township of Flos, Town of Wasaga Beach, County of Simcoe, as designated on the attached Schedule "A-7" are in addition to the policies of Sections 5.1 through 5.4 inclusive of the Plan, subject to the policies of this section in regard to a comprehensively planned residential/recreational community within the subject area. This community will feature residential uses, a golf course, retail commercial, tourism accommodation, tourism commercial and institutional uses such as an elementary school, subject to the following:

### **5.6.2.1 Objectives and Policies**

The land use designation is intended to achieve the following objectives and policies:

#### **5.6.2.1.1 Community Master Plan**

- a) To facilitate the development of this area and the subject lands in a comprehensive and progressive manner subject to an overall community master plan concept.
- b) To foster a strong sense of community identity in this area by following good strong urban design practices and developing a comprehensive network of open space areas and an active transportation trail system that link components of the development along with external connections to and with the broader community.
- c) To ensure that the land uses will complement and contribute to the vitality of the Town.
- d) To encourage interesting and innovative urban design and built form wherever feasible and appropriate.
- e) To establish and confirm the details of new development through the preparation of implementing plans of subdivision or condominium, zoning by-laws, site plans and development agreements and require that all development be subject to urban design guidelines and architectural control.
- f) Parkland dedication at five (5%) percent will be conveyed to the Municipality as part of the draft plan of subdivision approval process.

- g) To protect the ecological health and integrity of existing stream corridors and other environmental features.
- h) To establish a road system that provides high levels of accessibility and mobility to all users and which operates at satisfactory levels of safety, efficiency and reliability.
- i) To allow for the logical, orderly and comprehensive phasing of future development.
- j) To ensure that development takes place in an orderly and logical sequence and based on an overall community phasing plan.
- k) As part of the plan of subdivision approval process and prior to the passage of the implementing zoning by-law amendment, the community master plan will be subject to detailed urban design and architectural control.
- l) To provide for the development of a new public elementary school, if needed, to serve the residents in the east end of Wasaga Beach.

#### 5.6.2.1.2 Community Vision and Urban Design

- a) To create a vibrant, sustainable and healthy community through compact built form and development, attractive streetscapes and with a pedestrian and transit supportive orientation based on an overall community master plan concept, subject to the review and approval of the Municipality.
- b) To create and promote a high quality residential community through the introduction and implementation of urban design policies which seek to establish a definitive character for community neighbourhoods, streetscapes and which will promote a high quality of design, attractive views and a sense of architectural continuity.
- c) To encourage the development of neighbourhood character through compatible building siting and styles, and the creation of an attractive streetscape by reducing the predominance of the garage.
- d) To discourage homogeneous unit types within individual development blocks.
- e) To encourage building articulation and fenestration appropriate to the residential recreational and tourism theme of the Town.
- f) To establish gateway elements along public rights of way at appropriate entrance locations into the community.

- g) Vistas and views of significant natural features should be created, maintained and enhanced where appropriate.
- h) Buildings will be sited to establish appropriate opportunities to overlook and create clear visual and spatial orientation between publicly accessible and private open space areas.
- i) To create a distinct and diverse residential community by encouraging the establishment of pedestrian friendly streets, streetscapes and neighbourhoods and provide trails, walkways, paths and other linkages with open space areas through the creation and implementation of an overall community open space master plan subject to the review and approval of the Municipality.
- j) To ensure that urban design criteria is set out and defined through the preparation and creation of urban design and architectural control guidelines which are subject to the review and approval of the Municipality.
- k) To ensure that community identity and neighbourhood character is established through the implementation of an overall community vision through municipally approved urban design guidelines and privately administered architectural control guidelines.
- l) To ensure that the urban design guidelines take into consideration the recommendations and suggestions of the master open space plan and will outline specific design principles that should be incorporated into subsequent development applications.
- m) To ensure that the architectural control guidelines will outline directives and recommendations concerning architectural styles, detailing and siting matters, and will set out the architectural review and approvals process.
- n) The design of the physical environment will have regard for Crime Prevention Through Environmental Design (CPTED) Ontario principles and promote personal and public safety.

#### 5.6.2.1.3 Community Structure and Form

- a) To encourage a broad range of housing choice, a mix and variety of dwelling types, built forms and tenure, supported by a range of associated complementary densities based on an overall community master plan concept.
- b) To promote a range and variety of housing forms and ensure a range of densities through the designation of lands for low, medium and high density residential uses.

- c) The overall structure and form of the community will be based on the overall community master plan concept and implemented through subdivision draft plan approval and the implementing zoning by-law amendment, and subject to site plan control approval.
- d) The housing mix for the subject lands will consist of four (4) general categories. These categories would include low density large lot single detached dwellings (lot frontages of 52 to 60 feet), low density small and medium lot single detached (lot frontages of 30 to 50 feet) and semi-detached dwellings, medium density development comprised of laneway-based and/or street-oriented semi-detached and townhouse dwellings, and high density development comprised of decked townhouse and low-rise apartment buildings, consistent with the overall community master plan concept.
- e) The housing mix within the overall community master plan and within individual future development blocks is intended to be flexible and the overall community will generally be comprised of a range of 900 to 1,400 residential units, 500 to 850 single-detached / low density residential lots, 300 to 350 medium density units, and 100 to 200 high density residential units, based on the overall community master plan concept and subject to plan of subdivision, implementing zoning by-law amendment and site plan control approvals.
- f) Lands designated as "Open Space" for purposes of the golf course will remain under one single ownership and any future development prohibited under open space uses of any golf course lands will be subject to an Amendment to the Official Plan.
- g) The private open space realm will consist of private parkettes, condominium roads, a trail system over private lands and the golf course lands.
- h) The public open space realm will consist of municipal parklands and parkettes, a trail system over public lands, municipal roadway allowances and environmental protection lands all to be dedicated to the Town of Wasaga Beach.
- i) The public and private open space realm will be integrated as part of a comprehensive active transportation network and trail system subject to an overall community open space master plan with appropriate public access provisions such as permanent easements over private lands to ensure integrated connectivity.
- j) Community plan density provisions will generally conform with the policies of the Official Plan.
- k) Notwithstanding the permitted density policies, density provisions may be exceeded based on the provision of public community benefits and

contributions including additional open space opportunities, public realm enhancements and improvements, an integrated active transportation trail network, and the integration of private and public realms.

- l) In order to facilitate active transportation opportunities the lands designated “Low Density Residential” situated in close proximity to the “Institutional” designation shall, if feasible, be developed to the maximum allowable density, subject to the policies contained within Section 5.2.4 and within the context of the overall community master plan as implemented by the draft plan of subdivision and zoning by-law amendment.
- m) Notwithstanding the permitted density provisions of this Plan, the overall density will be based on the articulation of the community vision, the implementation of the community master plan concept and associated urban design guidelines and the approval of the agreed upon density will be acknowledged through the implementing zoning by-law amendment.

#### 5.6.2.2 Environmental Management Policies

In addition to the other environmental policies of this Official Plan, the following environmental management policies apply to the lands subject to this section:

- a) It is recognized that that the watercourses on the lands are an important component of the Town’s natural heritage system and contribute to the Marl Lake Area of Natural and Scientific Interest (ANSI) and the associated Provincially significant wetland. It is the intent of this Official Plan to ensure that the aquatic resources associated with these watercourses are protected and enhanced as a result of the development of the lands.

In this regard, the approval of a master drainage plan will be required before the draft approval of any plan of subdivision on the lands is granted. The purpose of this study will be to review the impacts of the proposed development on these aquatic resources and to make recommendations on how these resources can be protected and enhanced. The development of “on-stream” ponds on the lands will not be permitted. The master drainage plan shall be prepared in accordance with the Stormwater Management Practices, Planning and Design Manual (1994) or its successor as prepared by the Ministry of the Environment and Energy and shall:

- i) Provide recommendations on a stormwater quality/volume reduction system which ensures that post-development run-off rates will not be greater than the pre-development run-off rates for storms up to and including the 1:100 year event;

- ii) Document the means to minimize the impacts of development on watershed flow regimes including their interconnection with groundwater resources; and,
- iii) Provide recommendations on how to ensure that the new development will have no negative impacts on the water quality within the Little Marl Creek watershed including Marl Lake.

The master drainage plan will be subject to the review of the appropriate agencies, which include the Department of Fisheries and Oceans, the Ministry of Environment, the Conservation Authority and the Town.

- b) The use of lands designated “Natural Heritage System Category 1” on Lots 22 and 23 Concession 8 for a golf course is not permitted.
- c) A floodplain associated with Little Marl Creek is located on the lands subject to this section of the Official Plan. It is proposed that the floodplain within the South Half of Lot 23 will be contained within a 60 metre wide corridor on the lands. It is a policy of this Plan that no further approval (such as draft approval of a plan of subdivision) be given until the appropriate agencies are satisfied that:
  - i) The hazards associated with the floodplain can be safely addressed and the development and site alteration can be carried out in accordance with the established standards and procedures;
  - ii) New hazards will not be created and existing hazards not aggravated;
  - iii) No adverse environmental impacts will result; and,
  - iv) There will be no negative impacts on the aquatic resources associated with the watercourse.
- d) In accordance with the *Conservation Authorities Act*, the following works require a permit or the written approval of the conservation authority:
  - i) The straightening, changing, diverting or interfering in any way with the existing channel of a watercourse;
  - ii) The placing or dumping of fill of any kind on the subject property; and,
  - iii) The construction of any building or structure in the regulatory floodplain or in a wetland area.
- e) A stream corridor width of 60 metres will be established for Little Marl Creek (the east-west watercourse) within the South Half of Lot 23. The

straightening, changing, diverting or interfering in any way with the existing channel may be permitted within the 60 metre wide corridor, provided approvals are obtained from the appropriate agencies, which include the Conservation Authority and the Department of Fisheries and Oceans. A stream corridor width of 30 metres will be established on the north-south watercourse within the North Half of Lot 23 and the east-west extension through the South Half of Lot 22.

- f) Policies under this Plan will permit a proposed realignment of the Marl Creek Municipal Drain and with the relocated watercourse channel as depicted on Schedule “A-7”, to be designated within an “Open Space” land use designation. The intent of Plan policies is not to pre-suppose nor pre-empt the requisite approvals for the relocation of the municipal drain. It is the intent of Plan policies however to remain flexible with regard to the final configuration of the adjacent “District Commercial”, “Tourism Accommodation” and “Tourism Commercial” land use designations abutting the municipal drain feature and the “Open Space” designation as long as the intent of such designations remains unchanged. The implementing zoning by-law will implement the final outcome of the municipal drain realignment review and the realignment shall be subject to the review and approval of the necessary technical reports to the satisfaction of the Department of Fisheries and Oceans, the Ministry of Environment, the Conservation Authority and the Town. The municipal drain feature shall be placed in a restrictive zone category, such as the Environmental Protection (EP) Zone, in the implementing zoning by-law. The final configuration of the “Open Space” designation for the Marl Creek Municipal Drain and the adjacent land use designations will be implemented without the need to further amend this Plan and may be further incorporated as part of a Town-initiated housekeeping mapping Amendment.
- g) Any area that is determined to be technically unsuitable for development as a result of the support documentation or studies identified by this section, shall be placed in a restrictive zone category, such as the Environmental Protection (EP) Zone, in the implementing zoning by-law.

#### 5.6.2.3 Institutional

It is intended that the 2.0 hectares designated for institutional use be developed as a new public elementary school. The exact location and configuration of the school site is to be reviewed during the plan of subdivision approval process. The school site should, if feasible, be developed in conjunction with a public park. If the school board decides that the school site shown on the schedules to this Plan is not required, and failing further Town consideration and acquisition of the lands for other community use purposes, the lands may be used for residential purposes without the need to amend this Plan.

#### 5.6.2.4 Land Use Designations

The lands subject to this section of the Official Plan are designated “Residential”, “Low Density Residential”, “Medium Density Residential”, “High Density Residential”, “District Commercial”, “Tourism Commercial”, “Tourism Accommodation”, “Institutional”, “Open Space” and “Natural Heritage System Category 1”. The policies of these designations, found within this Official Plan, apply to the development of these lands.

- 5.6.2.5 In addition to the uses permitted in the 'Service Commercial' designation, local retail, personal service, restaurants, office uses, tourism accommodation, institutional and accessory residential uses shall also be permitted on lands subject to Section 5.6.2.5.

Notwithstanding the policies of Section 6.2.3, warehousing, light manufacturing, inside storage, automotive, marine and trailer sales supply and service and similar uses shall not be permitted on lands subject to Section 5.6.2.5.

#### 5.6.3 **Zoo Park Retirement Community**

Those lands located within Part of Lot 25, Concession 9, Schedule “A-7”, may include in addition to the permitted residential uses, local commercial uses as set out in Section 6.

#### 5.6.4 **Bay Colony Neighbourhood**

In addition to the other applicable policies of this Plan, the following site specific policies shall apply to those lands designated “Residential” and shown on Schedule “A-1” as “Subject to Section 5.6.4” located west of 45<sup>th</sup> Street South in Lot 32, Concession 1, former Township of Nottawasaga.

- 5.6.4.1 The Bay Colony neighbourhood is recognized as having distinct characteristics within the Town of Wasaga Beach. The neighbourhood is shown on Schedule “A-1” and is defined as being properties south of Trillium Creek and located on Baywood Way, Caralynn Place, Idlewood Drive, Manor Crescent, Rodrium Road, Trillium Court, White Birch Way and Wildwood Drive. The neighbourhood is described as being primarily comprised of lots with 30 metre frontages, a built form of ranch style bungalows and side-splits, with generous setbacks from front lot lines and, façade treatments of natural construction products such as wood, stone, and brick. The lots within the neighbourhood are characterized with generous landscaping which favours the maintenance of mature tree cover. The layout and character of the neighbourhood is more consistent with development in a more rural setting.

- 5.6.4.2 The lots within the neighbourhood were originally serviced with drilled well and septic systems. As municipal services are extended into the Bay Colony neighbourhood, it is expected that some lots within the neighbourhood will be subject to subdivision. It is recognized that the introduction of smaller lots and



varying styles of built form housing into the neighbourhood has the potential to alter the character of the neighbourhood. In this regard, the residential zoning of the area shall consider a front yard setback requirement which recognizes the predominant setbacks within the neighbourhood and, will also apply a requirement that attached garages shall not project beyond the face of the dwelling by more than approximately 1 metre. As a general guideline, development on lots created by consent within the Bay Colony neighbourhood should respect the predominant flavour of façade treatments and have regard to architectural detailing which promotes the use of natural façade materials such as wood stone or brick.

5.6.4.3 The creation of new lots within the Bay Colony neighbourhood shall provide for consideration of the distinct residential character and the built form of the neighbourhood. In particular, applications for consent to sever shall satisfy the following conditions of approval;

- a) The submission of a tree retention and landscaping plan; and,
- b) The submission of a site layout plan showing the development of proposed lots relative to abutting properties.

#### 5.6.5 **Stonebridge**

That those lands located within Concession 9, Part of Lot 26, Town of Wasaga Beach designated “Low Density Residential”, “Medium Density Residential”, and “High Density Residential” on the attached Schedule “A-7” are, in addition to the policies of Sections 5.1 through 5.4 inclusive of the Plan, subject to the policies of this section.

##### 5.6.5.1 Objectives and Policies

The designation of these lands for Low Density, Medium Density and High Density Residential uses is intended to achieve the following objectives and policies:

- a) To foster a strong sense of community identity by following good urban design practices and developing a comprehensive network of trails and open space that provide connectivity to the various areas of the development.
- b) To establish and confirm the details of new development through the preparation of implementing plans of subdivision and condominium, zoning by-laws, site plans and development agreements and require all development to be subject to architectural control.
- c) To encourage a broad range of housing choice in terms of type and tenure.
- d) To discourage homogeneous unit types within individual blocks.

- e) To encourage building articulation and fenestration appropriate to the recreational and tourism inspired theme of the Town.
- f) To centrally site high density uses so that there is declining transitional height towards surrounding existing detached dwellings.
- g) Vistas and views of significant natural features should be created, maintained and enhanced where appropriate.
- h) Buildings will be sited to establish appropriate opportunities for overlook and create clear visual and spatial distinction between publicly accessible and private open space.
- i) The design of the physical environment will have regard for CPTED principles and promote personal and public safety.
- j) To establish gateway elements along public rights of way at appropriate entrance locations into the community.
- k) Notwithstanding the permitted uses of Section 5.2.4(c) of the Plan only detached and semi-detached dwellings shall be permitted on those lands designated "Low Density Residential" on Schedule "A-7".
- l) In addition to the dwelling types permitted under the provisions of Section 5.2.5(a) of the Plan, detached dwellings shall be permitted on those lands designated "Medium Density Residential" on Schedule "A-7".
- m) Detached dwellings shall be permitted on those lands designated "Medium Density Residential" and on Schedule "A-7" but shall not exceed 25% of the dwelling units within this designation.
- n) Notwithstanding the policies of Section 7.3.10, this section does not apply to those lands designated "Low Density Residential", "Medium Density Residential" and "High Density Residential" on Schedule "A-7".

#### 5.6.6 **Mosley Street Apartment Building**

In addition to the other applicable policies of this Plan, the following site specific policies shall apply to those lands designated "High Density Residential" and legally described as Lots 1 and 2 Registered Plan 835 and Lots 1, 2 and 3 Registered Plan 1293, Geographic Township of Sunnidale, Town of Wasaga Beach, County of Simcoe. The total number of units shall not exceed 44. A natural treed buffer shall be maintained along the north and east property boundaries.

#### 5.6.7 **Wasaga Dunes Resort**

That those lands located within Part Lot 4, Part of Lot 3, Concession 14, East

of Sunnidale Road, Geographic Township of Sunnidale, now in the Town of Wasaga Beach, County of Simcoe, designated "Residential" and shown on Schedule "A-2" are, in addition to policies of Section 5.1 through 5.4 inclusive of this Official Plan, subject to the policies of this section

#### 5.6.7.1 Species at Risk Protection Measures

- a) Prior to residential development on these lands a Shading Study is to be completed to ensure that Eastern Hog-nosed Snake habitat is not negatively impacted.
- b) An exclusion fence is to be provided around the perimeter of the developable area.
- c) Directional lighting shall be utilized to minimize impacts to the natural heritage features by directing lighting away from those features.
- d) Educational and/or interpretive signage should be explored to educate and inform the future residents of the natural heritage features on-site.
- e) Prior to residential development on these lands all mitigation measures outlines in the Azimuth Environmental Consulting Inc., Scoped Environmental Impact Study, May 2016 and any additional studies/reports shall be adhered to.

#### 5.6.7.2 Maximum units permitted

The maximum number of units permitted on the developable portion of the subject site shall be 42 units.

#### 5.6.8 **2355573 Ontario Inc. (Ortino)**

That those lands located within Part Lot 20, Concession 10, in the Town of Wasaga Beach, County of Simcoe, designated "Residential" are, in addition to the policies of Section 5.1 through 5.4 inclusive of the Official Plan, subject to the policies of this section:

##### 5.6.8.1 Eastdale Drive Residential Development

- a) The total number of units shall not exceed 156
- b) A Trail Master Plan is to be prepared as a condition of draft plan approval. Linkages to any adjacent public trails are to be identified in the Master Plan.
- c) A Tree Preservation Plan is required as a condition of draft plan approval.

- d) Approval from the Ministry of Natural Resources and Forestry will be required to address Species at Risk matters on the subject lands. Development and site alterations shall not be permitted in habitat of endangered species and threaten species, except in accordance with provincial and federal requirements.

**5.6.9 2355574 Ontario Inc. (Ortino) – Deerbrook Drive**

That those lands located within Part Lot 20, Concession 10, in the Town of Wasaga Beach, County of Simcoe, designated “Residential” are, in addition to the policies of Section 5.1 through 5.4 inclusive of the Official Plan, subject to the policies of this section:

**5.6.9.1 Deerbrook Drive Residential Development**

- a) The total number of units shall not exceed 120.
- b) A Trail Master Plan is to be prepared as a condition of draft plan approval. Linkages to any adjacent public trails are to be identified in the Master Plan.
- c) A Tree Preservation Plan is required as a condition of draft plan approval.
- d) Approval from the Ministry of Natural Resources and Forestry will be required to address Species at Risk matters on the subject lands. Development and site alterations shall not be permitted in habitat of endangered species and threaten species, except in accordance with provincial and federal requirements.
- e) Development will comply with the province’s Minimum Distance Separation Formulae. The review area will include, but is not limited to the livestock facility located south of Deerbrook Drive/Flos Road 10 in the Township of Springwater. Holding provisions and/or conditions of approval (draft plan of subdivision/condominium, rezoning or consent) shall be imposed to limit any future development of the area impacted by MDS. The holding provisions and/or conditions of approval may not be lifted and/or cleared until the development complies with Minimum Distance Separation Formulae.

**5.6.10 River Road East Apartment Building**

The lands located at 66 – 90 River Road East, being Parts 1, 2, 3, 4 and 5, Plan 648, Town of Wasaga Beach, and shown on Schedule “A-7” shall be subject to the following policy:

- 5.6.10.1 Notwithstanding the provisions of the Residential designation of the Official Plan, a maximum density of 78 units/hectare is permitted for lands municipally known as 66-90 River Road East.

**5.6.11 West Wasaga Lifestyle Community**

- 5.6.11.1 The lands located on 2315 Fairgrounds Road being Part of Lot 36, Concession 4, former Township of Nottawasaga, in the Town of Wasaga Beach and shown on Schedule "A-1" is intended to be developed as a mixed residential and open space lifestyle community with the opportunity for complimentary commercial uses. This community will primarily contain medium and high density residential uses, and shall be urban in nature.
- 5.6.11.2 Any commercial component of the development shall be designed to cater to the local residents. Uses may include but not be limited to local-scale retail and service uses, restaurants, and fitness facilities.
- 5.6.11.3 Medium density residential uses are encouraged. The location of the residential uses is to be designed to take advantage of the proximity of open spaces and any commercial uses on the property.
- 5.6.11.4 Building heights on the lands designated "High Density Residential" shall not exceed 4 stories; one additional storey of above grade parking may also be permitted for a total of 5 stories, provided the top two stories are setback from the face of the buildings.
- 5.6.11.5 Buildings constructed on the lands designated "High Density Residential" shall be designed in a manner that reduces the massing and visual impact of the development along Beachwood Road (the former Highway 26 corridor).
- 5.6.11.6 Development along the frontage of Beachwood Road shall use barriers and plantings to provide visual buffering, as well as setbacks to establish distance separation from highway frontage, the Bluewater residential development, and other low density residential uses in the surrounding area.
- 5.6.11.7 The open spaces areas are an integral component of the site. The open space areas are generally to be designed for passive recreation and shall provide for a train network. Active recreational uses may also be developed on the open space areas.
- 5.6.11.8 Pedestrian linkages shall be established throughout the entire development. Connection to external existing and proposed pedestrian facilities are encouraged.
- 5.6.11.9 The site shall be comprehensively planned and designed to create a positive image and impression at the western gateway to the Town through a coordinated and high-quality development. Further approvals may be granted, subject to the review and approval of all applicable authorities and agencies concerning issues including, but not limited to, traffic, stormwater management, municipal servicing, and environmental impacts.

- 5.6.11.10 Urban design guidelines shall be developed for the site to the satisfaction of Council prior to site plan approval.
- 5.6.11.11 Development of the site may be phased. The open space lands shall be commenced during the initial phases.
- 5.6.11.12 The site shall be developed by way of plan of subdivision and/or condominium. Lots of division may occur through removal of part lot control, consent, or other appropriate means.
- 5.6.11.13 The implementing zoning by-law(s) may zone the subject lands in a Holding "H" Zone in accordance with Section 19.2 of the Town's Official Plan. The holding "H" symbol may be lifted by Council of the Town of Wasaga Beach, as required, on a phase by phase basis upon confirmation of the following:
- a) The confirmation of available servicing capacity for the site and that all services have been constructed and are operational to the site and on the required phase; and,
  - b) The execution of a site plan agreement for applicable development.
- 5.6.11.14 The Town has identified that there are servicing constraints affecting the site. These constraints may include but not be limited to sufficient water supply and sufficient sanitary pump station capacity. Prior to subdivision and/or condominium approval for the lands, it shall be demonstrated that there are no servicing constraint issues or, in the alternative, a solution to the constraint issues has been approved by the Town.
- 5.6.11.15 Assessment and delineation of any wetland(s) and/or natural heritage feature(s) will be carried out to the satisfaction of the Town and the Nottawasaga Valley Conservation Authority (NVCA) in support of any future Planning Act application(s). Any proposed impacts on such wetland(s) and/or natural heritage feature(s) identified may require mitigation in accordance with policies and/or guidelines in effect at the time.
- 5.6.12 **Sunnidale Road High Rise**
- In addition to the other applicable policies of this Plan, the following site specific policies shall apply to those lands designated High Density Residential together with the adjacent areas designated Environmental Protection and Open Space, on the east side of Sunnidale Road in part of Road Lot 2, East of the Road and West of the River, Concession XIV, being part of Township Lots 3 and 4, Concession XIV, Schedule "A-2", former Township of Sunnidale.
- 5.6.12.1 A condominium apartment complex, consisting of two main buildings shall be permitted. The total number of units shall not exceed 392 (5.3 hectares x 74 units per hectare). The development shall be phased with the southern most building constructed first being 8 storeys, or approximately 28 metres in height to the roof line of the penthouse units, and the northerly building being 7

storeys, or approximately 25 metres in height to the roof line of the penthouse units.

- 5.6.12.2 An accessory building, used initially as a sales office for the development, may be located near the entrance to the site, off of Sunnidale Road. This building may be modified and used for accessory uses once a sales facility is no longer required. This building shall have a coverage footprint of no larger than 372 metres squared and a height not to exceed 6.1 metres. Furthermore, there shall be a minimum of 15 parking spaces adjacent to this building.
- 5.6.12.3 There shall be only 1 access to the site via Sunnidale Road. Most resident's parking and some visitor parking will be located underground. A limited number of above ground parking spaces are permitted. Underground parking will be located closer to the lot line in some instances than the building itself. Details are noted in the Zoning By-law.
- 5.6.12.4 Land shall be dedicated to the Town of Wasaga Beach for the purpose of recreational trails. These lands shall generally follow the Nottawasaga River and are located within the Environmental Protection Lands on the east side of the property. The land dedicated to the Town shall be done so to the satisfaction of the Town. Approximately 4.6 hectares of land shall be dedicated to the Town of Wasaga Beach as Environmental Protection Lands. These lands shall include the high constraint area as according to the Environmental Impact Study, the area along the Nottawasaga River, and the area between the Geotechnical Setback and the top of bank.
- 5.6.12.5 Lands designated "Open Space" (medium constraint area as according to Environmental Impact Study) are anticipated to have limited active uses. Uses including tennis courts, walking trails and accessory recreational uses such as but not limited to horseshoe pits, lawn bowling; and similar uses where minimal tree removal or lot grading is required may be permitted.
- 5.6.12.6 A tree preservation plan and a retained vegetation and landscaping plan shall be prepared and approved to the satisfaction of the Town and shall form part of the Site Plan Control Agreement.
- 5.6.12.7 Once all development charges are paid, sewage capacity and allocation shall be reserved.
- 5.6.12.8 All development and redevelopment shall be subject to a Site Plan Control Agreement.
- 5.6.12.9 Participation by the developer is required for the cost sharing and/or front ending of the Knox Road East sanitary sewer system including sewage pumping station and associated sewer force mains for direct connection to the Wasaga Beach

Water Pollution Control Plant.

**5.6.13 15-19 18th Street North/ 305-315 Shore Lane / 722 Mosley Street**

The lands located at 15, 17 and 19 18th Street North, 305, 313 and 315 Shore Lane, and 722 Mosley Street, PLAN 674 PT LOTS 21 AND 22;RP 51R38176 PART 1, PART 2 and PART 3; PLAN 674 PT LOT 23 RP;51R38199 PART 1; PLAN 674 PT LOT 24 RP;51R38199 PART 2; PLAN 674 LOT 25 W PT LOT 26; and PLAN 674 E PT LOT 26, Town of Wasaga Beach, and shown on Schedule 'A-3' shall be subject to the following policy:

- 5.6.13.1 Notwithstanding Policy 5.2.6 b) of the Official Plan, a maximum density of 51 units per net residential hectare is permitted for lands municipally known as 15, 17 and 19 18th Street North, 305, 313 and 315 Shore Lane, and 722 Mosley Street.

**5.6.14 31 Lyons Court**

The lands designated "High Density Residential" located at 31 Lyons Court, Registrar's Compiled Plan 1698, Part of Lot 96, Town of Wasaga Beach, and shown on Schedule 'A' shall be subject to the following policies:

- 5.6.14.1 Notwithstanding the policies of Section 5.2.6.4 of the Town's Official Plan, access to the high-density residential uses located at 31 Lyons Court shall be limited to four properly maintained driveways onto collector or arterial streets.
- 5.6.14.2 That a maximum density of 39 units per net residential hectare shall be permitted on the whole of the subject lands.



## SECTION 6

### COMMERCIAL

#### 6.1 **OBJECTIVES**

- 6.1.1 To provide a wide range of commercial facilities and services and to increase the level of service available within the Municipality to permanent and seasonal residents and visitors;
- 6.1.2 To recognize the existing under supply of commercial services and reduce the deficiency of commercial space and degree of market leakage;
- 6.1.3 To promote the distribution of commercial facilities in order to ensure adequate levels of service in the west, central area and the eastern portions of the Municipality and to ensure that a sufficient supply of land is provided for new commercial development in appropriate locations;
- 6.1.4 To support the improvement of existing viable commercial uses and to ensure a high standard of design in all new commercial development through the implementation of urban design guidelines; and,
- 6.1.5 To encourage the infilling between existing commercial uses within the established commercial nodes of the Municipality.

#### 6.2 **LAND USES**

- 6.2.1 **Local Commercial** - this designation means a commercial area primarily serving the day-to-day needs of an adjacent residential community. It shall permit local retail, personal service, restaurants, and office uses. A local commercial area shall consist of a grouping of no more than 5 establishments.
- 6.2.2 **District Commercial** - this designation means a commercial area that permits a wide range of cultural, retail, personal service, tourism accommodation, automotive, institutional, office and accessory residential uses. This designation is intended to permit large scale developments that might include indoor malls which are encouraged.
- 6.2.3 **Service Commercial** - this designation means a commercial area that is designed to accommodate business offices, commercial schools, custom workshops, merchandise service shops, printing and publishing shops, light manufacturing, motels, nursery and garden centres, warehousing, automotive, marine and trailer sales, supplies and service, inside storage, and similar uses. Groupings of similar uses shall be encouraged. Where appropriate the use of an internal road system shall also be encouraged. The development of such areas should be buffered from residential uses.
- 6.2.4 **Recreational Commercial** - this designation permits tennis courts, athletic fields, indoor racquet sports, health clubs, swimming and wading pools, and

water slide facilities, indoor and outdoor arena, curling rinks, skiing facilities, billiards and bowling establishments, batting cages, go-cart tracks, game parlours and arcades, driving ranges, golf courses and club house facilities, parks and playgrounds, picnic areas and other similar uses.

### 6.3 **POLICIES**

6.3.1 Commercial facilities shall be encouraged to develop in such a manner so that they are compact, attractive and efficient and are located and sited to provide for active transportation features and be easily accessible by vehicular traffic. Where possible the use of mutual access points and internal road connections are encouraged.

6.3.2 To encourage the replacement of properties containing dwellings and cabin courts in the commercial areas with more appropriate commercial uses.

6.3.3 As a condition of development or redevelopment of land, Council may, as provided for under the *Planning Act*, as amended, require the conveyance of land or alternatively a cash payment in lieu of conveyance, for park or other recreational purposes, in the amount not exceeding 2% of the land area or the value of the lands as may be calculated through the provisions of the *Planning Act*, as amended.

6.3.4 Conceptual design and landscaping as they pertain to aesthetics and exterior materials shall form an integral part of all commercial development. Furthermore and where deemed appropriate, the reduction or bonusing of paved parking areas may be considered in exchange for additional landscaping, tree planting or other environmentally friendly features.

6.3.5 Urban design guidelines may be developed by the Town to provide direction for commercial development on the following matters:

i) Commercial and mixed-use development principles, including:

- a) Integration with pedestrian walkway systems;
- b) Site planning;
- c) Streetscaping and landscaping;
- d) Built form and massing;
- e) Parking lot design and landscaping;
- f) Signage; and,
- g) Relationship to adjacent uses.

ii) Implementation through Architectural Control;

All new commercial development shall take into consideration and generally conform with the Town's urban design guidelines.

6.3.6 To encourage street-scape and facade design unique or appropriate to the various commercial areas of the Town including decorative street-scape light

standards, planters, furniture, shade structures and facades using similar materials, exterior decorations, roof lines and signage.

- 6.3.7 Conceptual design and landscaping as they pertain to aesthetics, shade structures and exterior materials shall form an integral part of all commercial development.
- 6.3.8 Screening or buffer planting shall be provided between commercial uses and non-compatible uses to the satisfaction of Council.
- 6.3.9 Undue distractions in the form of glaring lights, colours not in compliance with any applicable urban design standards, and over-scaled features should be avoided.
- 6.3.10 Where mixed-use development is proposed, commercial and residential uses should be seamlessly integrated and work in conjunction with each other to create a pedestrian oriented environment. The implementing zoning by-law shall reinforce the commercial predominance of mixed-use development by minimizing the presence of residential dwelling units on the ground floor of a non-residential building.

#### 6.4 **EXCEPTIONS**

- 6.4.1 Those lands located within Lots 22 and 23, Concession 8, Schedule “A-7”, and designated “District Commercial” are in addition to the policies of this Plan subject to the following:
  - 6.4.1.1 All uses in Section 6.2.2 are permitted.
  - 6.4.1.2 All development shall be subject to site plan control. The following design principles shall be adhered to in considering an application for site plan approval.
    - i) Direct access to River Road West shall be minimized. The use of service roads to access the commercial development from public roads other than River Road West is to be encouraged wherever possible. Where a direct access is proposed, it shall be in a location where it would serve the most users and where it would cause no impacts to traffic flow in the area.
    - ii) Every effort should be made to ensure that the design and layout of the development respects the pedestrian as well as providing convenient access to motor vehicles. This means that the commercial uses should be linked with the recreational and residential development in the area by sidewalks.
    - iii) The visual impacts of the parking areas adjacent to River Road West shall be minimized by encouraging the parking of motor vehicles at the sides and rear of buildings instead of in front facing River Road West.

- iv) The erection of multiple free-standing signs adjacent to River Road West shall be discouraged in order to reduce the visual impact of the development.

6.4.1.3 It is intended that the development of these lands will occur in a phased manner linked to the development of adjacent residential lands. Initial commercial development is expected to take the form of commercial uses in support of adjacent development. Also land extensive commercial uses may be considered appropriate. As a general rule, however, new commercial development in this area of the Town should be directed further west along River Road West and Main Street in support of and in conjunction with present commercial development in an effort to group and centralize this type of land use.

6.4.1.4 Residential uses are prohibited from the retail/commercial designations along the south side of River Road West. Notwithstanding the foregoing a total of 11 work dwelling units are permitted with the area identified on Schedule "A-7" and designated "District Commercial" with grade related ground floor work space units generally restricted to a maximum size of 650 square feet (60 square metres). Any further residential uses would be subject to a further Amendment to the Official Plan.

6.4.2 Those lands located within Lot 36, Concession 4, Schedule "A-1", designated "Service Commercial" and subject to this section will be limited to public storage.

6.4.3 Those lands located within Lot 32, Concession 2 and Lot 33, Concession 3, Schedule "A-1", within the areas shown as referencing this subsection and designated "Service Commercial" may, in addition to the permitted uses of Section 6.2.3, also include the permitted uses and policies of Section 8, Industrial.

6.4.3.1 The intent of Section 6.4.3 is to widen the land use opportunities for the areas in support of future development. The mixing of the various land uses should generally be controlled through the site plan control process to encourage compatibility and reduce any perceived negative impacts between uses.

#### 6.4.4 **Stonebridge**

That those lands located within Concession 9, Part of Lot 26, Town of Wasaga Beach, designated "District Commercial" on the attached Schedule "A-7" are, in addition to the policies of Sections 6.1 through 6.3 inclusive of the Plan, subject to the policies of this section.

##### 6.4.4.1 Objectives and Policies

The designation of these lands for district commercial purposes is intended to achieve the following supplementary objectives and policies:

- a) The design of buildings, spaces and streetscapes will encourage pedestrian use, amenity and safety of all publicly accessible spaces.
- b) Pedestrian linkages in the form of on-street sidewalks, walkways, and/or trails, will be provided from Main Street, through the lands designated “District Commercial”, to open space beyond.
- c) Building and site design should create a sense of street definition, pedestrian scale and identity. Street definition means having built form located close to the street edge – both public streets and major internal driveway routes – with heights appropriate to its context.
- d) Buildings, parking areas, pedestrian plazas and walkways adjacent to Main Street shall provide adequate outdoor amenity space to facilitate an open air market. Plaza areas are small pedestrian gathering spaces that may include feature paving, seating, shade structures, planning, art or other amenities located beside or in front of buildings, or at corners, and having direct linkage to the public sidewalk.
- e) Buildings should address Main Street with detailed elevation fenestration inclusive of glazing and shall provide pedestrian walkways from the street sidewalk to building entrances.
- f) Primary vehicular access points from Main Street should be well-defined through hard and soft landscaping and where feasible, built form.
- g) All development will be subject to a privately administered architectural control program with Town of Wasaga Beach input, review and approval.

6.4.5 Those lands located within Lot 21, Concession 9, Schedule “A-8” and designated “Service Commercial” may, in addition to the permitted uses of Section 6.2.3, also include a paintball facility and recreational uses.

#### 6.4.6 **Stonebridge Mixed Use**

That those lands located within Block 7, Registered Plan 51M-923, in the Town of Wasaga Beach, County of Simcoe, designated “District Commercial” are, in addition to the policies of Section 6.1 through 6.3 inclusive of the Official Plan, subject to the policies of this section:

##### 6.4.6.1 Mixed Use Objectives

- a) To provide for a range and mix of uses within a vibrant, compact, walkable community character.

- b) Be a focal point for community activity for adjacent and surrounding communities.
- c) Require high quality urban design.
- d) Enhance the pedestrian realm and facilitate pedestrian connections to the surrounding communities.

#### 6.4.6.2 Mixed Use Policies

##### Mixed Use – Permitted Uses

- a) A wide range of local commercial, district commercial and service commercial uses, including office, retail, restaurant and service uses that serve the needs of the community and support the intended scale, built form and function of the property.
- b) Residential uses are permitted.
- c) Automotive oriented uses, such as gas stations, car washes, automobile service centres, or automotive establishment uses for the sale and purchase of auto parts and supplies, and drive-thru facilities, are prohibited.
- d) The Town of Wasaga Beach Comprehensive Zoning By-law may include provisions to discourage uses that would negatively affect the intended function and built form.

##### Mixed Use – Community and Built Form

- e) Built form and building design are to be compatible with the surrounding community and be pedestrian-oriented.
- f) Street-related commercial uses are encouraged along the arterial and collector road frontage.
- g) Building setbacks to the street frontage shall be minimized to frame the street edge, enhance the pedestrian realm and provide access to commercial uses for pedestrians.
- h) Require that buildings be designed to provide a transition in heights and density adjacent to residential low rise areas.
- i) Residential dwelling units are to be located above ground floor commercial or, where feasible, on the side and rear portions of the ground floor building area.
- j) A maximum height of 21 metres will be permitted.

- k) Locate and mass buildings to maximize sunlight and limit shadow impacts on adjacent properties.
- l) The pedestrian realm is to be improved and enhanced to ensure an attractive and safe pedestrian environment.
- m) Pedestrian connections are encouraged.
- n) High quality urban design is encouraged and shall be compatible with the surrounding community.

#### Loading and Parking

- o) Loading and garbage storage areas shall be screened from public view.
- p) Surface parking is permitted and shall be located at the side or rear of buildings and ensure access for commercial uses.
- q) An appropriate supply of parking shall be provided to serve residents, visitors and customers.

#### Parkland Dedication

- r) As a condition of development or redevelopment of land, Council may require that either conveyance of land or alternatively a cash in lieu of conveyance, for park or other recreational purposes, in an amount not exceeding 5% of the land area or the value of the lands as may be calculated through the provisions of the Planning Act, as amended.

## SECTION 7

### TOURISM

#### 7.1 **OBJECTIVES**

- 7.1.1 To promote major tourism facilities, attractions and support uses and establish a tourism destination of Provincial significance and beyond;
- 7.1.2 To improve the physical and activity image of the lands and developments designated "Tourism Accommodation", "Tourism Commercial" and "Campground Commercial" within the Town of Wasaga Beach. To group these tourism designations in close proximity to one another and to encourage their development, and the Town of Wasaga Beach as a tourism center;
- 7.1.3 To establish areas for tourism with facilities appropriate to their function and in locations compatible with surrounding areas;
- 7.1.4 To assist, in conjunction with the private development industry and public agencies in the creation of a more viable, broadly based tourism industry within the Town of Wasaga Beach;
- 7.1.5 To encourage the growth of winter tourism and the extension of the summer season;
- 7.1.6 To create a recreational community attractive to permanent residents, seasonal residents and tourists; and,
- 7.1.7 To support the maintenance and improvement of existing viable tourism uses and to ensure a high standard of design in all new tourism development through the development of urban design guidelines and implementation of architectural control.
- 7.1.8 To promote the redevelopment of Beach Areas One and Two as the main destination for four season tourism activity while complementing the natural attraction and access to the Nottawasaga Bay.

#### 7.2 **LAND USES**

- 7.2.1 **Tourism Accommodation** - means the predominant use of land in this area shall be to provide accommodation for the traveling public and accommodation for seasonal residents. Various types of temporary accommodation such as motels, hotels, motor courts, rental cabins, rental cottages, time shares, and bed and breakfasts are included in defining accommodation for the traveling public. Condominium and townhouse type development is included in defining accommodation for seasonal residents and are subject to the policies of Section 5, Residential, of this Plan. Accessory restaurant, retail and entertainment facilities clearly accessory to the above uses are also permitted and should be included within the main building of the development.



7.2.2 **Tourism Commercial** - this designation permits the development of a variety of uses related to tourism and the travelling public. Uses within this designation should reflect a dependence on tourism as opposed to the permanent population of the Town. Permitted uses within this designation include service uses, entertainment facilities, accommodation, athletic and recreational facilities, open space uses and uses permitted under the “Recreational Commercial” designation. Tourism accommodation includes hotels, motels, tourist cabins, lodges and generally any other type of structural accommodation directed toward and designed for the tourist. Service uses include restaurants, recreational supplies and rental establishments, retail stores such as antique, gift and curio shops, local convenience stores designed and sized to serve the traveling public, personal service shops, information centres, marinas and other similar uses. The development and redevelopment of water oriented uses, such as marinas should be especially encouraged. Entertainment and recreational facilities include music and dance halls, game parlours and arcades, amusement parks and midways, museums and historic attractions, playground, swimming and wading pools, water slide facilities, tennis courts and other similar uses. Open space uses include public and private parks, walkways and bicycle paths and other similar uses.

7.2.3 **Campground Commercial** - permitted uses within the “Campground Commercial” designation may include areas intended to be occupied by tents, travel trailers and recreational motor homes, park model trailers, structural accommodation such as motels, cabins, hotels and similar uses, administration and utility buildings, recreational and activity centres which may include a wide range of uses designated for the enjoyment and amusement of the campground patrons. Theme park uses may also be permitted which may include arcades, midways, rides, entertainment facilities and theaters, zoos, wildlife areas, and water related rides and activities. Restaurant and retail facilities clearly accessory to the above uses are also permitted.

### 7.3 **POLICIES**

7.3.1 Tourism land uses, as set out in this section, shall be encouraged to develop in concentrations of accommodation, shops, entertainment and recreation in coordinated developments so that they are compact, attractive and efficient and are located and sited so as to provide a high level of service for the public and to be easily accessible by vehicular traffic and where possible, the use of mutual access points and internal linkages shall be encouraged.

7.3.2 To encourage the redevelopment of properties containing dwellings and cabin courts in the commercial areas with new commercial construction.

7.3.3 The Town may develop urban design guidelines which may provide direction for new tourism development on the following matters:

a) Tourism and mixed-use development principles, including:

- i) Site planning;
- ii) Streetscaping and landscaping;
- iii) Built form;
- iv) Signage; and,
- v) Relationship to adjacent uses.

b) Implementation through Architectural Control;

All new tourism development shall take into consideration and generally conform with the Town's urban design guidelines.

- 7.3.4 To encourage a pedestrian-oriented streetscape and facade design unique to the tourism areas that may include decorative streetscape, light standards, planters and furniture and facades made of similar materials, exterior decorations, roof lines and signage. Streetscape design should create a comfortable pedestrian environment and accommodate design considerations for the human-scale, including but not limited to traffic calming measures, on-street parking, wider boulevards, street trees, seating areas, and specific signage standards.
- 7.3.5 Conceptual design and landscaping as they pertain to aesthetics shall form an integral part of all commercial development.
- 7.3.6 Innovative design should be encouraged in the development of any buildings and structures so as to maintain the view of the river and bay.
- 7.3.7 Screening or buffer planting shall be provided between commercial uses and non-compatible uses to the satisfaction of Council.
- 7.3.8 Undue distractions in the form of glaring lights, colours not in compliance with any applicable urban design standards, and over-scaled features should be avoided.
- 7.3.9 Development abutting Provincial parklands shall be in keeping with the proposed character of the adjacent park area. That is, for Beach Areas 1 and 2, an intensive commercial orientation, and for Beach Areas 3, 4 and 5, a family-oriented accommodation focus with softer commercial development. The Ministry of Natural Resources shall be notified of proposed developments in such areas.
- 7.3.10 Within the area historically referred to as the Tourism Development area, located generally within Lots 24, 25, 26 and 27, Concession IX, and designated "Tourism Commercial", no new areas have been designated for future permanent residential use nor is any such use contemplated. This is due to the possible incompatibility of this type of land use with the major commercial uses intended for the area. Only accessory residential uses to permitted uses, in the form of staff accommodation, may be permitted.

In order to ensure that sufficient lands are reserved to accommodate future tourism demands and to prevent the inappropriate scattering of tourism type uses throughout the Town any application for an Official Plan Amendment to convert lands designated “Tourism Commercial” to non-tourism related uses must be accompanied by sufficient planning rationale demonstrating:

- a) The subject lands are not suitable for development in accordance with the “Tourism Commercial” designation; and,
- b) The removal of lands from the “Tourism Commercial” designation will not have a deleterious impact on the availability or planned function of the balance of similarly designated lands.

7.3.11 As a condition of development or redevelopment of land, Council may, as provided for under the *Planning Act*, as amended, require the conveyance of land or alternatively a cash payment in lieu of conveyance, for park or other recreational purposes, in the amount not exceeding 2% of the land area or the value of the lands as may be calculated through the provisions of the *Planning Act*, as amended.

7.3.12 Development or redevelopment within this designation may be subject to site plan control as provided for in Section 19.6.

7.3.13 Development should be encouraged to incorporate boating and water oriented activities where appropriate.

7.3.14 New development of campground commercial uses shall be restricted to those areas designated “Campground Commercial” or as otherwise specifically permitted in the Official Plan. This restriction precludes the development of any new campsites in the vicinity of the beach or established commercial or residential areas in the Town. Campground commercial uses shall be buffered from view particularly from residential and tourism accommodation uses both visually and regarding noise. Existing campground commercial uses located in an area other than the “Campground Commercial” designation should not be permitted to expand.

7.3.15 Park model trailers are designed and intended for long-term use and site occupancy. It is a policy of this Plan that sufficient campsites should be made available for transient users to support and enhance the recreational and vacationing aspects of the Town. To this end and as a general rule, the occupancy of campground sites by park model trailers should not exceed 40% of the available sites within a campground.

## 7.4 **EXCEPTIONS**

### 7.4.1 **Dunes Gateway**

That those lands located within Lot 24, Concession 9, Schedule “A-7” and

designated “Tourism Commercial” may be used for the development of those uses permitted through Section 7.2.2, Tourism Commercial. To ensure that the appropriate type of development is achieved for this area, the following policies shall apply.

- 7.4.1.1 Commercial development in this area should strive to achieve an appropriate design and setting in keeping with the topography and vegetation growth of the area and thereby incorporate these features wherever possible.
- 7.4.1.2 Development design, particularly inland from River Road West, should be low density, possibly including cluster type or attached development, to retain where possible the natural features of the area and provide for a generous amount of open space in keeping with this location.
- 7.4.1.3 Notwithstanding the “Tourism Commercial” designation of this area, the lands affected do exhibit certain features, particularly topographical, which require consideration. As such, an appropriate study by a qualified professional will be required to identify and locate these features and make recommendations as to the appropriate development constraints and design features which will be required to form part of any development plans.

#### **7.4.2 Mosley Village**

The area shown on map Schedule “A-3” and generally located between 18<sup>th</sup> and 22<sup>nd</sup> Streets is intended to be developed in a village theme having an atmosphere and uniqueness that enhances it’s opportunities for growth and prosperity.

- 7.4.2.1 The vision for this area is to develop a village centre theme around commercial businesses that generally provide a unique variety and spatial arrangement of these uses. Commercial development within this area may include a wide range of retail, business, hospitality and personal service uses catering to both to local residents and tourists. In particular it is hoped that this area will attract boutiques, specialty gift shops and services, art and craft studios, antique shops, cafes, restaurants and similar uses.
- 7.4.2.2 Residential uses, particularly medium density residential uses are encouraged within this area. The location of medium density residential uses is envisioned to closely surround the commercial area and multiple residential uses located above commercial uses is encouraged. The style and design of residential development is encouraged to compliment the village theme wherever possible.
- 7.4.2.3 Institutional and government uses that would be supportive of the village concept are encouraged to locate in this area. The development of such uses will further support and reinforce the community focus of this location.
- 7.4.2.4 Open space uses for the public are recognized as important components

within this area for the enjoyment of workers, residents and visitors. Pedestrian linkage between the developed area and the waterfront is encouraged. Furthermore the development of a village square or village green that might include a gazebo fountain, gardens or similar features should be considered as part of the overall design scheme for the area.

- 7.4.2.5 Pedestrian use should be facilitated wherever possible. This includes maintained sidewalks, including access for people with disabilities, lighting, street furniture, vegetation and other appropriate measures designed to provide for a comfortable and appealing surrounding.
- 7.4.2.6 Street system improvements, as deemed appropriate, should be implemented to facilitate accessibility, traffic movements and the separation of pedestrian and vehicular traffic.
- 7.4.2.7 Municipal parking, including on street parking and off street parking lots, should be located so as to offer appropriate parking facilities that would support the business activities of the area. This may be done in conjunction with an ongoing plan for acquisition of land for parking purposes.
- 7.4.2.8 On site parking may not be required where Council is satisfied that adequate facilities exist and that the implementation of this policy is intended to encourage development and redevelopment that might otherwise not be possible or practical. Cash in lieu or the exception from cash in lieu for parking may be considered by Council as deemed appropriate.
- 7.4.2.9 The Town may investigate and assist in the implementation or cooperative schemes to improve the general attractiveness and image of public and private properties. This may include schemes and programs regarding the development of a village theme that recognizes the importance of the area, efforts to integrate existing and new buildings both architecturally and esthetically, facade design improvements for buildings and improvements and rehabilitation to these buildings in terms of access and visual impact as may be seen from adjacent streets.
- 7.4.2.10 Consideration may be given to the conversion of municipal lands for housing purposes that support the village theme.
- 7.4.2.11 Design standards in this area may include:
  - a) Consideration of scale, proportion, continuity, architectural character and texture of the built form designed to achieve a village character and environmentally sustainable themes;
  - b) Orderly and appropriate transition to the lands adjacent to the policy area;
  - c) The relationship of buildings to the street where setbacks may be

reduced to achieve the village theme;

- d) Consideration of reduced zoning standards concerning multi unit residential developments that promote the village concept; and,
- e) Where possible existing trees should be preserved and efforts made to improve the overall landscaping within the area including additional tree planting.

**7.4.2.12      BeachH2O**

In addition to the provisions of Section 7.4.2 – Mosley Village Area of the Official Plan, on lands located at 878 Mosley Street and being Lots 74, 75, 76, 77, and 82, Plan 837 (Part Lot 6, Concession 16) high density development is permitted to a maximum of fifteen (15) street townhouse units within a common element plan of condominium.

**7.4.2.13      Dunkerron Avenue**

Notwithstanding the provisions of the Mosley Village Area of the Official Plan in their entirety, on the lands fronting onto 18<sup>th</sup> Street North and bounded by Shore Lane and Dunkerron Avenue and being Lots 19-20, Plan 674, high density development is permitted to a maximum of Seven (7) street townhouse units.

**7.4.2.14      760 Mosley Street/3 Dunkerron Avenue**

The lands located at 760 Mosley Street and 3 Dunkerron Avenue, Lots 37, 38 and 49 and part of Lot 48, Registered Plan No. 647, Town of Wasaga Beach, and shown on Schedule “A-3” shall be subject to the following policy:

- 7.4.2.14.1      Notwithstanding the provisions of the Residential designation of the Official Plan, a maximum density of 57 units/hectare is permitted.

**7.4.3            Stonebridge**

Notwithstanding the policies of Section 7.3.10, this section does not apply to those lands designated “Low Density Residential”, “Medium Density Residential” and “High Density Residential” on Schedule “A-7” comprising Part of Lots 26 and 27, Concession 9.

**7.4.4            Intentionally Left Blank**

**7.4.5            Intentionally Left Blank**

**7.4.6            Jell-e-Bean Campground Expansion**

The lands located at 8697 Highway 26 being Part of Lot 34, Concession 3 (former Geographic Township of Nottawasaga), and shown on Schedule “A-

1" shall be subject to the following policies:

- 7.4.6.1 Notwithstanding the provisions of the Campground Commercial designation of the Official Plan, specifically Section 7.3.14, an expansion to the existing commercial campground shall be permitted.

## **SECTION 8**

### **INDUSTRIAL**

#### **8.1      OBJECTIVES**

- 8.1.1      To provide industrial employment opportunities to the residents of the Town and the surrounding region;
- 8.1.2      To encourage the diversification and expansion of the Town's industrial base;
- 8.1.3      To provide serviceable areas in accessible locations to attract industrial development;
- 8.1.4      To preserve the quality of the environment having special regard for the type of industrial uses permitted in the Town; and,
- 8.1.5      To encourage a high standard of design for new industrial buildings and/or development through the implementation of urban design guidelines and architectural control; which will create aesthetically attractive employment areas.

#### **8.2      LAND USES**

- 8.2.1      The use of land in industrial areas shall be for manufacturing, processing, servicing, storing of goods and raw materials, transportation, warehousing and uses for similar and related purposes. Other uses which are complementary to and serve the industrial uses may be permitted.

#### **8.3      POLICIES**

- 8.3.1      The permitted uses shall be such that no undue adverse affects may occur as a result of smoke, noise, odours, dust, vibration or any other forms of emission or visual appearance.
- 8.3.2      No use shall be permitted which, from its nature, the materials used or the wastes produced therein, is declared to be a noxious trade, business or manufacture under the *Public Health Act* or regulations.
- 8.3.3      Only dry industries that generate little or no process waste and require minimal quantities of water shall be permitted in areas not serviced by the municipal sewage system and shall be subject to approval of the appropriate agency having jurisdiction.
- 8.3.4      The development of industrial uses should be grouped together and accessed via an internal road system wherever possible.
- 8.3.5      Conceptual site plan design, landscaping, built form and signage as they pertain to aesthetics and exterior materials shall form an integral part of all



industrial development, and may be implemented through urban design guidelines and architectural control.

- 8.3.6 As a condition of development or redevelopment of land, Council may, as provided for under the *Planning Act*, as amended, require the conveyance of land or alternatively a cash payment in lieu of conveyance, for park or other recreational purposes, in the amount not exceeding 2% of the land area or the value of the lands as may be calculated through the provisions of the *Planning Act*, as amended.
- 8.3.7 Development or redevelopment within this designation may be subject to site plan control as provided for in Section 19.6.

#### 8.4 **EXCEPTIONS**

- 8.4.1 North Half of Lot 22 Concession 9 (former Geographic Township of Flos) - Outside Storage Use

On the lands identified on Schedule "A-8", the primary use shall be a stormwater management facility and buffer area for the adjacent industrial outdoor storage or similar use. Prior to any use or site alteration being established, a stormwater management plan to the satisfaction of the Town and the NVCA shall be submitted which demonstrates no negative impacts on the ecological functions of the adjacent wetland.

The above polices shall be implemented through the zoning by-law. These lands are also subject to site plan control, which shall be completed prior to any development or site alteration on the lands. A holding "H" symbol shall apply to the zoning on the lands to ensure that an acceptable stormwater management plan and buffering to the wetland is provided through site plan control.

## **SECTION 9**

### **WASTE DISPOSAL**

#### **9.1 OBJECTIVES**

- 9.1.1 The purpose of the “Waste Disposal” designation is to identify the presence of a closed County of Simcoe owned waste disposal site, two closed private waste disposal sites, and to establish municipal land use planning policies for new and expanded waste disposal sites;
- 9.1.2 The Municipality has designed waste disposal assessment area policies to require further study to be completed in order to protect potentially sensitive land uses from any potential impacts from the closed County-owned waste disposal site;
- 9.1.3 The Municipality has created special hydrogeological study area policies for the lands which surround each of the two closed private waste disposal sites. Within the study area, further study will be required to be completed in order to determine whether there will be any impact on the existing hydrogeological regime when there is a proposal for significant ground water extraction;
- 9.1.4 The Municipality seeks to ensure that development, operation, monitoring, mitigation and final use of waste disposal activities and sites is properly managed and regulated by the appropriate authorities with the objectives of protection of the environment and the health and safety of the residents of the area; and,
- 9.1.5 The Municipality seeks to ensure that consideration of new waste disposal sites or the enlargement of the existing waste disposal site will be evaluated with full municipal input to the Simcoe County Waste Management Master Plan process and the *Environment Protection Act*, Environmental Compliance Approval process.

#### **9.2 POLICIES**

- 9.2.1 The “Waste Disposal” designation of land shall mean that the predominant use of land in the areas so designated on Schedule “A” shall be for a waste disposal site. Waste disposal will only be permitted on lands designated “Waste Disposal” on Schedule “A” Land Use Plan and zoned in the appropriate category. Waste disposal means land, buildings, structures and operations by which waste is deposited, disposed of, handled, stored, transferred, treated or processed. The design and operation of waste disposal sites is subject to the provisions of the *Environmental Protection Act* and its regulations and other applicable legislation.
- 9.2.2 The existing closed waste disposal site (MOE #A251701) located in Lot 21, Concession 9 (former Township of Flos) is identified on Schedule “A-8”. It was operated under a Certificate of Approval issued and amended from time to time

by the Ministry of Environment. The Municipality may seek an opportunity to comment on changes to the Environmental Compliance Approval. Any considered expansion of the limits of the fill area or changes to the limits of contours within the waste disposal site, shown on the Certificate of Approval, will proceed through consultation between the County and the Town through the *Environment Protection Act*, Environmental Compliance Approval process.

- 9.2.3 It is intended that the ownership of the currently designated area, in Lot 21, Concession 9 (former Township of Flos), shall remain public.
- 9.2.4 There are two closed private waste disposal sites that are identified by the Ministry of the Environment:
- a) Closed private waste disposal site #574 (MOE #4122) which is located in the area of Longdale Road; and
  - b) Closed private waste disposal site #621 (MOE #A252002) which is located at the Wasaga Beach Public Works Yard, and more specifically described as Lot 42 and Part of Lot 41, Plan 1408 (former Township of Flos).
- 9.2.5 Generally the Municipality does not encourage new waste disposal sites. The establishment of new waste disposal sites within the Town or the expansion of the existing site, shall require an Amendment to this Official Plan.
- 9.2.6 When assessing applications for new or expanded waste disposal sites, Council shall consider the following criteria:
- a) Proximity to proposed or existing built up areas;
  - b) The adequacy of access on roads of suitable construction and the nature of the roads relative to the type and volume of traffic anticipated;
  - c) Exposure to public view and the capability of adequate buffer areas to preserve the scenic beauty and amenity of an area;
  - d) The use and character of the surrounding lands and compatibility between a proposed waste disposal site and the surrounding uses;
  - e) Potential negative impacts to the natural heritage system, features or functions, including ground and surface water, soils and air, subject to the proposed control and mitigation of such impacts;
  - f) The soil quality and agricultural potential of the lands; and,
  - g) The potential for impacts on other relevant land use planning objectives of the Municipality.
- 9.2.7 In considering an application to amend the Official Plan and/or Comprehensive

Zoning By-law, Council may consult with the Ministry of the Environment, the Ministry of Agriculture and Food, the Ministry of Natural Resources, the Conservation Authority, the County of Simcoe and any other agency having jurisdiction to ensure that the on and off site operation of waste disposal will be carried out in compliance with Provincial legislation and any applicable regulations.

- 9.2.8 The Town shall notify all landowners within 800 metres of the boundary of a proposed waste disposal site and make any proposed development and operation report and any proposed agreement available for public review prior to adoption of any Official Plan or Zoning By-law Amendment.
- 9.2.9 The Zoning By-law shall establish building setbacks from property lines on waste disposal sites. Prior to issuing a building permit for any buildings or structures, an approval issued by the Ministry of the Environment or the appropriate government agency having jurisdiction, must be granted, if required. In addition, the Municipality may request an application for site plan approval to regulate the siting of buildings, access, parking, landscaping, fencing and lighting. This is to provide the Municipality with a basis to request that these matters be adequately addressed through the provisions of the *Environmental Protection Act*, Environmental Compliance Approval process.
- 9.2.10 No use shall be permitted on land designated "Waste Disposal" that has been used for the disposal of waste and has ceased being so used, unless the approval of the appropriate government agency for the proposed use has been given. This also applies to changes affecting ground surface or height of lands. Residential uses shall not be permitted on any land that is, or has been, used for waste disposal.

### 9.3 **Waste Disposal Assessment Areas**

- 9.3.1 The waste disposal assessment area is intended to recognize the presence and potential impacts of waste disposal sites. The objective is to ensure that future development within such an area occurs in a manner that takes into account any existing or potential effects of waste disposal on public health or safety. The delineation of waste disposal assessment areas does not necessarily indicate the presence of such existing or potential effects.
- 9.3.2 Waste disposal assessment areas are shown on Schedule "A", the Land Use Plan.
- 9.3.3 A waste disposal assessment area is a method of applying special policies in the area of a waste disposal site in accordance with Ministry of the Environment Guideline D-4, Land Use On or Near Landfills and Dumps. Waste disposal assessment areas are to be considered as an overlay in regard to any other land use designations found on Schedule "A". No Amendment to this Plan is required to allow development to proceed in accordance with the underlying land use designations of Schedule "A" provided the development conforms with the policies of this Plan.

- 9.3.4 The Ministry of the Environment considers the most significant adverse environmental effects to be normally within 500 metres of the perimeter of a fill area. The size of a waste disposal assessment area is generally 500 metres from the limits of any waste disposal site, but may vary based on further assessment of risk and potential impacts to surrounding land uses.
- 9.3.5 New information on methane gas or leachate migration, or the hydrogeological characteristics of an area may result in an alteration/revision to, or the addition of, a new waste disposal assessment area, which will be reflected in this Plan by either an Amendment or through a general Official Plan review.
- 9.3.6 A waste disposal assessment area that is 500 metres in size has been identified around the closed County-owned waste disposal site (Lot 21, Concession 9, former Township of Flos). The waste disposal assessment area for this waste disposal site is identified on Schedules “A-7” and “A-8” of this Plan. The purpose of this waste disposal assessment area is to safeguard the surrounding land uses from any potential undesirable effects of the waste disposal site, and may use buffering and phasing requirements.
- 9.3.7 The Comprehensive Zoning By-law shall restrict the uses within the waste disposal assessment area to those existing at the date of passing of the By-law. A new use may be permitted within the waste disposal assessment area if it is in conformity with the underlying land use designation.
- 9.3.8 The restrictive zone category shall require that all new development or redevelopment will only take place by means of a Zoning By-law Amendment in conformity with the policies and designations of this Plan, unless the development meets the criteria set out in Section 9.3.12.
- 9.3.9 Development proposals within the waste disposal assessment area shall undertake studies, including but not limited to a D-4 Assessment, to determine if the waste disposal site has created any adverse conditions that may affect the health, safety, and welfare of residents near the waste disposal site. These studies shall address issues including but not limited to migration of methane gas and leachate, hydrogeology, litter, odour, noise and traffic.
- The D-4 Assessment shall also consider land use compatibility and identify if there are any planning or environmental constraints to the proposed development.
- 9.3.10 Prior to passing a Zoning By-law Amendment to permit new development in the waste disposal assessment area, Council shall be satisfied that the appropriate studies, including but not limited to a D-4 Assessment, have been carried out to the satisfaction of the Town, County of Simcoe, and the Ministry of the Environment. Dependent upon the results of these studies, the mitigation measures proposed, if any, and the other policies of this Plan, the Town in consultation with the Ministry of the Environment and any other government agency having jurisdiction, may approve, recommend revision to,

or deny the proposed development.

9.3.11 The Town or the County may retain a qualified consultant to conduct a peer review of a D-4 Assessment at the expense of the applicant.

9.3.12 The implementing zoning category of the lands shall allow the following undertakings to be permitted without the requirement for a Zoning By-law Amendment or a D-4 Assessment:

- a) renovations or replacement of existing buildings on the existing footprint;
- b) construction of non-habitable accessory buildings, or new structures or alterations to existing structures where such structures do not prevent the free movement of air into the atmosphere;
- c) interior alterations or exterior alterations to existing structures;
- d) minor additions to existing residential dwellings provided that the addition does not increase the footprint of the building by more than 50%, and is built as a slab-on-grade and/or above grade construction;
- e) any structure that does not require a building permit; and
- f) change of use.

#### 9.4 **Special Hydrogeological Study Areas**

9.4.1 There are two closed private waste disposal sites that are identified by the Ministry of the Environment. Each special hydrogeological study area contains a closed private waste disposal site. Closed private waste disposal site #574 (MOE #4122) is located in the area of Longdale Road. Closed private waste disposal site #621 (MOE #A252002) is located at the Wasaga Beach Public Works Yard, and more specifically described as Lot 42 and Part of Lot 41, Plan 1408 (former Township of Flos).

9.4.2 Extensive assessment of the potential impacts and risk associated with the closed private waste disposal sites has been undertaken which demonstrated that the off-site impacts, including methane gas and leachate migration, are negligible. As a result, development may be permitted in accordance with Section 9.4.4.

9.4.3 No waste disposal assessment area has been identified surrounding the closed private waste disposal sites. As an alternative, a special hydrogeological study area has been identified, which includes all lands within 150 metres of the closed private waste disposal sites. The special hydrogeological study areas are identified on Schedule "A-7" and Schedule G.

9.4.4 Development or site alteration is permitted within the special hydrogeological study areas, however, where any undertaking proposes groundwater-taking in excess of 50,000 litres/day, a hydrogeological study will be required in accordance with the Ontario Water Resources Act. The hydrogeological studies shall be carried out by a qualified professional and should include drilling a test well, carrying out an adequate pump test and conducting a water

quality assessment. The hydrogeological report shall assess the groundwater quality and quantity, and demonstrate that the groundwater-taking will not impair the hydrogeological regime by creating the risk of changing the shallow groundwater gradients and change groundwater flow direction.”

## **SECTION 10**

### **INSTITUTIONAL**

#### **10.1      OBJECTIVES**

- 10.1.1      To ensure that adequate institutional, educational and cultural facilities for all interest groups are provided;
- 10.1.2      To encourage the joint use of community and educational facilities; and,
- 10.1.3      To support the establishment of a post-secondary educational institution in the Town.

#### **10.2      LAND USES**

- 10.2.1      The “Institutional” designation shall mean that the use of the land in the areas so designated shall be for public purposes including medical facilities, churches, schools, colleges and government services.

#### **10.3      POLICIES**

- 10.3.1      Churches will be encouraged to locate in close proximity to centres of activity to complement other community facilities.
- 10.3.2      Council will, where practical, encourage the joint use of both community and educational facilities including the siting of schools adjacent to public open space.
- 10.3.3      Council shall approve the location of schools in co-operation and consultation with the appropriate educational authorities.
- 10.3.4      With the future growth in the Town and region, Council will investigate the possibility of establishing a secondary and a post-secondary educational institution such as a community college or technical institute in an appropriate area of the Town.
- 10.3.5      Adequate buffering, screening, planting, and/or fencing shall be provided between institutional uses and adjacent residential areas.
- 10.3.6      Adequate parking areas shall be provided and access points to such areas be limited in number and designed in a manner that will minimize the danger to vehicular and pedestrian traffic in the immediate area.
- 10.3.7      Conceptual site plan design, landscaping, built form and signage as they pertain to aesthetics and exterior materials shall form an integral part of all institutional development, and may be implemented through urban design guidelines and architectural control.



10.3.8 Development or redevelopment in this designation may be subject to site plan control as provided for in Section 19.6.

10.4 **EXCEPTIONS**

## **SECTION 11**

### **OPEN SPACE**

#### **11.1 OBJECTIVES**

- 11.1.2 To provide for a range of leisure activities for all age and interest groups;
- 11.1.3 To preserve and improve the natural features of the Town;
- 11.1.4 To maintain a municipal public open space system in conjunction and coordinated with the open space provided by the Ministry of Natural Resources both in terms of area and uses;
- 11.1.5 To maintain and extend a multi level recreational trails system to service both local and regional interests;
- 11.1.6 To maintain and enhance scenic vistas; and,
- 11.1.7 To maximize public waterfront accessibility and to develop the beach and riverfront for recreational and complementary uses.

#### **11.2 LAND USES**

- 11.2.1 The “Open Space” designation shall mean that the use of land in the areas so designated shall be for active and passive recreational and conservation uses. In addition, such uses as agriculture, nursery gardening, community gardens, forestry and cemeteries shall be permitted.

#### **11.3 POLICIES**

- 11.3.1 It is the Town’s policy to develop an open space system made up of both Provincial and Municipal lands generally consisting of linear systems along the beachfront and riverfront with connecting linkages to the proposed Dunes Park.
- 11.3.2 Only buildings and structures incidental to the permitted uses shall be allowed in open space areas.
- 11.3.3 Where any lands designated as “Open Space” are under private ownership, it shall not be construed that these are to remain in this designation indefinitely, nor that these sites are free and open to the public, nor that they will be acquired by the Municipality or any other governmental agency. If, at any time, proposals are made to develop such lands for other purposes, and, if at that time the Municipality or any other implementing authority does not wish to purchase such lands in order to maintain the open space, then an application for the re-designation of such land for other purposes will be given due consideration, consistent with the policies of this Plan.

- 11.3.4 Visual and physical means of access shall be provided, to the satisfaction of Council, to all recreational areas, open space, parks and public facilities.
- 11.3.5 Public parks shall be provided for at a standard of 4 hectares (10 acres) per 1,000 population. Any public parks operated by government authorities other than the Town of Wasaga Beach may be included in this standard, to the extent that any such lands included shall be of an appropriate nature and location.
- 11.3.6 The Culture and Recreation Master Plan (2003) should be referred to by Council when considering the acquisition and/or development of open space areas.

#### 11.4 **RECREATIONAL TRAILS POLICY**

- 11.4.1 The Town, due to its geographic location, population profile and its significant status as a four seasons tourism centre requires the provision, maintenance and improvement of a comprehensive recreational trails system. The need for such a recreational element is not only to provide for local residents but to ensure regional linkages so as to maintain a competitive position in continuing to attract tourism interest and the economic returns associated with tourist visits. As such it is the policy of this Plan to encourage and facilitate recreational trails and participate as deemed reasonable in the development of a multi level, multi use recreational trails system.
- 11.4.2 It is an objective of this Plan to have provided a linked system of green corridors, which would accommodate a four seasons trail system throughout the Town based on the natural features and ultimately connecting into a larger regional system of trails and attractions.
- 11.4.3 It is intended that a local network of open space linkages be developed, facilitating a four seasons trail system including walking and cycling trails, and a single use (in winter) snowmobile and cross-country ski trails that appropriately incorporate environmental protection areas, existing Provincial parklands, scenic areas, heritage points of interest and other attractions in the Town.
- 11.4.4 The Town is strategically located in a regional context. A variety of historical routes, abandoned rail lines and other trails either pass through the Municipality or are located in close proximity. It is an objective of this Plan that the Town should endeavor to connect, as deemed appropriate, the trails and greenway systems with neighbouring municipal trail systems to enhance and promote a broader regional trails and greenway system.
- 11.4.5 In terms of the various trail systems that exist or are anticipated, these generally fall within the following categories. Greenways are linear corridors within or along important natural features. Within the Town these include the beach, the dunes and the Nottawasaga and creek riverways. Four season trails are within or along greenways, have multiple uses appropriate to four seasons and in winter are primarily for snowmobiling or cross-country skiing

but typically not both. Specialty trails within the system are trails developed with a specific use or goal in mind. Specialty trails within the Town are neighbourhood trails that are designed for such activities as bicycling, walking and other self propelled non-motorized trail uses in and around neighbourhoods where people live.

- 11.4.6 Trail systems should be designed to provide safe connections to the various natural features of the area such as the beach, dunes, creeks and waterways. As such, road linkages and crossings should be carefully considered and where roads are employed as part of the trail system every effort should be made to separate the trail user from motorized traffic.
- 11.4.7 Accessibility, appropriate signage, interpretative information and other similar aspects result in the ease of use of the trail systems. As such, in the design and development of any trails these considerations should be carefully reviewed in terms of the expected user. Where possible, trails and pedestrian infrastructure in urban settings should be constructed in a manner that is accessible for people with disabilities.
- 11.4.8 Due to its strategic location, the Town should be prepared to actively co-operate with adjacent Municipalities in the co-ordination and promotion of trail systems at a regional level and to provide appropriate linkages in support of these systems.
- 11.4.9 New residential subdivisions should, where appropriate, be designed to link the various trail systems so as to provide extensions, loops, continuous off road trails and public access to the natural features of the area.
- 11.4.10 The Recreational Trails System, depicted on Schedule "E", sets out, in a broad context, the general location of existing and future recreational trails. The precise location of trails is not intended due to the nature of this type of land use and therefore variations to the general intent of the map schedule will not require an Amendment to this Plan. As trails are developed, these can be further added to the map schedules without the need for a formal Amendment to this Plan.

## 11.5 **IMPLEMENTATION**

- 11.5.1 Public open space may be acquired by the Town by the following means:
  - a) The land conveyance provisions of the *Planning Act*, as amended, the latter dealing with the acquisition of public land in redevelopment areas;
  - b) Generally, new residential developments will not be approved unless parkland or funds in lieu of the amount of 5% of the land under application are dedicated or paid. Lesser dedication or payment may be permitted by Council in extenuating circumstances;
  - c) Purchase using monies allocated in the municipal budget;

- d) Purchase using donations, gifts, and bequests from individuals or corporations; and,
- e) Purchase using monies allocated by any authority having jurisdiction.

11.5.2 All lands dedicated to the Town shall be conveyed in a physical condition satisfactory to the Town. Where open water courses are involved, adequate space shall be provided for maintenance and operation.

11.5.3 In subdivision applications involving the dedication of relatively small areas of parkland, Council shall have regard for the possibility of the future provision of adjacent available land to enlarge such a park. This policy is intended to encourage the acquisition of parkland rather than the acceptance of cash-in-lieu in the approval of relatively small subdivisions.

11.5.4 All farm and non-farm development shall comply with the Minimum Distance Separation Formula as amended from time to time.

## 11.6 **EXCEPTIONS**

### 11.6.1 **Stonebridge**

That those lands located within Concession 9, Part of Lot 26, Town of Wasaga Beach, designated "Open Space" on Schedule "A-7" are, in addition to the policies of Sections 11.1 through 11.6 inclusive of the Plan, subject to the policies of this section.

#### 11.6.1.1 **Objectives and Policies**

The designation of these lands for Open Space purposes is intended to achieve the following supplementary objectives and policies:

- a) Open space blocks within the subject lands are intended to form linkages with the Town's existing trail system. In this regard a comprehensive open space master plan is required detailing opportunities for such linkages.
- b) The lands designated "Natural Heritage System Category 1" on Schedule "A-7" are to be dedicated gratuitously to the Town in accordance with Town policy. An agreement to this effect between the Town and the land owner is required prior to adoption of this Official Plan Amendment.

#### 11.6.1.2 **Parkland Dedication**

The lands designated "Open Space" and "Institutional" on Schedule "A-7" comprising 4.16 hectares will be accepted by the Town in fulfillment of the statutory requirement for parkland dedication pursuant to the provisions of the *Planning Act*.

### 11.6.2 **Wasaga Dunes Resort**

That those lands located within Part Lot 4, Part of Lot 3, Concession 14, East of Sunnidale Road, Geographic Township of Sunnidale, now in the Town of

Wasaga Beach, County of Simcoe, designated “Open Space”, and shown on Schedule “A-2” are, in addition to the policies of Section 11.1 through 11.5 inclusive of the Official Plan, subject to the policies of this section:

**11.6.2.1**      Land Uses / Permitted Uses

The only permitted uses shall be conservation uses, defined as uses being for scientific research and education, wildlife management, and other activities connected with conservation of ecologically significant resources.

**11.6.2.2**      Species at Risk Protection Measures

- a)      The policies of Section 5.6.7.1 shall apply to ensure that Eastern Hog-nosed Snake habitat is not negatively impacted by development.

**11.6.1.3**      **Marlwood**

That those lands located in Part of the South Half of Lot 26, concession 7, Town of Wasaga Beach m designated “Open Space” and shown on Schedules “A-6” and “A-7” are, in addition to the policies of Section 11.1 through 11.5 inclusive of the Official Plan and subject to the policies of this section:

**11.6.3.1**      Land Uses/Permitted Uses

The only permitted uses shall be conservation uses, defined as uses being for woodland and wildlife management, and other activities connected with conservation of ecologically significant resources.

**11.6.3.2**      Land Uses/Permitted Uses

In addition to those uses permitted within Section 11.2, a public park and stormwater management facilities are also permitted.

**11.6.4**      **630 Sunnidale Road South (Hillier)**

That those lands located in Part of Lot 4, Concession 14 and Part of Block 92 RP 51M463, Town of Wasaga Beach designated Open Space and shown on Schedule “A-2” are, in addition to the policies of Section 11 of the Official Plan subject to the policies of this section:

**11.6.4.1**      Land Uses/Permitted Uses

In addition to those uses permitted within Section 11.2, stormwater management facilities are also permitted.”

## SECTION 12

### NATURAL HAZARDS

#### 12.1 **OBJECTIVES**

- 12.1.1 Prevent loss of life in the event of a flood and protect people and property from natural hazards including flooding, erosion, unstable soils, dynamic beaches, wave uprush, and ice-jamming;
- 12.1.2 Minimize property damage and social disruption in the event of a water-related natural hazard;
- 12.1.3 Direct development away from natural hazard lands where there is an unacceptable risk to public health and safety or property damage; and,
- 12.1.4 Reduce public and private expenditures related to emergency measures, operations, evacuations, and restoration.

#### 12.2 **DEFINITIONS**

- 12.2.1 The “Natural Hazards” designation is defined as hazardous lands and sites that are:
  - a) Within the regulatory flood plain of inland lakes, rivers, and streams, including Marl Lake, Jacks Lake, Nottawasaga River, Lamont Creek, Sturgeon Creek, McIntyre Creek, Trillium Creek, and their tributaries;
  - b) Within the erosion hazard limit of all inland lakes, rivers, and streams;
  - c) Within or below an elevation of 178.0m, Geodetic Survey of Canada Datum (GSCD) (high lake level) along the shoreline of Georgian Bay;
  - d) Within a landward setback from the Georgian Bay dynamic beach and areas for wave uprush, ice-piling, and other water related hazards; and,
  - e) Within areas of unstable soils such as marl, flowing sand, wetlands, and parabolic dune areas.

## 12.3 **LAND USES**

### 12.3.1 **Permitted Uses**

In the “Natural Hazards” designation, the following uses may be permitted in the implementing zoning by-law:

- a) Passive and active recreation including such uses as golf courses, playing fields, but excluding buildings;
- b) Forest, fish, and wildlife management;
- c) Flood, erosion control, and conservation projects;
- d) Open space, and public and private parks excluding buildings;
- e) Infrastructure, utilities, and transportation, where necessary;
- f) Development of residential and commercial uses on existing vacant lots of record;
- g) Redevelopment of existing dwellings, structures, new accessory buildings, and additions to existing buildings in accordance with the Provincial, watershed, and local principles, standards, and procedures; and,
- h) Existing agricultural, and nursery gardening uses.

County of Simcoe  
Non Decision

### 12.3.2 **Prohibited Uses**

In the “Natural Hazards” designation, the following uses will be prohibited in the implementing zoning by-law:

- a) Essential emergency services including fire, police, ambulance, and electrical substations;
- b) Institutional uses including hospitals, nursing homes, and schools;
- c) Industrial-related uses associated with the disposal, manufacture, treatment, or storage of hazardous substances that are toxic, ignitable, corrosive, reactive, radioactive, and pathological;
- d) Placing or removing of fill of any kind whether or not originating on site or elsewhere; and,
- e) New lot development by plan of subdivision or consent, wholly within the “Natural Hazards” land use designation.



## 12.4 **GENERAL POLICIES**

- 12.4.1 Lands designated “Natural Hazards” are intended primarily for protection of persons and property. It is recognized that the lands so designated are to be managed in such a fashion as to complement adjacent land uses and protect them from any physical hazards.
- 12.4.2 Where land designated “Natural Hazards” is under private ownership, it shall not be construed as implying that such areas are free and open to the general public and will be purchased by the Municipality or public agency.
- 12.4.3 There is no public obligation, either to re-designate or to purchase any land if there is an existing or potential hazard.
- 12.4.4 Where new development is proposed on a site, part of which has physical or natural hazards, then such hazard lands may not be acceptable as part of the 5% dedication for parkland under the *Planning Act*, as amended.
- 12.4.5 Building setbacks, relative to the extent or severity of the hazard, will be imposed from the margins of the natural hazard areas.
- 12.4.6 In the Comprehensive Zoning By-law, existing uses in areas designated “Natural Hazards”, may be recognized as legally conforming despite the “Natural Hazards” designation in the Official Plan and the subsequent zoning in the zoning by-law.
- 12.4.7 Development and site alteration is prohibited within floodplains or natural hazard areas, except as may be permitted by the Provincial Policy Statement, (PPS).

## 12.5 **SHORELINE HAZARDS – GEORGIAN BAY**

- 12.5.1 Hazardous lands along Georgian Bay are defined by delineating the farthest combined landward extent of the three shoreline natural hazards: flooding, erosion, and dynamic beach hazards. The precise location of these hazardous lands will be established to the satisfaction of the Town and Conservation Authority when considering development applications. Technical study may be required to determine the shoreline hazard limit as part of any planning and development application. The cost of the study shall be borne by the developer.
- 12.5.2 The determination of the flooding hazard limit along the shoreline of Georgian Bay shall consider: the 100–year flood level of 178.0 GSCD; the flood allowance for wave uprush; and the flood allowance for other water related hazards such as ice piling and ice jamming. The erosion hazard limit shall be determined when considering: the stable slope allowance; the average annual recession; and the erosion allowance. The determination of the dynamic beach hazard limit shall consider the flooding hazard limit and an associated

allowance. The determination of the hazard limit on the Georgian Bay shoreline will be guided by technical guides produced by the Ministry of Natural Resources.

- 12.5.3 New lots by means of consent or by plan of subdivision will not be permitted wholly within hazardous lands along Georgian Bay.
- 12.5.4 New buildings or structures will be considered only in areas outside of hazardous lands adjacent to the Georgian Bay shoreline. However, buildings and structures may be permitted on existing lots within hazardous lands provided that the development may be carried out in accordance with Provincial, watershed, and local principles, standards and procedures.
- 12.5.5 Buildings and structures permitted on existing lots within hazardous lands must be supported by an engineering study demonstrating that the shoreline hazards have been addressed. The study must be prepared by a qualified engineer to the satisfaction of the Conservation Authority and the Town.
- 12.5.6 Buildings and structures will not be permitted within the dynamic beach hazard of Georgian Bay.
- 12.5.7 Any building, structure, or site alteration within the Georgian Bay hazardous lands will require a permit from the conservation authority under the *Conservation Authorities Act* or its successor.

## 12.6 **EROSION HAZARDS – RIVER AND STREAM SYSTEMS**

- 12.6.1 It is the intent of this Plan that lands prone to erosion or slope instability be designated “Natural Hazards”. These lands are shown on Schedule “A” to this Plan, however, the precise location of these hazardous areas have to be established to the satisfaction of the Town and Conservation Authority when considering development applications. Erosion areas not shown on Schedule “A” may be determined by technical evaluation and study through the planning process and development applications, the cost of which will be borne by the developer.
- 12.6.2 The determination of the erosion hazard limit will be based on the combined influence of the:
  - a) Toe erosion allowance
  - b) Stable slope allowance
  - c) Erosion access allowance
  - d) Flooding hazard limit or meander belt allowance

The determination of the erosion hazard limit will be guided by the technical guides produced by the Ministry of Natural Resources, or its successor.

- 12.6.3 Development will generally be directed to areas outside of hazardous lands adjacent to river and stream systems which are impacted by erosion hazards. New lots by means of consent or plan of subdivision will not be permitted within the erosion hazard limit.
- 12.6.4 A Geotechnical Engineering Study may be required to support any development within the erosion hazard limit. The Geotechnical Study, provided by the applicant, shall be prepared by an accepted engineering firm to the satisfaction of the Town and the Conservation Authority. The study shall demonstrate that the development may be carried out in accordance with Provincial, watershed, and local principles, standards, and procedures.
- 12.6.5 Any works required to address the erosion hazard will require a permit from the conservation authority. Shoreline works may require approval from the conservation authority.

12.7 **FLOODING HAZARDS – RIVER AND STREAM SYSTEMS**

- 12.7.1 It is the intent of this Plan that lands prone to flooding be designated “Natural Hazards”. These lands are shown on Schedule “A” to this Plan. Existing floodplain mapping for the Nottawasaga River and Sturgeon Creek floodplains show over 100 dwellings existing within the respective floodplains, particularly on the Nottawasaga River in the area of Oxbow Park Road, 32<sup>nd</sup> Street South, and Knox Road East. The Town and Conservation Authority have received and will continue to receive building permit applications for new dwellings (redevelopment and conversions), additions, and accessory structures within the flood prone areas. The precise location of the flood plain will be established to the satisfaction of the Town and Conservation Authority when considering permit applications.
- 12.7.2 Where the extent of the flood plain has not been determined, technical flood plain studies may be required through the approval process to support any development, the cost of which will be borne by the developer.
- 12.7.3 The determination of the flooding hazard limit will be based on the greater of the:
- a) Floods resulting from major storm events such as Hurricane Hazel storm (1954) or the Timmins storm (1961)
  - b) 1:100 year flood
  - c) A flood that was actually experienced which is greater than an historical storm event or the 1:100 year event

Development will be directed to areas outside of hazardous lands adjacent to river and stream systems which are impacted by flooding hazards.

- 12.7.4 A Flood Plain Analysis may be required to support development or redevelopment. The Flood Plain Analysis, provided by the applicant, must be prepared by a qualified engineer to the satisfaction of the Conservation Authority and the Town. The study shall demonstrate that the development can be carried out in accordance with Provincial, watershed, and local principles, standards, and procedures for flood plain development. The study, among other matters, must demonstrate that all development will:
- a) Be adequately flood proofed
  - b) Be appropriately designed
  - c) Not cause impacts on upstream/downstream lands, property, and buildings
  - d) Have no negative impact on the hydraulics or hydrology of the flood plain
- 12.7.5 Any development proposed in the floodplain will require a permit from the conservation authority. The conservation authority permit will address such matters as the required minimum opening elevation, grade alterations, flood proofing measures, and special construction techniques as may be required.
- 12.7.6 It is the policy of Council to ensure the safety of its residents in the event of a flood or ice jam. As such, the Town in association with other appropriate agencies will prepare an Emergency Action Plan, which will address, among other matters, the means to evacuate people and moveable property from flood susceptible areas.
- 12.7.7 Where existing properties are located wholly or partly within the flooding hazard limit, particularly on the Nottawasaga River in the areas of Oxbow Park Drive, 32<sup>nd</sup> Street South, and Knox Road East, the implementing zoning by-law may recognize the use of the lands and place them into the appropriate Flood Plain or Flood Plain Holding "H" Zone.
- 12.7.8 Lands designated "Natural Hazards" due to flooding hazards, may be identified as an area of site plan control as provided for in the *Planning Act*, as amended.
- 12.7.9 Non habitable or accessory buildings may be permitted however a minimum of fill is to be used, the building should be properly constructed and anchored to prevent floatation and any electrical systems should be installed to 0.15 metres above the regional flood level.

12.8 **HAZARDOUS SITE CONDITIONS – UNSTABLE SOILS AND STEEP SLOPES**

- 12.8.1 Lands containing hazardous sites including wetlands, areas of unstable soils such as inorganic marl and organic soil deposits, and steep slope areas including the parabolic dune outliers are designated "Natural Heritage System Category 1" or "Natural Hazards" on Schedule "A" to this Plan. Provincially significant wetland and provincial soils mapping have been used to identify the

location of wetlands and areas of unstable soils. The precise location of wetland areas will be established to the satisfaction of the Town, Ministry of Natural Resources, and the Conservation Authority when considering development applications. The steep slope areas have been identified based on the Dune Outlier Study undertaken by the Town.

Environmental and geotechnical studies may be required through the planning process to identify any hazardous site conditions, the cost of which will be borne by the developer.

- 12.8.2 Development, including the creation of new lots by means of consent or plan of subdivision, and site alteration will not be permitted within Provincially significant wetlands and on the parabolic dune outliers.
- 12.8.3 Development will be directed to areas outside of hazardous sites containing unstable soils, in accordance with the natural hazards policies of the Plan and the Provincial Policy Statement. New lots by means of consent or plan of subdivision will not be permitted within hazardous sites.
- 12.8.4 A Geotechnical Engineering Study will be required to support any development proposed within hazardous sites. The Geotechnical Study, the cost of which will be borne by the developer, must be prepared by a qualified engineer to the satisfaction of the Town and Conservation Authority. The study must demonstrate that the development can be carried out in accordance with Provincial, watershed, and local principles, standards, and procedures.
- 12.8.5 Any development permitted within hazardous sites will require a permit from the conservation authority.
- 12.9 **EXCEPTIONS**

## SECTION 13

### NATURAL HERITAGE

#### 13.1 **OBJECTIVES**

- 13.1.1 To conserve, maintain, and enhance the quality and integrity of the natural heritage system features and ecological processes of the Town of Wasaga Beach including air, water, land, and living resources for the benefit of future generations.
- 13.1.2 To protect significant wetlands, ravines and watercourses, and the habitat of endangered species and threatened species situated within the Town of Wasaga Beach.
- 13.1.3 To prevent the diminishment of ecosystem biodiversity and provide for the long term viability of the natural heritage system by approving land uses which are demonstrated to be compatible with natural features and environmental functions.
- 13.1.4 To encourage and promote the use of a variety of planning, engineering and resource management approaches and techniques to realize the hydrological, biological, and socio-economic benefits derived from the long term conservation of the natural heritage system.

#### 13.2 **DEFINITIONS**

##### 13.2.1 **The Natural Heritage System**

The natural heritage system of the Town of Wasaga Beach is a diverse and environmentally complex system which include but are not limited to Provincially significant wetlands, areas of natural and scientific interest, fish habitat, significant valleylands, significant habitat of endangered species and threatened species, significant wildlife habitats, significant parabolic dune system, and significant woodlands. The Town in cooperation with the Nottawasaga Valley Conservation Authority and the Ministry of Natural Resources completed a number of environmental studies. These studies examined in detail the Town's entire Natural Heritage System including the parabolic dune ecosystem; habitats of the threatened Eastern Hognosed Snake; and the South Bank Study Area. The results of these studies are reflected in the Town's revised Natural Heritage System.

Natural heritage system - Category 1 lands may primarily be characterized as natural areas of high environmental quality and significance and/or sensitivity. Natural heritage system - category 2 lands may be characterized as areas of lesser environmental significance and/or sensitivity, although areas of high environmental quality may also be present. These areas typically will be publicly or privately owned. Category 2 lands may contain lands/or waters previously

altered or impacted and/or developed areas which exhibit a variety and mix of existing uses.

### 13.2.2 **Natural Heritage System - Category 1 Lands**

Lands designated as “Natural Heritage System - Category 1” on Schedule “A” include environmentally significant lands and/or waters of inherent ecological sensitivity, such as those areas containing the following natural features:

- Provincially significant wetlands.
- Natural watercourses and ravines.
- Significant habitat of endangered species and threatened species.
- Significant parabolic dunes outside of the Provincial Park.

All natural heritage features, areas, and significant natural watercourses and ravines within the Town may not be shown as Natural Heritage System - Category 1 lands on Schedule “A”. Policies contained within this Plan do however specifically apply to these areas.

### 13.2.3 **Natural Heritage System - Category 2 Lands**

Lands delineated as Natural Heritage System - Category 2 lands on Schedule “D” include, but are not limited to, those environmentally significant lands and/or waters of ecological sensitivity, such as those areas containing the following natural features:

- Adjacent lands to Provincially significant wetlands and other natural heritage system - category 1 lands;
- Provincially significant Areas of Natural and Scientific Interest (ANSI) or other combinations of habitat or landform which could be essential for scientific research or conservation education;
- Significant wildlife habitat;
- Natural connections through valley corridors or other linkages between core areas of the natural heritage system;
- Shoreline areas and beach and dune conservation areas;
- Fish habitat;
- Significant woodlands; and,
- Significant valleylands.

The above noted features and areas of the natural heritage system are for the most part shown in the areas delineated as Natural Heritage System – Category 1 and Category 2 lands on Schedule “D”. Policies are also contained in this section that pertain to areas such as fish habitat which have yet to be identified and delineated.

All above noted features and areas may not be shown as Natural Heritage System Category 2 Lands on Schedule D. Policies contained within this Plan do however specifically apply to these areas.

#### 13.2.4 **Environmental Significance**

- a) Significant, when used to describe wetlands and ANSI areas, refers to areas identified by the Ministry of Natural Resources as being Provincially significant using evaluation procedures established by the Province of Ontario.
- b) Significant, when used to describe the habitat of endangered species and threatened species means the habitat that is necessary for the maintenance, survival, and/or the recovery of naturally occurring or reintroduced populations of endangered species or threatened species, as approved by the Ministry of Natural Resources, and where those areas of occurrence are occupied or habitually occupied by the species during all or any part(s) of its life cycle.
- c) Significant, when used to describe natural heritage features or areas, means ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area of the natural heritage system of the Town of Wasaga Beach according to criteria as determined by the Municipality.

#### 13.2.5 **Incompatible Development and Site Alteration**

Incompatible development includes both development and site alteration that would negatively impact a natural heritage feature or system. The term “development” encompasses those activities which require approval under The Planning Act, as amended, including the creation of a new lot, a change in land use, or the construction of buildings and structures, but does not include activities that create or maintain infrastructure authorized under an environmental assessment process. The term “site alteration” means activities that alter the landform or vegetative character of a site, such as grading, excavation, and the placement of fill.

#### 13.2.6 **Negative Impacts**

Negative impacts are defined as development or site alteration activities that threaten the health and integrity of the natural features or ecological functions for which an area is identified.

#### 13.2.7 **Adjacent Lands**

Adjacent Lands are defined as those lands which may vary in width that are contiguous to a natural heritage feature or area. Adjacent Lands are those areas where it is possible that development or site alteration of those lands would have a negative impact on a natural heritage feature or area. The width of adjacent lands for provincially significant wetlands and lands containing endangered



species is 120 metres. The width of adjacent lands for every other natural heritage feature is 50 metres except fish habitat which is 30 metres.

### 13.2.8 **Overlay Designation**

The uses permitted in an overlay designation are those permitted by the underlying designation as shown by Schedule “A” to this Official Plan. The Natural Heritage System – Category 1 and Category 2 lands overlay designation as shown by Schedule “D” to this Official Plan applies to those components of the natural heritage system that are not included on Schedule “A” as being within the Natural Heritage System - Category 1 lands.

## 13.3 **PERMITTED USES**

### 13.3.1 **Natural Heritage System - Category 1 Lands**

- a) The natural state of these areas is intended to be preserved and protected. Permitted uses on lands designated “Natural Heritage System - Category 1” as shown on Schedule “A” include existing agricultural uses, forestry, passive outdoor recreation, public works/uses, scientific research and education and wildlife management activities compatible with the conservation and preservation of the natural flora and fauna.
- b) No development or site alteration shall be allowed in Natural Heritage System - Category 1 lands other than public works/uses and those structures necessary for flood or erosion control.

### 13.3.2 **Natural Heritage System - Category 2 Lands**

- a) Permitted uses on lands delineated on Schedule “D” as Natural Heritage System – Category 1 and Category 2 lands are those uses that are permitted by the underlying land use designation provided that such uses conform to the policies of this section.
- b) Existing non-conforming uses at the date of formal approval of this Plan may be recognised in the zoning by-law. The extent of any such existing use will be limited in the by-law to an area sufficient to the siting of such uses.
- c) It is the intention of this Plan to direct development primarily to established and fully serviced areas generally situated adjacent to the existing built portion of the Wasaga Beach community. Development and site alteration in lands delineated Natural Heritage System - Category 2 lands however may be permitted if it can be demonstrated, to the satisfaction of the Municipality in consultation with the applicable commenting agencies and approving authorities, that negative impacts on the ecological features or functions of the components of the natural heritage system of the Town of Wasaga Beach will not occur.

The anticipated impact of development and site alteration shall be demonstrated by a proponent of development through the completion of an Environmental Impact Study (EIS) as outlined by this section of the Plan.

#### 13.4 **POLICIES**

- 13.4.1 It is intended that natural heritage system features and areas and their adjacent lands are to be conserved, maintained, and enhanced and not subject to the impact of incompatible and inappropriate land uses and development. In order to protect and conserve significant environmental features two categories of natural heritage features and areas have been established; areas where development and site alteration will not be permitted (Category 1); and areas where development and site alteration are only permitted when an environmental impact study (EIS) has demonstrated that there will be no negative impact on the natural features or functions of areas (Category 2). The categorization of environmental significance and sensitivity is determined to various degrees by Provincial guidelines, the nature and detail of existing information, municipal criteria, and other agency approaches. It is anticipated that the delineation of the natural heritage system will be periodically revised and updated from time to time over the duration of the planning period to take into account new information, Provincial guidelines, and agency and municipal approaches.
- 13.4.2 Where land designated or delineated natural heritage system is under private ownership this Plan does not indicate that this land will necessarily remain as such indefinitely, nor shall it be construed as implying that such areas will be purchased by the Municipality or a public agency or are free and open to the general public or that unlimited outdoor recreation activities will be permitted.
- 13.4.3 The redesignation of lands for development and site alteration purposes situated adjacent to Natural Heritage System - Category 1 lands or within environmentally significant lands/waters as defined by this Plan shall generally be discouraged. As part of a completed application to redesignate such lands, the applicant shall be required to undertake an Environmental Impact Study completed by a professional qualified in the field of environmental sciences to the satisfaction of the Town of Wasaga Beach and other approval agencies.
- 13.4.4 The redesignation of areas adjacent to, or within **Natural Heritage System - Category 2 Lands** of the Town of Wasaga Beach for development shall require an EIS (Environmental Impact Study) to be completed as part of a complete application by a professional qualified in the field of environmental sciences to the satisfaction of the Town and other approval agencies. However, an EIS may not be required depending on the nature of the proposed use, the sensitivity of the feature in question, and the opinions of the professional staff of the Town, Conservation Authority, and County.
- 13.4.5 It is not the intent of this Plan to limit the ability of existing agricultural land uses to continue even when such uses presently occur within a natural feature or

area, or on adjacent lands, provided that they are consistent with the policies of this Plan or the zoning by-law. Agricultural uses include; the growing of crops, including nursery and horticultural crops; raising of livestock and other animals for food, or fur, including poultry and fish; aquaculture; agro-forestry; maple syrup production; and associated on-farm buildings and structures.

13.4.6 An Amendment to this Plan will not be required for minor changes to the “Natural Heritage System - Category 1”, designation or those areas delineated as Natural Heritage System - Category 2, if the changes are deemed to be insignificant by Council in consultation with the commenting agencies. Where boundaries are in question, the Municipality shall consult with the applicable agency/ies to determine the necessity of an Amendment to this Plan. If an Amendment is deemed unnecessary the Municipality shall proceed with an Amendment to the zoning by-law.

13.4.7 In the absence of more detailed mapping, natural heritage system boundaries shall be used as guides for the implementation of the policies contained within this Plan. The Municipality shall amend the schedules of the Official Plan and Comprehensive Zoning By-law to incorporate more detailed mapping of components of the natural heritage system when such mapping becomes available through an EIS or from an applicable agency.

13.4.8 Lands situated adjacent to Natural Heritage System - Category 1 and all areas identified on Schedule “D” as Natural Heritage System - Category 2 and lands considered adjacent thereto are designated by this Plan as site plan control areas and development or site alteration proposed in these areas may be required to enter into a site plan control agreement with the Town of Wasaga Beach.

13.4.9 **Natural Heritage System - Category 1 Lands**

13.4.9.1 Provincially Significant Wetlands

The Town of Wasaga Beach contains a number of wetlands. The following policies shall apply to protect all Provincially significant wetlands in the Town of Wasaga Beach.

- a) Development and site alteration shall not be permitted in provincially significant wetlands which may be designated Natural Heritage System - Category 1 lands on Schedule “A” to this Plan.
- b) Where the boundary of a wetland is undefined or unclear, consultation shall be sought from the Town and applicable approval agencies.
- c) The Town will encourage creation of appropriate management strategies through the development of management plans for wetlands or wetland complexes within the Municipality in consultation with the applicable approving and commenting agencies.

- d) Provincially significant wetlands shall be placed in a zone in the implementing zoning by-law which protects them in accordance with these policies.

#### 13.4.9.2 Significant Habitat of Endangered Species and Threatened Species

- a) For the purposes of this section endangered species means any native species, as listed in the regulations under the *Endangered Species Act*. Threatened species means any native species at risk of becoming endangered through all or a portion of its Ontario range if the limiting factors are not reversed. The Eastern Hog-nosed Snake is a Federally and Provincially designated threatened species that is present within the Town of Wasaga Beach. The Ministry of Natural Resources is currently developing a Species Recovery Strategy under the *Species at Risk Act*. The Town of Wasaga Beach in partnership with the Nottawasaga Valley Conservation Authority developed the Eastern Hog-nosed Snake Discussion Paper in July 2005. This study identified areas of significant habitat for this snake. The Town will use this study as an interim guide identifying the significant habitats until the Species Recovery Strategy is completed by the Ministry of Natural Resources.
- b) For the purposes of this section, significant habitat means the habitat, as approved by the Ontario Ministry of Natural Resources, that is necessary for the maintenance, survival, and/or the recovery of naturally occurring or reintroduced populations of endangered species and threatened species, and where those areas of occurrence are occupied or habitually occupied by the species during all or any part(s) of its life cycle.
- c) Natural areas within the Town of Wasaga Beach not yet identified or recognized may be inhabited by endangered species or threatened species for all or part of their life cycle. It is the policy of this Plan not to permit development in areas of significant habitat of endangered or threatened species.
- d) Where a development proposal may have the potential to cause negative impacts to significant habitat of endangered species and threatened species and where a recovery/management plan has been prepared, the Town may implement, as conditions of approval, the relevant habitat protection sections in the area to which the development proposal applies.
- e) Where a development proposal may have the potential to cause negative impacts to significant habitat of endangered species and threatened species and where a recovery/management plan has not been prepared, the Town should follow the protocol for the identification of the significant portions of the habitat of endangered and threatened species and may require the applicant to identify and confirm through the completion of an

EIS, the location, size, amount, configuration, and quality of the habitat requiring protection.

- f) As conditions change or new information becomes known in regard to the location of habitat of endangered species and threatened species, lands/or waters demonstrated to possess significant habitat of endangered species and threatened species may be designated “Natural Heritage System - Category 1” on Schedule “A” of this Plan. Areas of significant habitat of endangered species and threatened species may be placed in the appropriate zoning category in accordance with these policies.

#### 13.4.9.3 Significant Ravines and Watercourses

- a) Significant ravines are narrow steep-sided valleys associated with watercourses. They are created by erosion from the action of running water, and are prone to further erosion and slope instability.
- b) It is the policy of this Plan that ravines and watercourses be kept in as natural a state as possible and not developed. Development and site alteration is not permitted in steep sloped areas of ravines and along watercourses, unless it is in accordance with a permit from the conservation authority and the Natural Hazards policies of this Plan.
- c) A minimum setback distance from the top of a watercourse or ravine bank for all buildings or structures, septic systems, swimming pools may be set out in the Comprehensive Zoning By-law. A reduction in the setback may be considered by the Municipality if a satisfactory geotechnical investigation by a qualified soils consultant addressing slope stability is received. Prior to a decision being rendered on the application, written comments from the appropriate agencies will be solicited and considered by the Town.
- d) Significant watercourses and ravines will be placed in a zone in the implementing zoning by-law which protects them in accordance with these policies.

#### 13.4.9.4 Significant Parabolic Dunes Outside of the Provincial Park

The parabolic dune system is an impressive landform feature, which is unique within the Province. Much of the dune system is protected within the Wasaga Beach Provincial Park. However six outliers of this dune system are found outside the park. The Town in partnership with the Nottawasaga Valley Conservation Authority developed a Dune Outlier Study, July 2005, to evaluate the significance of these dune outliers from slope stability, landscape conservation and natural heritage perspectives. The study concluded these six dune outliers are part of the same parabolic dune system found within the park. Based on the Dune Outlier Study evaluation criteria, these six dune outliers are

considered to be significant features within the natural heritage system, and shall be subject to the following policies:

- a) Development shall not be permitted within the dune outliers which are designated “Natural Heritage System - Category 1” on Schedules “A” to this Plan.
- b) Development may be permitted on lands adjacent to the area designated “Natural Heritage System - Category 1”, provided that it can be demonstrated through the submission of an Environmental Impact Study prepared to the satisfaction of the Town, County and appropriate agencies that there will be no negative impacts on the dunes or their ecological functions.
- c) The dune outliers shall be placed in a zone in the implementing Zoning By-law which protects them in accordance with these policies.

#### 13.4.10 **Natural Heritage System - Category 2 Lands**

##### 13.4.10.1 Adjacent lands to Category 1 Lands

- a) Adjacent Lands are those areas where it is possible that development or site alteration would have a negative impact on a natural heritage feature or area. Development proposals for lands situated adjacent to Natural Heritage System - Category 1 lands may be permitted by the Town of Wasaga Beach subject to the completion of an Environmental Impact Study to the satisfaction of the Town and applicable approval agencies. The study shall show no negative impacts on the natural features or on the ecological functions of the lands under review.
- b) The EIS shall evaluate the ecological function of the natural heritage features and shall demonstrate that there are no negative impacts on the natural features or on the ecological functions of the lands under review. The EIS should also determine the extent of the potential impacts (if any), recommend an appropriate buffer area, and propose any necessary mitigation measures to avoid negative impacts.

##### 13.4.10.2 Areas of Natural and Scientific Interest (ANSI)

- a) For the purposes of this Plan Areas of Natural and Scientific Interest (ANSI) are areas of land/or water having life science or earth science values, and containing natural landforms or features which have been identified as Provincially significant using evaluation procedures established by the Province, as amended from time to time. These areas possess valuable characteristics related to the appreciation or function of the natural environment, scientific study or education.
- b) The Town of Wasaga Beach contains two Areas of Natural and Scientific Interest (ANSI) known as the Wasaga Beach Provincial Park and the

Marl Lake ANSI's. These areas are of Provincial significance and overlap to varying degrees with wetlands that are designated on Schedule "A" to this Plan as "Natural Heritage System - Category 1" lands. Development and site alteration shall not be permitted on those lands containing areas of natural and scientific interest which are designated "Natural Heritage System - Category 1" in Schedule "A" to this Plan.

- c) Development and site alteration proposals for lands situated within and adjacent to an ANSI, as identified as part of the Natural Heritage System – Category 1 and 2 Lands as shown on Schedule 'D' to this Plan may be permitted by the Town of Wasaga Beach subject to the completion of an EIS to the satisfaction of the Town and applicable approval agencies. The study shall demonstrate that the proposal will not negatively impact the viability of the habitat or the natural features or ecological functions for which the area is identified.
- d) Where the boundary of an ANSI is undefined or unclear, consultation shall be sought from the applicable commenting and approval agency/ies.
- e) The Town shall support and encourage the development of management plans for Provincially significant ANSI areas in consultation with the applicable approval and commenting agencies.
- f) Areas of Natural and Scientific Interest shown on Schedule "D" of this Plan and designated as "Natural Heritage System – Category 1 and Category 2" may be placed in an appropriate zone in the implementing zoning by-law in accordance with these policies.

#### 13.4.10.3

##### Significant Wildlife Habitat

- a) The Town of Wasaga Beach possesses areas containing terrestrial and aquatic flora and fauna characteristic to the Great Lakes mixed forest region. It is the policy of this Plan to maintain the biodiversity and integrity of the natural heritage system through the wise conservation and management of significant wildlife habitat. For the purposes of this section significant wildlife habitat may include the following:
  - i) Animal movement corridors,
  - ii) Rare vegetation communities (including oak-pine forest with tallgrass savanna habitat, shrub sand dune communities, and Great Lakes coastal meadow marsh lands),
  - iii) Habitats of seasonal concentrations of animals and areas where species concentrate at a vulnerable point in their annual or life cycle (such as deer wintering yards, fish spawning and nursery areas, and waterfowl production and staging areas), and
  - iv) Habitats of species of conservation concern excluding endangered species or threatened species.

- b) Although specific areas have not been identified as significant wildlife habitat, it is likely that some or all of the habitat areas are situated within the Natural Heritage System as defined by Schedule “D” of this Plan. However, these policies shall still apply if the significant wildlife habitat has not been identified as being within the Natural Heritage System shown on Schedule ‘D’ to this Plan.
- c) Development may be permitted on lands situated adjacent to and within significant wildlife habitat subject to the completion of an Environmental Impact Study to the satisfaction of the Town and applicable approval agencies. The study shall demonstrate that the proposal will not negatively impact the viability of the habitat or the ecological value and functions for which the area is identified. The study should generally contain the following information:
  - i) An assessment of the extent and characteristics of the habitat area that may be affected;
  - ii) An analysis of the potential impact of the proposal on the viability of the habitat area;
  - iii) A strategy whereby the design, construction and operation of the proposal will maintain the environmental quality of the habitat and preserve the viability of the affected habitat area; and,
  - iv) A method for the replacement or compensation for any used or converted portions of the significant wildlife habitat which will, generally be equal to the ecological functions of the areas converted from the former natural habitat use.
- d) The Town, where reliable information on habitat use is lacking, will encourage and co-operate with wildlife conservation groups, non-governmental organizations, or interested agencies to promote the undertaking of inventories, habitat assessments, and other information gathering activities.
- e) It is the policy of this Plan to promote and encourage the continuation of study of the biological aspects of the natural heritage system of the Town of Wasaga Beach over the duration of the planning period. The purpose of additional studies would be to ensure the adequate protection of the biodiversity and viability of the natural heritage system through the further evaluation and identification of the attributes of the specific system components. Study topics may include, but are not limited to, the following issues and matters:
  - i) The identification of species of Provincial and local conservation concern and their corresponding habitat areas;



- ii) The delineation of Provincially or locally rare or specialized habitats for wildlife with specialized needs;
  - iii) The examination of the local context of larger scale (i.e. North American flyways) animal movement linkages and of the regional and local animal movement corridors between the core areas of the natural heritage system features of the Town and other areas; and,
  - iv) The determination of the present and historical ecological significance of habitat areas associated with seasonal concentrations of animals.
- f) As additional information is submitted and found to be acceptable to the Ministry of Natural Resources and the Town in regard to the location of areas of significant wildlife habitat, these lands/or waters may be designated “Natural Heritage System - Category 2” on Schedule “D” of this Plan.
- g) Areas of significant wildlife habitat may be placed in a zone in the implementing zoning by-law in accordance with these policies.

#### 13.4.10.4 Significant Woodlands

- a) A woodland patch is a distinct woodland with its outer edge delineated by its outermost dripline. Woodlands remain contiguous even if interrupted by natural clearings, clearings for agricultural uses, other rural land uses, or infrastructure, provided the clearing is not more than 20 metres wide, edge to edge.
- b) For the purposes of this Plan, “significant” woodlands means woodlands that are ecologically or economically important. These natural heritage features may be separate from but are functionally related to the core areas of natural heritage system or have been identified through site specific review and study. Significant woodlands may also contain other natural heritage features.
- c) Woodlands within the Town will continue to be evaluated for their significance based on specific criteria, which include but are not limited to the following: size, shape, habitat and habitat potential, diversity (species composition), slope, soils, social and recreational value, surface water and groundwater functions, and linkages. Where no other significant natural heritage features are present, and in the absence of historic vacant existing residential lots, a woodland may be considered significant if it is greater than 20 hectares in size.
- d) Significant woodlands that have been identified and designated for protection and conservation purposes as part of the natural heritage

system are shown on Schedule “D”, Natural Heritage System, of this Plan.

- e) Significant woodlands may provide interior forest habitat for wildlife and bird species. Interior forest habitat is any part of a woodland patch that is 100 metres or more from all edges of the patch. It is a policy of this Plan that forest interior habitat within the core areas of the natural heritage system shall be protected.
- f) Development and site alteration should be directed away from significant woodlands. However, development and site alteration may be permitted within or adjacent to significant woodlands provided that an Environmental Impact Study is completed that demonstrates that there will be no negative impacts on the natural features or their ecological functions, and is satisfactory to the Town and the applicable approval agencies. If it is anticipated that environmental or ecological features or functions will be impaired or impacted, the EIS shall determine the appropriate mitigative measures or actions, including but not limited to appropriate buffers.
- g) The Town is committed to proactively pursuing the securement of conservation easements and dedication of lands containing woodlands to protect a healthy and diverse natural heritage system for current and future generations. The Town shall also encourage the dedication of woodlands into public ownership for the purpose of conservation and protection of these sensitive natural heritage features.

#### 13.4.10.5 Fish Habitat

- a) The Town of Wasaga Beach may possess significant fish spawning and nursery areas as well as feeding and migratory areas. It is the policy of this Plan to ensure no net loss of the productive capacity of fish habitat. The principle of no net loss may balance unavoidable habitat losses with habitat replacement and rehabilitation.
- b) Where development is proposed on lands/waters adjacent to or within fish habitat, the proposal shall conform to the applicable Provincial and Federal guidelines for fish habitat protection and the proponent shall include as part of an Environmental Impact Study to the Town the following information:
  - i) An assessment of the development's potential impact on the quality, quantity and temperature of the fish habitat; and,
  - ii) A strategy whereby the design, construction and operation of the development will maintain the quality, quantity and temperature of the fish habitat.

- c) Where proposed development is within fish habitat or in areas adjacent to fish habitat and the proposed harmful alteration, disruption or destruction of habitat cannot be compensated for due to the nature and sensitivity of the habitat involved, the proposal shall not be authorized and the project not permitted to proceed.
- d) It is the policy of this Plan to promote and encourage the study of fish habitat areas of the Town of Wasaga Beach. Studies may be conducted in co-operation with non-governmental organizations and/or interested groups with the purpose of the studies being the identification, evaluation and classification of areas of fish habitat in order to ensure the adequate protection of these areas.
- e) Where fish habitat is associated with an open watercourse or waterbody, a vegetative buffer may be required by the implementing zoning by-law. Land uses within the vegetative buffer may be restricted to those uses which maintain or enhance the quality of the natural feature.
- f) Where stream banks or watercourses have been identified as requiring restoration or enhancement, the Town of Wasaga Beach should encourage and may participate in rehabilitative efforts.
- g) Areas of significant fish habitat may be zoned by the implementing zoning by-law in accordance with the policies of this Plan.

#### 13.4.10.6 Significant Valleylands

- a) Valleylands within the Town shall be evaluated for their significance based on specific criteria, which include but are not limited to the following: surfacewater and groundwater functions, size and landform prominence, degree of naturalness, community and species diversity, unique communities and species, habitat value, and linkage function.
- b) Development proposals in significant valleylands, such as the Nottawasaga River and its tributaries, may be permitted by the Town of Wasaga Beach subject to the completion of an Environmental Impact Studies (EIS) to the satisfaction of the Town and applicable approval agencies. The EIS shall evaluate the ecological function of the natural heritage feature and shall show no negative impacts on the natural features or on the ecological functions of the lands under review.

#### 13.4.10.7 Locally Significant and other wetlands

- a) Development and site alteration proposals for lands situated on or adjacent to locally significant wetlands may be permitted by the Town of Wasaga Beach subject to the completion of an Environmental Impact Studies (E.I.S) to the satisfaction of the Town and applicable approval agencies.

- b) Locally significant wetlands may be placed in a protective Zone by the implementing Zoning By-law in accordance with these policies.
- c) The Town of Wasaga Beach may require development and site alteration proposals in or adjacent to an unevaluated wetland not shown on Schedule "D", to undertake an Environmental Impact Study to the satisfaction of the Town and the applicable approval agencies prior to being considered for municipal approval. Through the preparation of the EIS, the Town may require the wetland to be evaluated.

#### 13.4.10.8 Planning Approaches for other Components of the Natural Heritage System

##### a) Core Areas

Core areas of the natural heritage system of the Town of Wasaga Beach are contiguous natural areas that may contain a variety of terrain and habitat areas and/or provide interior forest habitat. In the Town of Wasaga Beach the core areas of the natural heritage system include Wasaga Beach Provincial Park Wasaga Beach Wetland Complex, Marl Lake Wetland, and the Jack's Lake Wetland Complex. The development of management plans for core areas of the natural heritage system is encouraged as the above noted core areas are considered to be the key components of the natural heritage system of the Municipality.

##### b) Animal Movement Corridors/Connections

Development and site alteration proposed in locations adjacent to or within identified animal movement corridors may be required to examine the anticipated impact and the proposed mitigative measures of the proposal on the affected biological corridor as part of a required EIS.

The primary animal movement corridor linkage identified within the Town of Wasaga Beach is as follows:

- i) The Jack's Lake Wetland/Nottawasaga River biological corridor linking Wasaga Beach Provincial Park and Georgian Bay with Minesing Wetlands;

Biological linkages of secondary significance include the following:

- ii) The natural area corridor linking the Nottawasaga River with the Provincially significant Marl Lake Wetland; and,
- iii) The biological linkage along Sturgeon Creek between Nottawasaga River/Georgian Bay and the Wasaga Beach Wetland.

##### c) Rare vegetation communities and/or specialized wildlife habitats

Rare vegetation communities and specialized wildlife habitat areas of the Town of Wasaga Beach in many instances may be protected as a result of being situated within other Natural Heritage System features or areas. The protection of areas of high species diversity containing rare and specialized habitat may permit the preservation of rare species and/or uncommon plant and animal communities. It is the intention of the Town to encourage the identification and evaluation of those areas of the Municipality which contain rare or specialized habitats. Where rare or specialized habitat is identified and upon evaluation is deemed to be significant, the Municipality may designate these features or areas as part of the natural heritage system - category 2 lands.

d) Valleylands

Valleylands are natural areas that occur in a valley or other landform depression that has water flowing through or standing for some period of the year.

Valleylands are an integral part of the natural heritage system because they establish connectivity as natural linkages and migration corridors between natural features and areas. They provide fish and riparian habitats and often contain springs and seepage areas, river wetlands, floodplains, and function as short term storage reservoirs for storm and melt waters.

The Town of Wasaga Beach is situated within the Nottawasaga River watershed and those areas that may be deemed valleylands occur wholly within the present fill regulation areas of the conservation authority and are subject to the Natural Hazards policies of this Plan.

e) Shorelines

It is the intention of this Plan that shorelines situated along lakes, rivers, creeks or other watercourses which possess excessive slope and/or erosion potential, natural heritage features or areas such as fish habitat and/or wetlands shall be restricted from development in accordance with the Natural Hazards policies of this Plan. The dredging, filling, clearing, or other form of site alteration of shoreline areas shall not be permitted without the written approval of the Town and the applicable regulatory agency.

It is the policy of this Plan that the level of recreational activities and public access to shoreline areas should be maintained at sustainable levels which respect and maintain the existing natural features and vegetation of an area as well as the aesthetic values for which the area is known.

Development and site alteration along the Georgian Bay (Nottawasaga Bay) shoreline shall also conform to the Beach and Dune conservation area policies of this Plan (Section 13.4.11).

f) Woodlands

- i) The Town of Wasaga Beach contains woodlands, which includes treed areas, woodlots, and forested areas that provide environmental, social, and economic benefits to both the private landowner and the general public, including:
  - a) Erosion prevention;
  - b) Hydrological and nutrient cycling;
  - c) Provision of clean air and the long-term storage of carbon;
  - d) Provision of wildlife habitat;
  - e) Outdoor recreational and social opportunities;
  - f) Sustainable harvest of a wide range of wood products;
  - g) Corridors for wildlife movement and biodiversity; and,
  - h) Water retention.
- ii) The Town shall encourage conservation and utilization of woodlands in the Town of Wasaga Beach, which shall endeavour to achieve some or all of the following objectives:
  - a) To control soil erosion, particularly along watercourses;
  - b) To protect woodland ecosystems, including rare tree species or forest community types, and old growth;
  - c) To enhance air and water quality;
  - d) To preserve habitat for wildlife populations in order to maintain biodiversity;
  - e) To foster a conservation ethic amongst residents of the Town;
  - f) To permit passive and other non-intrusive uses where appropriate;
  - g) To allow the sustainable production and harvesting of wood and other forest products, in accordance with acceptable forest management practices; and,
  - h) To reduce the impact of flooding from snow melt and/or heavy rain events through water retention.
- iii) The Town shall encourage the continued study and inventory of the woodlands within the Town. Through study and assessment, woodlands shall be identified, classified, and prioritised as to their relative significance, taking into consideration any unique and higher order ecological functions and attributes.
- iv) It is the policy of this Plan that woodlands of greater than 2.0 hectares in size outside of the core areas of the natural heritage system shall be assessed for significance based on the following

criteria: size, shape, habitat potential, diversity (species composition), slope, soils, social and recreational value, surface water and groundwater functions, and linkage. Development and site alteration may be permitted within or adjacent to woodlands provided that an EIS is completed to the satisfaction of the Town. If it is anticipated that environmental or ecological features or functions will be impaired or impacted, the study shall determine the appropriate mitigative measures or actions. Where historic vacant residential lots exist, the Town should encourage the retention of trees where possible through the siting and grading of proposed dwelling units.

- v) Woodlands of less than 2.0 hectares in size shall be assessed for their social and recreational values, and are encouraged to be preserved for the purpose of buffering and land use compatibility, recreational use, aesthetics, erosion prevention, and their contribution to the broader landscape.

g) **Headwater Areas**

Headwater areas may be defined as those areas which contain first order streams located at the top of a drainage system, springs, seepage areas, and/or areas of groundwater recharge and/or discharge. Fish habitat in Headwater areas is generally highly sensitive to site alteration or development since these areas may include spawning and nursery areas for some species. Headwater areas tend to produce comparatively higher volumes of runoff since they are generally located in steeper upland areas and also function as important aquifer recharge areas because they typically consist of permeable surface materials.

Headwater areas, because of their environmental sensitivity, need to be identified and evaluated and the groundwater aquifer recharge potential of these areas realized in order to maintain stream baseflows. Management guidelines developed for these areas should generally seek to maintain groundwater infiltration rates and vegetative cover, and minimize disturbances due to site alteration and development. It is the policy of this Plan that the necessity and feasibility of protecting headwater areas of the Town should be examined on a tributary by tributary basis as part of any Master Watershed and/or Sub-Watershed Planning exercise.

**13.4.11 The Beach and Dune Conservation Area**

- a) The beach and dune conservation area, located along the Nottawasaga Bay shore line from the mouth of the Nottawasaga River to approximately 71<sup>st</sup> Street, is intended to apply to all privately and publicly owned properties that abut the Wasaga Beach Provincial Park beach area.

- b) This Plan recognizes the importance of the Nottawasaga Bay shoreline as a recreational amenity and as a natural heritage feature, and seeks to achieve a balance between the two functions. In this area, sand accumulation dominates the landscape and results in the formation of sand dunes through the natural process of erosion and deposition. It is the intent of this policy to provide protection and direction in regard to development, redevelopment and site alteration which might result in a negative impact on the natural features and functions of the beach dunes and associated vegetation.
- c) The beach dunes and associated vegetation provide wave protection to the shoreline and sand reservoirs critical to the natural function of the dynamic beach area system, and protect the shoreline immediately inland from flooding and erosion.
- d) All applications concerning development, redevelopment and/or site alteration, in this shoreline area, are subject to the regulations made under the *Conservation Authorities Act* and in particular the Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses, or its successor. The Town, in cooperation with the Conservation Authority, intend to ensure that any works in this area are designed, approved and completed subject to the approval of the appropriate government authority having jurisdiction. Proposed development, redevelopment, and/or site alteration adjacent to sand dunes shall have regard for the dynamic beach process and may be required by the municipality to incorporate protective features for the dunes into the project's design.
- e) Proponents of development, redevelopment or site alteration along the shoreline are encouraged to enhance the beach and dune conservation area through the use of native vegetation compatible with a beach environment e.g. dune grass and the restoration of areas where vegetation has been removed or damaged in cooperation with the appropriate agencies.
- f) The long term stability of the beach area will be promoted through the incorporation of appropriate management measures into any proposed public or private construction within the beach and dune conservation area. Such management measures may include, but are not limited to, vegetative plantings of sand resistant species, dune enhancement, replacement of excavated sand material into the beach environment, etc. Where feasible, low maintenance management techniques will be encouraged. Site alteration and disturbance of dunes is generally discouraged as the retention of dunes in their natural state provides long term erosion protection for the shoreline.
- g) None of these policies should be interpreted as limiting the recreational use of the beach, provided that there are no detrimental effects to the beach and dune system.



- h) It is intended that the Comprehensive Zoning By-law for the Town will contain appropriate provisions in an effort to implement this policy and alert affected landowners of the regulations that they are subject to.

#### 13.4.12 **Dedication of Lands Containing Natural Hazards and Natural Features**

For planning applications which may include environmental protection and/or other ecologically significant or significant lands which cannot be developed, the following applies:

- a) It is the policy of the Town of Wasaga Beach to protect and secure environmentally significant within the Municipality. The protection of such lands will occur through land dedication to a public authority including the Town or through the institution of conservation easements. In general, the Town may seek to acquire or secure:
- Provincially Significant wetlands;
  - Provincially Significant ANSI;
  - Significant habitats of endangered and threatened species;
  - Coastal wetlands;
  - Significant landforms including sand dunes and valley lands;
  - Natural hazard lands susceptible to flooding, erosion, or unstable soils;
  - 
  - Other significant natural heritage features.
- b) The Town or the applicable agency may seek to acquire or secure significant or sensitive environmental lands through the land use planning process as a condition of development for any subdivision/condominium, consent, or site plan approval.

#### 13.5 **ENVIRONMENTAL IMPACT STUDIES**

It is the policy of this Plan to approve only those land uses which are demonstrated to be environmentally sound and do not negatively impact the natural features or functions of the Municipality. In order to ensure the long term viability of the natural heritage system of the Town of Wasaga Beach it is necessary to clearly understand the environmental implications of all development proposals under consideration especially where proposals may have the potential to cause significant change in the natural functions and features of the environment. The Environmental Impact Study should determine if natural heritage features exist in a given area and identify the type of feature(s) as well as delineate the spatial boundaries of the identified features.

When development and site alteration is being proposed adjacent to category 1 lands or adjacent and within category 2 lands, the proponent will be required to undertake environmental studies consisting in the minimum of an Impact/Summary Review (ISR). Further study may be requested by the

Municipality or other approval agency to examine the environmental impact of the proposed use on the inherent natural attributes and functions of a site or area. The general purpose of these studies is to accurately assess the potential impact on the natural flora, fauna, local ecosystem, and natural processes to determine if environmental features or functions will be impaired and any mitigative measures that may be required, if any.

### 13.5.1 **Definitions**

It is the intention of this Plan that Environmental Impact Studies generally should only be as complex as they need to be and that the process of environmental review be adaptable and flexible in order to take into account the size, scale, and complexity of the proposal being assessed. The two basic levels of Environmental Impact Studies include:

13.5.1.1 Comprehensive EIS: A comprehensive EIS may be required to assess impacts over large and extensive geographical areas. A comprehensive EIS is typically broad in scope and would provide sufficient analysis to formulate land use designations and policies. A comprehensive EIS may require detailed objectives outlined in a terms of reference and input from an advisory or technical review committee and approval authority and other agencies.

13.5.1.2 Site EIS: A site Environmental Impact Study is intended to assess the potential impact of a specific development proposal on the natural features and/or functions of a particular site, and if determined as relevant those lands abutting the subject site. Depending upon the complexity and scale of a proposal, a full site or a scoped site EIS may be required by the Municipality to adequately assess the anticipated environmental impact(s). An Issues/Summary Review (ISR) may also be required by the Town as a preliminary step in order to more closely define the basis of study for a required site EIS. The following is a brief definition and description of an ISR, full site, and scoped site EIS:

- a) Issues/Summary Review: An ISR would identify key natural features and functions and briefly outline and summarize fundamental issues relating to potential impacts. An ISR would also recommend the scale and type of site EIS necessary for a proponent to undertake in order to satisfactorily assess anticipated impacts. The ISR may also recommend whether further studies are appropriate, necessary, and/or reasonable given the nature, size and scale of the development proposal, as well as the sensitivity and size of the affected natural heritage feature or attribute.

The two basic levels of Site EIS's include:

- b) Full Site EIS: A full site EIS may contain a number of detailed assessments of various potential impacts and may be required by the Town to assess large scale development where impacts are unknown and when appropriate mitigative measures may not be readily available.

- c) Scoped Site EIS: A scoped site EIS consists of a focused review which assesses small scale development where environmental impacts can reasonably be expected to result in minimal disruption and change and/or where the expected impacts can be easily mitigated.

## 13.5.2 Policies

- 13.5.2.1 The proponent of land use changes requiring approval under the *Planning Act*, as amended, of lands identified by Schedule “A” of this Plan as being situated adjacent to Natural Heritage System - Category 1 lands, or within or adjacent to Natural Heritage System - Category 2 lands as shown by Schedule “D” or in any other area of the Town may be required by the Town of Wasaga Beach to complete an Environmental Impact Study in accordance with the requirements and policies of this Plan.
- 13.5.2.2 A comprehensive Environmental Impact Study shall only be required by the Municipality when the necessity of evaluating geographically extensive or area wide potential impacts is evident.
- 13.5.2.3 A site Environmental Impact Study shall generally be required to be completed for specific sites prior to the development approval stage.
- 13.5.2.4 Comprehensive or full site Environmental Impact Studies as a minimum shall identify key functions and processes of natural heritage features in a particular area, how they interact and how they may be affected by a proposed development. Mitigation techniques should be identified to minimize impacts, and residual impacts must be identified as well as recommendations made concerning the necessity of monitoring and the opportunities for rehabilitation and restoration.
- 13.5.2.5 The undertaking of duplicate environmental studies is not advocated or desired by the Town of Wasaga Beach. Where an Environmental Impact Study is required by the policies of this Plan, it may be combined or blended with other environmental studies that may be required to be undertaken by other agencies such as the County of Simcoe, the Conservation Authority and/or the Ministry of Natural Resources. This blending or combining of environmental reports may occur with the prior written approval from the Town in consultation with the applicable commenting agencies.
- 13.5.2.6 In certain circumstances where a comprehensive EIS has been completed for a specific area or natural heritage feature in the Municipality, the need for a full site EIS may be reduced and a scoped site EIS or ISR may be deemed by the Municipality to be adequate to allow an assessment of the anticipated potential impacts.
- 13.5.2.7 Where an Issues/Summary Review has recommended a scoped site Environmental Impact Study be undertaken or where a scoped site

Environmental Impact Study has been completed by a development proponent, Council may consider the merits of a written “bump up” request for the proponent to examine additional issues or obtain more detailed information relating to anticipated potential environmental impacts.

- 13.5.2.8 Environmental Impact Studies completed for development proposals in the Town of Wasaga Beach shall take into account the corresponding guidelines and policies of the County of Simcoe and/or other commenting agencies for similar studies as well as the applicable Ministry of Natural Resources guidelines.
- 13.5.2.9 For a development proposal to be acceptable to the Municipality, the Environmental Impact Study shall demonstrate that the proposal will cause no significant negative impact on the natural feature or ecological functions for which an area is identified and that the anticipated residual environmental impact complies with the applicable Provincial and County policies and guidelines.
- 13.5.2.10 As part of an Official Plan update or the evaluation and review of a major development proposal, the Town of Wasaga Beach may retain independent professional environmental consultants to undertake and complete environmental studies on natural features and functions of an area or to evaluate the potential impact of development on specific portions of the natural heritage system. The Municipality may require, in the case of an impact assessment for a development proposal, the study to be funded by the proponents of development. The study may recommend full acceptance of the proposal, acceptance with conditions such as compliance with a mitigation/monitoring program, acceptance pending further studies, or rejection.
- 13.5.2.11 Where an Environmental Impact Study is required by the Municipality, in all instances the assessment shall be completed and reviewed by the applicable commenting agency/ies prior to the adoption by the Town of a site specific Amendment to this Plan, the adoption of an Amendment to the zoning by-law, an approval of a site plan agreement, or a draft plan of subdivision.
- 13.5.2.12 Where an Environmental Impact Study recommends the monitoring of impacts or the implementation of other long term mitigative strategies, the Municipality may require, as a condition of approval, for the proponent to enter into a legal agreement to establish and undertake a monitoring program. The legal agreement may specify potential remedial measures that may be implemented by the Municipality if the monitoring shows the mitigation measures are not effective.
- 13.5.2.13 As it is in the best interest of all participants in the development approval process to understand as early as possible relevant issues and topics and the extent and depth of the existing available information base, it is the policy of this Plan to require a proponent of development to consult with the Municipality and other applicable commenting and interested agencies before a formal EIS submission is made to the Municipality and/or other agencies.

13.5.2.14 The findings of a full site or scoped site Environmental Impact Study may recommend full acceptance of the proposal, acceptance with conditions such as compliance with a mitigation and/or monitoring program, acceptance pending further studies, or rejection.

13.5.2.15 Comprehensive Environmental Impact Study

- a) A comprehensive EIS may be required by the Town of Wasaga Beach as part of the necessary background studies for major development proposals or those development proposals with potential for area wide impacts upon specific natural heritage features, functions, or areas within the Municipality.
- b) A comprehensive EIS shall generally identify those areas where development may be permitted subject to standard accepted practices, areas where constraints and natural hazards may occur which could limit the potential of an area for development, and areas where development may not be permitted.
- c) A comprehensive EIS in addition to delineating development and non-development areas should identify the level of further environmental studies (if any) required to permit development (i.e. full site, scoped site EIS or ISR) approvals, and the priority or key issues that must be addressed by any required subsequent studies.
- d) The Town of Wasaga Beach may retain independent professional environmental consultants to undertake or review a comprehensive Environmental Impact Study. The Municipality may require such a study to be funded by the proponents of development.
- e) The Town may appoint a technical review and steering and/or advisory committee comprising municipal representatives and staff, commenting and interested agencies, ratepayer groups, and the proponents of development to assist with the definition of the objectives of a comprehensive Environmental Impact Study and to provide input and direction during the study process.

13.5.2.16 Site Environmental Impact Study:

- a) Issues/Summary Review:
  - i) For those development proposals where the scale and scope of a required site EIS is unclear (i.e. full or scoped) and it is necessary to develop an agreed upon terms of reference, or where such a review would assist with the blending or combining of environmental reports required by a number of commenting agencies and approval authorities, the Town of Wasaga Beach

may request the development proponent to undertake an Issues/Summary Review (ISR).

- ii) An Issues/Summary Review (ISR), if required by the Municipality, shall be prepared in conformity with the applicable guidelines of the Province and County for such studies and shall consist of, at a minimum, a recent on-site inspection made by a qualified environmental professional and a brief review of all existing available and relevant information.
  - iii) Where an Issues/Summary Review (ISR) has been completed and indicates that no environmental features or functions would be impacted by a proposed development, the Municipality may, in consultation with the appropriate commenting agencies, deem the ISR to fulfill the EIS requirements of this Plan.
  - iv) The Issues/Summary Review (ISR) shall identify all known key natural features and functions of the area/site under consideration and briefly outline the fundamental issues relating to the potential impact that could reasonably be expected to result from the proposal.
  - v) If an ISR recommends further study, the review shall describe the scope of additional study necessary to complete a site Environmental Impact Study. An ISR shall identify the topics to be dealt with and recommend the scale and type of site EIS (i.e. full or scoped) necessary to satisfactorily assess anticipated impacts.
- b) Scoped Site Environmental Impact Study:
- i) The level of detail required for a scoped site Environmental Impact Study shall be flexible according to the size, scale and complexity of the proposal and may be determined by the Municipality in consultation with the commenting and approval agencies and/or through the findings of an ISR.
  - ii) Where a comprehensive EIS has previously been completed for an area in which development has been proposed and a scoped site EIS is required, the findings and recommendations of the comprehensive EIS should be taken into consideration in the preparation of the scoped site EIS.
  - iii) A scoped site Environmental Impact Study shall demonstrate that a proposed development will not negatively impact the natural heritage features or functions of an area.
- c) Full Site Environmental Impact Study:

- i) A full site Environmental Impact Study may be required where there is no comprehensive Environmental Impact Study and it is reasonable to assume that the size, scale, and complexity of the proposal may have the potential to negatively affect the natural features and functions of an area. A full site EIS may also be required by the Municipality as a result of information and/or recommendations contained within a comprehensive EIS.
- ii) The range of issues and the detail of information required for a full site Environmental Impact Study may be determined by the Municipality in consultation with the commenting and approval agencies and/or through the recommendations of an ISR.
- iii) A full site Environmental Impact Study shall be prepared in conformity with the policies of this Plan and the applicable guidelines of the Province and County for such studies and shall demonstrate that a proposed development will not negatively impact the natural heritage features or functions of an area.

13.6

**EXCEPTIONS**

## **SECTION 14**

### **RURAL**

#### **14.1      OBJECTIVES**

- 14.1.1      To maintain the rural area of the Town consistent with the preservation of its natural amenity and its agricultural function;
- 14.1.2      To promote conditions which encourage the efficient operation and economic viability of agricultural operations within the Town;
- 14.1.3      To control the development of gravel and sand pit operations;
- 14.1.4      To promote recreational use of land in the rural area where agricultural operations are not feasible or viable; and,
- 14.1.5      To promote education and resources regarding the impact of agricultural runoff onto both land and in waterways and promote sustainable farming techniques and alternatives with due regard for applicable sourcewater protection plans and best management practices.

#### **14.2      LAND USES**

- 14.2.1      The rural classification shall mean that the predominant use of the land shall be for agricultural uses, including such uses that are ancillary to agricultural production, and which serve the needs of the local rural population. The operation of any such ancillary uses shall be secondary to that of the normal agricultural activities. Other uses permitted in the rural category include forestry, institutional uses, limited country recreational facilities, golf courses, and residences accessory to permitted uses. Any of the permitted livestock facilities and non-agricultural uses in the “Rural” designation shall comply with the Minimum Distance Separation Formula, as amended.

#### **14.3      POLICIES**

- 14.3.1      The lands designated “Rural” on Schedule “A” are intended to be kept free of urban residential development.
- 14.3.2      The Town will not permit rural estate-type subdivision development.
- 14.3.3      No new commercial pits will be permitted, unless by Amendment to this Plan.
- 14.3.4      It is the policy of Council to encourage through traffic to travel on Provincial and County roads so that traffic on rural and Municipal roads is kept to a minimum.
- 14.3.5      Country recreation facilities must be located away from residential areas with a minimal impact on adjacent lands uses.



14.3.6 Existing mobile home parks and campgrounds in the “Rural” land use designation should not be permitted to expand.

14.3.7 Institutional and country recreational facilities and existing mobile homes parks and campgrounds permitted within this designation, may be subject to site plan control. The development or redevelopment of existing uses, as noted above, which would result in the significant expansion of usable floor area of the use, may be subject to site plan control as provided for in Section 19.6.

#### 14.4 **IMPLEMENTATION**

14.4.1 Existing dwellings and the erection of new dwellings may be permitted and recognized in the Comprehensive Zoning By-law. New dwellings may only be permitted on vacant lots which front on an existing public road, maintained to municipal standards of construction. Subject to the approval of the Ministry of the Environment or the government agency having jurisdiction, individual wells and septic tanks may be permitted in this category.

#### 14.5 **EXCEPTIONS**

14.5.1 North Half of Lot 22, Concession 9 (former Geographic Township of Flos) – Rural Land Uses

On the lands identified on Schedule “A-8”, permitted uses shall be limited to forestry uses, conservation uses, wildlife sanctuary, park, passive outdoor recreation, public uses, and transmission sites. In accordance with the natural heritage policies of the Official Plan, prior to the establishment of any permitted use or site alteration, an Environmental Impact Study to the satisfaction of the appropriate authorities shall be submitted in support of the use.

## **SECTION 15**

### **CULTURAL HERITAGE**

#### **15.1 INTRODUCTION**

- 15.1.1 Council realizes that the maintenance of the Municipality's cultural heritage resources will contribute to the preservation of the Town's character by balancing the potential impact of new development and redevelopment, with the integrity of existing heritage resources. Consequently, it is the intent of the Plan that the Town's cultural heritage resources be conserved and preserved wherever possible and that all development should occur in a manner which respects the Town's physical heritage. The cultural heritage resources of the Town generally include, but are not limited to archaeological sites of historic and prehistoric origins including unmarked burials; buildings and structural remains of historical and architectural value; rural and urban areas of development which are of historic and scenic interest; identified heritage districts and cultural heritage landscapes. The specific objectives of this policy are the following:
- 15.1.1.1 To prevent the demolition, destruction, inappropriate alteration or use of cultural heritage resources.
- 15.1.1.2 To encourage development which is adjacent to significant cultural heritage resources to be of an appropriate scale and character.
- 15.1.1.3 To consult and seek the advice of Local Architectural Conservation Advisory Committee (LACAC) and/or appropriate heritage consultant when making decisions regarding the conservation of cultural heritage in the Town.
- 15.1.1.4 To encourage and foster public awareness, participation and involvement in the preservation, improvement and utilization of cultural heritage resources.
- 15.1.1.5 To support the creation of a heritage resource information base, resulting in comprehensive heritage site inventories and heritage master plans.

#### **15.2 POLICIES**

- 15.2.1 Significant built heritage resources and significant cultural heritage landscapes will be conserved.
- 15.2.2 Development proposals shall be consistent with the cultural heritage policies of the Provincial Policy Statement and the Simcoe County Official Plan, in addition to this Plan.
- 15.2.3 Development proposals should be supported by the submission of an archaeological assessment. Development and site alteration shall only be permitted on lands containing archaeological resources if the significant

archaeological resources have been conserved by removal and documentation, or preservation on site.

- 15.2.4 Development and site alteration may be permitted on adjacent lands to protected heritage property where it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

15.2.5 **Municipal Heritage Committee**

- 15.2.5.1 A Municipal Heritage Committee may be established pursuant to the *Ontario Heritage Act* or any successory legislation to advise and assist Council in all matters related to cultural heritage resource conservation, including matters related to Parts IV and V of the Act or the appropriate successor legislation. The goals and objectives of the Committee should include the need to consider cultural heritage resources throughout the Town. A Municipal Heritage Committee or any other committee may prepare, publish and monitor an inventory of cultural heritage resources; undertake public awareness programs; advise and assist Council with respect to the implementation of the provisions of this section. In particular the Committee should:

- 15.2.5.2 Be prepared to consider and advise on the conservation of cultural heritage resources throughout the Town.

- 15.2.5.3 Adhere to the *Ontario Heritage Act* or any successor legislation; as well as guidelines and procedures which may be established by the Ministry of Citizenship, Culture and Recreation or other guidelines as may be endorsed by Council.

- 15.2.5.4 Be prepared to act in a review and advisory capacity during the development planning process to assist in the accomplishment of the heritage conservation goals and objectives outlined in this Plan.

- 15.2.5.5 Advise Council on measures which may enhance public appreciation of cultural heritage features including the undertaking of studies, surveys or other methods to formulate and implement plans and programs that promote public awareness and conservation of the Town's cultural heritage resources.

15.2.6 **Heritage Designation Policy**

- 15.2.6.1 Pursuant to the *Ontario Heritage Act* and in consultation with the Municipal Heritage Committee, Council may, by by-law:

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

- 15.2.6.2 The identification of the Town's cultural heritage resources will comprise an important component of the preservation process. Council may direct and cause to be prepared and published, an inventory of identified significant resources including buildings, structures, monuments or artifacts of historical and/or prehistoric value or interest and areas of unique, rare or effective urban composition, streetscape, landscape or archaeological value or interest. The listed resources will be described, documented and evaluated according to an established heritage resource evaluation criteria formulated by the Municipal Heritage Committee and adopted by Council.
- 15.2.6.3 To assist in the preparation of the inventory and in the future identification of other cultural heritage resources, Council may encourage both the public and private sectors including ministries, agencies, heritage consultants, and development proponents, to undertake analysis and/or surveys to identify sites of archaeological and historic significance.
- 15.2.6.4 Council recognizes that there may be archaeological remnants of prehistoric and early historic habitation as well as archaeological potential areas within the Town. Council may require an archaeological survey, impact assessment, preservation or rescue excavation of significant archaeological resources and areas having archaeological potential which might be affected in any future development, in co-operation with the Ministry of Citizenship, Culture and Recreation or the appropriate government agency having jurisdiction.
- 15.2.6.5 All archaeological impact assessments and impact mitigation reports are to be undertaken by archaeologists licensed under the *Ontario Heritage Act*, in compliance to guidelines set out by the Ministry of Citizenship, Culture and Recreation or the appropriate government agency having jurisdiction.
- 15.2.6.6 Council may adopt by-laws under the *Ontario Land Use Planning and Protection Act*, or any successor legislation, for prohibiting any land use activities on a site which is a significant archaeological resource. In addition, there is the potential for co-operation with the Ministry of Citizenship, Culture and Recreation or the appropriate government agency having jurisdiction in conserving and designating resources of archaeological value pursuant to Part VI of the *Ontario Heritage Act* or any successor legislation.
- 15.2.6.7 When inventoried or designated built heritage properties, features and districts are affected by development proposals, Council may require a heritage impact statement.
- 15.2.6.8 Council may support the preparation of a heritage master plan that is undertaken by specialized heritage consultants including individuals licensed under the *Ontario Heritage Act* or any successor legislation. The heritage master plan will identify and map cultural heritage resources including known Provincially registered archaeological sites, areas having archaeological potential, designated and listed heritage buildings, features, landscapes or districts. A

heritage master plan will also outline policies, programs and strategies to conserve significant cultural heritage resources.

- 15.2.6.9 Council may employ relevant legislation to encourage the preservation and enhancement of cultural heritage resources that may include the *Heritage Act*, the *Planning Act*, as amended, the *Municipal Act*, as amended, the *Environmental Assessment Act*, as amended, and the *Aggregate Resources Act*, as amended.
- 15.2.6.10 It is the intent of this Plan to encourage the restoration or rehabilitation of heritage resources identified in the heritage inventory. Accordingly, Council may use available government and non-government funding assistance programs and may pass by-laws providing for the making of grants or loans for the purpose of paying for the whole or any part of the cost of the alteration of such resources, on such terms and conditions as Council may prescribe, where such alteration will serve to protect or enhance the heritage characteristics of the resource. Financial assistance may be facilitated through the establishment of a heritage trust fund and public and private donations.
- 15.2.6.11 Council may investigate and initiate various methods to provide incentives. Incentives may include, but not be limited to increased density provisions, site plan control provisions and relief from parking requirements pursuant to the *Planning Act*, as amended.
- 15.2.6.12 In the heritage designation of real property under the current Parts IV and V of the *Ontario Heritage Act*, the Municipal Heritage Committee and Council will ensure that landowners are consulted and informed about all aspects of heritage conservation measures which may affect the subject property or buildings.
- 15.2.6.13 It is not the intent of the policies of this section to be used in support of or give effect to the renovation or change of use of land, buildings or structures unless the Municipality is satisfied that the policies of this Official Plan and the Town's Comprehensive Zoning By-law are in general compliance.
- 15.2.6.14 To give effect to these policies, Council may institute a procedure for demolition review; and may consider heritage easement agreements.
- 15.2.6.15 In regard to major public works and any significant heritage properties under municipal ownership or stewardship, Council will have regard to these heritage policies in this Official Plan.

## SECTION 16

### TRANSPORTATION

#### 16.1 **OBJECTIVES**

- 16.1.1 To facilitate the safe and efficient movement of people and goods within the Town and to and from adjacent Municipalities;
- 16.1.2 Where feasible, to establish an integrated transportation system that safely and efficiently accommodates various modes of transportation including, automobiles, trucks, public transit, cycling and walking;
- 16.1.3 To promote public transit, cycling and walking as energy efficient, affordable, accessible and healthy forms of travel;
- 16.1.4 To protect transportation corridors to facilitate the development of a transportation system that is compatible with and supportive of existing and future land uses;
- 16.1.5 To ensure that new roads in urban development areas are constructed safely, designed in a manner that helps to distribute car and truck traffic evenly, incorporates sustainable design elements and provides the opportunity for an efficient public transit system;
- 16.1.6 To promote forms of settlement that encourage energy conservation, public transit, the integration of paths and trails, cycling routes, walking, and the incorporation of natural features and other pedestrian friendly elements;
- 16.1.7 Where feasible, to ensure that appropriate right-of-way widths for all existing and proposed roads are provided to accommodate and allow for maximum public access to the Town's active transportation network;
- 16.1.8 To ensure that all public works give consideration to the active transportation network; and,
- 16.1.9 To create identifiable and attractive gateways on public and private property along major roads that provide vehicular and pedestrian access to the Town.

16.2        **POLICIES FOR PUBLIC ROADS**

16.2.1        The location and classification of future transportation facilities shall be guided by the policies in this section and as shown on Schedule “B”.

16.2.2        Future road improvements and linkages shall be approved by Council based on long term capital works forecasts and traffic projections.

16.2.3        Roads in the Town shall be classified and maintained on the basis of their function and design as Provincial highways, controlled access roads, arterial roads, collector or planned collector roads, local roads, or future road linkages.

16.2.4        The design of roads shall incorporate civic design features as appropriate including tree planting, landscaping, crosswalks, bicycle paths, median strips and boulevards.

16.2.5        Through traffic shall be discouraged within residential areas.

16.2.6        There shall be close co-ordination between the Town and all other relevant agencies regarding the planning of roads and other transportation facilities within the Town which are not under the Town’s jurisdiction.

16.2.7        **Provincial Highways**

16.2.7.1        This designation applies to roadways under the jurisdiction of the Ministry of Transportation of Ontario (MTO) and consists of Highway 26. This road will be protected on the basis of a future 40m (132 ft.) right-of-way. Highway No. 26 is a controlled access highway and as such, new development along the highway will be subject to additional MTO requirements and approvals.

16.2.7.2        The Ministry of Transportation of Ontario has identified a route for a realignment and reconstruction of Highway 26 between Ramblewood Drive in Wasaga Beach and Lakeview Avenue in Collingwood. The width of the right-of-way of the realigned Highway 26 is 90 metres. Access to the realigned Highway 26 will be controlled, with one proposed intersection providing access to Wasaga Beach via an extension of Airport Road and Mosley Street.

16.2.8      **Arterial Roads**

16.2.8.1      Arterial roads should be designed primarily to facilitate traffic movements between major land use activity areas in the Town.

16.2.8.2      In maintaining the traffic carrying function of arterial roads, the following policies shall apply:

- a)      The appropriate rights-of-way shall be provided which will facilitate the future provision of public transportation.
- b)      Appropriate rights-of-way shall be provided for full channelization of arterial intersections.
- c)      Frontage, land use, entrances, exits, and curb use shall be controlled.
- d)      In existing built-up areas, remedial approaches to minimize the number of intersections with arterial roads shall be investigated.
- e)      The width of arterial road right-of-ways shall generally be between 26 metres and 36 metres.

16.2.9      **Collector Roads**

16.2.9.1      Collector roads shall be designed primarily to facilitate traffic movements within and between community areas and from points of origin to the arterial system.

16.2.9.2      The following policies shall apply to collector roads:

- a)      Collector roads shall be reasonably continuous, however, continuity over long distances should generally be avoided to discourage through traffic.
- b)      Collector roads shall be designed so as to be easily distinguished from arterial and local roads using such devices including pavement widths, boulevard design, and designated bicycle lanes, if feasible.
- c)      The width of collector road right-of-ways shall generally be between 20 metres and 26 metres.



16.2.10      **Local Roads**

16.2.10.1      Local roads shall be designed to allow access to fronting properties and to allow for a certain amount of non-motorized street movement.

16.2.10.2      The following policies shall apply for local roads:

- a)      Local roads should be designed to discourage through traffic.
- b)      Local roads should be designed so as to easily be distinguished from collector roads utilizing such devices including pavement widths and boulevard design.
- c)      Speed on local roads shall be kept to a minimum by such devices including rumble strips, pavement widths, curves, cul-de-sacs and stop signs.
- d)      The width of local road right-of-ways shall generally be a minimum of 20 metres.

16.2.11      **Future Road Linkages**

16.2.11.1      Future road linkages are identified on Schedule “B”, Transportation Plan, as planned connections for the Town’s transportation network. The location, classification, and ultimate right-of-way width requirements are subject to further study, and generally depend on projected traffic volumes, natural heritage features, and existing and proposed land uses.

16.2.12      **Parking**

16.2.12.1      Municipal and commercial parking facilities should be located and designed so as to respond as closely as possible to the requirements of adjacent uses and to minimize conflict with adjacent land uses and street movement.

16.2.12.2      Parking spaces reserved for people with disabilities shall be provided in accordance with the implementing zoning by-law and should generally be located as close to entranceways as possible.

### 16.2.13 **Public Transportation**

- 16.2.13.1 Public transportation may include local bus services, inter-city bus service and shuttle service.
- 16.2.13.2 It is Council's policy to facilitate the provision of public transit by protecting the appropriate rights-of-way.
- 16.2.13.3 Plans of subdivision shall incorporate public transportation concepts in their road pattern wherever possible, including the provision of bus bays at appropriate locations and pedestrian access routes focusing on bus stops.

### 16.3 **ACTIVE TRANSPORTATION**

- 16.3.1 The concept of active transportation may be generally defined as human-powered activities associated with walking, cycling, canoeing, cross country skiing, snowshoeing and similar modes of travel. Associated with and supportive of active transportation are the provision of features, facilities and design elements that facilitate the safe enjoyment of this important component of the community and surrounding area. It is believed that by linking the Town's neighbourhoods, the beach, the river, the forest and the various facilities and attractions through an active transportation network, that this will promote an active, healthy, fulfilling lifestyle for all ages and abilities. The policies of this section are intended to implement active transportation opportunities and facilities, where feasible, throughout the community.

The Town has prepared an Active Transportation Plan for the Town of Wasaga Beach (August 2008). This plan may be periodically updated to meet the active transportation needs of the community.

- 16.3.2 It is the objective of this Plan to;
  - a) Expand the Town's existing pedestrian and cycling system by establishing off-road trails, on road bicycle lanes where feasible, signed bicycle routes and sidewalks in accordance with the Active Transportation Plan;
  - b) Ensure that pedestrian infrastructure and wayfinding signage is established at key locations either as a condition of development approval or by the Town as part of its annual capital works program;
  - c) Ensure that cycling infrastructure is established, where feasible, throughout the Town including at all commercial, industrial and community facilities either as a condition of development approval or by the Town as part of its annual capital works program;
  - d) Support the development of a series of pedestrian bridges linking the main commercial area of the Town on the north and west sides of the Nottawasaga River to the south side in key locations;

- e) Provide convenient and highly accessible locations for visitors to park cars to both access the pedestrian and cycling systems;
- f) As public transit facilities become available they should be linked, where appropriate, with the active transportation network;
- g) Support the establishment of opportunities to access the Nottawasaga River through a series of proposed or improved canoe launches, particularly upstream of the bridge on River Road West;
- h) Work and partner with the Ministry of Natural Resources, the County of Simcoe and adjacent Municipalities to ensure that the active transportation network is as integrated as possible with pedestrian and bicycle trails that may exist or may be developed on their lands or within their jurisdiction;
- i) Consider the provision of safe and convenient cycling and walking routes in the review of all development applications;
- j) Encourage and support measures which will provide for barrier free design of all pedestrian facilities in accordance with Provincial legislation;
- k) Ensure that consideration is given to bicycle/pedestrian paths when determining the land requirements for roads as set out in Section 16.2 of this Plan;
- l) Ensure the provision of sidewalks and/or multi-use trails through new residential, commercial, industrial and institutional developments;
- m) Ensure that the rights and privacy of adjacent property owners are factored into the design process for pedestrian and cycling routes; and,
- n) Ensure that all pedestrian and cycling routes are designed to be safe.

### 16.3.3

Components of the active transportation network include, but are not limited to, the following;

- a) Multi Use Trail - An off-road trail, which is intended to provide the opportunity for multiple user groups (cyclists, walkers, runners, inline skaters, baby carriages, skate boarders, etc.) and should access various parts of the Town and the Provincial Park in a manner that minimizes conflicts with motor vehicle traffic. It is envisioned that at least 3 recreational loops, each serving a different area of the Town, will be provided.

- b) Community Trail - An off-road pathway, which is intended to connect various neighbourhoods and the Provincial Parks and provide access to the multi use trails.
- c) Pedestrian Bridges - Pedestrian bridges across the Nottawasaga River are intended to connect the north and south portions of the Town.
- d) Bike Lanes - On-road dedicated bike lanes function to further support and enhance the multi-use trail and community trail systems and provide access to other components of the active transportation network.
- e) Bicycle Routes - Roads that are signed as bicycle routes and where bicycle traffic can safely mix with vehicular traffic.
- f) Sidewalks - Concrete sidewalks located within municipal rights-of-way are intended to further connect the major destinations in Town and existing and proposed neighbourhoods.

The future location of any of the above undeveloped features is approximate. Exact locations may be determined through municipal studies or through the consideration of development applications. No Amendment to this Plan is required concerning the final location of these components provided their function and location generally conform to the intent of the Plan.

#### 16.3.4 **Wasaga Beach Provincial Park**

- 16.3.4.1 The Provincial Park lands are a critically important component of the recreational base of the Town. There are 2 distinct parts of the park, one being the well-known beach area and the lesser-known inland park areas which are home to two Provincial areas of natural and scientific interest wherein there is a selection of rare ecosystems including significant sand dune features.
- 16.3.4.2 The inland park areas are a great resource for recreation however they are also areas of complex and fragile environments. In order to protect this valuable resource while promoting the establishment of a coherent active transportation network, both public education and cooperation with the Ministry of Natural Resources is required. The primary goal to be addressed concerning the inland park areas is the protection of unique ecosystems while allowing and promoting a level of public use that is appropriate and sustainable on these lands.
- 16.3.4.3 The beach areas represent a Provincially recognized significant recreation and tourism resource. It is a goal of this Plan to balance the high level of public use with the appropriate management of these natural resources. The coordination of Town and Provincial interests in protecting and promoting the beach lands is a complex issue. It is important that both parties continue to communicate and share information and then coordinate and implement an agreed upon set of goals and objectives.

### 16.3.5 **General Policies**

- 16.3.5.1 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.
- 16.3.5.2 An integrated design and treatment of streetscape features shall be promoted throughout the Municipality. Specialized streetscape designs and treatments may be added for particular areas of the Town in accordance with area, or site specific, Council adopted urban design guidelines.
- 16.3.5.3 Sidewalks and/or multi-use trails should be provided in association with all new commercial, industrial and institutional developments and through all new residential developments proposing 12 or more units. Such features shall be designed in accordance with Council adopted urban design guidelines.
- 16.3.5.4 It is intended that pedestrian and cycling opportunities should be considered throughout the Town including at all commercial, industrial, institutional, and community facilities as a condition of development approval or by the Town as part of its annual capital works program.
- 16.3.5.5 Streetscape features located within public rights-of-way, such as lighting fixtures, directional and street signs, parking meters, transit shelters and street furniture should be complementary in design and located in an integrated manner, so as to avoid visual clutter.
- 16.3.5.6 Gateway features for the active transportation network should be considered at strategic locations within the Town, and may include specialized boulevards, landscape medians, decorative street lightings and/or decorative signage treatments.
- 16.3.5.7 Where feasible, road design should 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 and future transit shelters.
- 16.3.5.8 Road designs may incorporate traffic calming techniques such as narrower rights-of-way, roundabouts, and speed control devices, where appropriate, to promote a safer pedestrian environment and/or to maintain vehicles within designated speed limits. Where appropriate, the Town may consider alternative standards for public road rights-of-way in order to achieve urban design objectives in certain areas of the Municipality.
- 16.3.5.9 The design of roads should incorporate appropriate urban design standards to support the active transportation network. On this basis;

- a) Road rights-of-way should 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, a suitable boulevard may be provided to separate the road curb from the sidewalk and such boulevard may include hard and/or soft landscape materials, trees and pedestrian-level street lights, where appropriate;
- c) Where medians are provided within the road rights-of-way, such medians should be encouraged to include hard and/or soft landscape material, where appropriate;
- d) A regularized pattern of street tree planting may be encouraged, where feasible, along all roads and the Town should establish minimum planting standards and species types in the site plan manual and/or Council adopted urban design guidelines;
- e) The number and location of access points onto the public road system shall be minimized and/or coordinated by encouraging interconnected internal road patterns and common access points to be shared by adjacent development;
- f) Street lighting should where appropriate, incorporate pedestrian-level lighting to maintain pedestrian safety;
- g) Street lighting that reduces energy consumption and directs light away from the night sky and adjacent uses is encouraged;
- h) Services and utilities are generally encouraged to locate underground in a common trench, where possible subject to safety requirements, in order to maintain a pleasant visual environment along public roads;
- i) Above-ground utility service providers are encouraged to co-operate with the Town in identifying locations which minimize the visual impacts of such equipment and facilities where located within the public road right-of-way; and,
- j) Pursuant to the *Planning Act*, site plan approval should facilitate the development of commercial and employment lands over a floor area threshold of 465 square metres (5,000 square feet), to install bicycle racks and sidewalk connections between buildings and municipal sidewalks. The consideration of interior employee change rooms and showers is encouraged.

16.3.5.10 The Town recognizes that the reconstruction of roads to provide for the full implementation of the active transportation network in some existing developed areas may not be appropriate from a right-of-way acquisition or community design perspective, or that it may not be economically or physically

feasible. Any attempt to reconstruct such roads shall only be undertaken after a study to determine a right-of-way which will result in a streetscape that minimizes impacts on abutting properties and is appropriate to the character of the area, while serving anticipated future needs. Proposed road widenings should incorporate a public consultation process, where necessary, in accordance with the Municipal Class Environmental Assessment Guidelines.

- 16.3.5.11 In the case where road widenings that will accommodate the active transportation network and other traffic needs are proposed, such road widenings should be taken equally from both sides of the right-of-way. Unequal road widenings may be considered by the Town 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 or a significant natural feature limits design options; and/or,
  - c) The location of mature trees contributes to the character of an area.
- 16.3.5.12 Any off-road component of the active transportation network shall be designed to minimize any potential negative impacts on adjacent residential areas through the use of such measures as planting, fencing and the provision and location of appropriate access, parking and buffer features.
- 16.3.5.13 Any off-road component of the active transportation network shall incorporate natural heritage features wherever possible and minimize impacts on the natural heritage system itself, in accordance with the environmental policies of this Plan.
- 16.3.5.14 The establishment of trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers, transit shelters, and bicycle parking facilities that are associated with the active transportation network are considered to be “sustainable design elements” for the purposes of the *Planning Act*, which means that these items may be required to be installed by a landowner within a municipal right-of-way as a condition of site plan approval.
- 16.3.5.15 The dedication of lands for pedestrian and bicycle pathways, public transit right-of-ways, commuter parking lots, transit stations and related infrastructure for the use of the general public using public roads may be required as a condition of approval of a draft plan of subdivision, in accordance with the *Planning Act*.

## 16.4 **IMPLEMENTATION**

- 16.4.1 The Council of the Town of Wasaga Beach recognizes the need for an efficient and safe transportation system and as such are committed to addressing existing traffic conditions, traffic operational improvements, long term planning

assessment and development impacts.

- 16.4.2 Through the review of development applications, the Town may determine that road widenings are required to achieve the appropriate right-of-way widths to accommodate projected traffic volumes. The Town may require the dedication of road widenings to the Municipality or the County of Simcoe as a condition of development approval.
- 16.4.3 **Mosley Street**
  - 16.4.3.1 Provide a minimum 23 metre right-of-way on Mosley Street within the Downtown from Main Street/Spruce Street west to 6<sup>th</sup> Street to accommodate for future improvements.
  - 16.4.3.2 Provide for a minimum 20 metre wide right-of-way on Mosley Street from 6<sup>th</sup> Street to River Road West to accommodate for future improvements.
  - 16.4.3.3 Provide for a minimum 26 metre wide right-of-way on Mosley Street from River Road west to 45<sup>th</sup> Street to accommodate for future improvements as recommended in the Town of Wasaga Beach Transportation Study Update, 2006.
- 16.4.4 Provide for minimum right-of-way widths in the Downtown of 30 metres on Main Street, and 20 metres on Beach Drive and Spruce Street to accommodate for future improvements. The ultimate road design and right-of-way will be determined by specific Environmental Assessment processes.
- 16.4.5 Provide for the installation of sidewalks on all roads, where feasible, in accordance with the approved municipal engineering and design standards.
- 16.4.6 Where new roads or existing road system improvements are required as a result of development or redevelopment such works shall be constructed to municipal urban engineering standards.
- 16.4.7 Require a traffic impact study where new development or expansion of existing development will generate more than 50 trips during the peak hour of the adjacent roadway system, i.e. 50 dwelling units or office complex of approximately 1,850 square metres. Such study would permit the administration to assess the impact of the development on the transportation system and to identify improvements that may be required as a result of the development.
- 16.4.8 Where roads intersect, it is the intent of this Plan to require the conveyance to the Municipality of sufficient day-lighting triangles to provide clear lines of sight for motor vehicle drivers. The dimensions of day-lighting triangles shall be established through the Town's zoning by-law and engineering and design standards.



- 16.4.9 Through the review of development applications, the Town may determine that vehicular access should be restricted to certain locations on a property to ensure safe traffic movements. The Town may require the dedication of 0.3 metre (one foot) reserves to the Municipality or the County of Simcoe to limit access to appropriate locations as a condition of development approval.

## SECTION 17

### SERVICING AND STAGING

#### 17.1 **GENERAL**

17.1.1 The staging of the provision of piped services within the Town, as shown on Schedule "C", is based on the progressive extension and economic utilization of municipal utilities. The policies to be maintained throughout the overall staging and for development within the Town are as follows:

- a) To service, where possible, developed areas prior to servicing undeveloped areas;
- b) To ensure substantial development of serviced areas before commencing servicing and development in undeveloped areas;
- c) To give priority to development of sanitary sewers, watermains and storm drainage facilities for urban development;
- d) To ensure that sustainable approaches to servicing have been identified, such as wetland technology before storm water or sewage systems are implemented; and,
- e) To establish a sustainable approach such as the use of cisterns which collect rain water, to irrigate land requiring regular watering schedules, such as public parks, boulevards, golf courses and similar land uses.

17.1.2 Council will schedule and control the construction of the municipal services and utilities required for each stage. This will be completed through the Town's four and ten year capital works programs and/or through the approval of private servicing. The capital works programs will be reviewed and/or revised on an annual basis.

17.1.3 Minor development in areas not serviced will be permitted in accordance with the policies of this Plan.

17.1.4 The potential population of planning areas within the Town, as shown on Schedule "F", is based upon the sum of the existing population and the potential population from the total conversion of all existing seasonal housing stock and the development of all registered lots, draft plan approved lots, and vacant land. The schedule is meant to generally illustrate the location and amount of the anticipated total future urban population growth of the Municipality.

#### 17.2 **MUNICIPAL UTILITIES**

17.2.1 The expanding development of the Town, to the degree proposed by this Plan, will require the construction of and eventual extensions to the utility systems.

It is therefore Council's policy to design all sewers and utilities to accommodate the expected land use distributions and population capacities.

17.2.2 It shall be a continuing policy of the Town to require electrical, telephone and similar utility cables to be placed underground at the time of installation in new developments, and where feasible the same policy should apply in the case of redevelopment when major street or drainage works are undertaken.

17.2.3 Wherever possible utility buildings should be designed, built and landscaped so as to blend in with the surrounding area and adjacent structures.

17.2.4 Where appropriate, small lots may be created and used for the siting of utilities and the zoning by-law may set out appropriate regulations to recognize these uses.

### 17.3 **STORM WATER MANAGEMENT**

17.3.1 All applications for plans of subdivision and condominium, site plans (minor or major), and major commercial, industrial, and institutional development proposals must be accompanied by a Storm Water Management (SWM) Report.

17.3.2 The SWM Report shall be prepared by a qualified professional to the satisfaction of the Town or other applicable agencies, in accordance with the following criteria:

- a) A storm water management system that adheres to the most appropriate storm water practices as may be deemed appropriate.
- b) A storm water quality system that meets the appropriate level of protection.
- c) A storm water quantity system which ensures that post-development run-off rates will not be greater than the pre-development run-off rates.
- d) A storm water management scheme that identifies and minimizes the impacts of development on water-shed flow regimes, including the relationship between groundwater, infiltration, discharge and interflow.
- e) A stormwater management scheme that promotes the use of centralized facilities.
- f) A stormwater management scheme which identifies that the placement of facilities such as detention ponds will be directed away from stream corridors and hazardous areas such as steep slopes and land susceptible to flooding.

## SECTION 18

### RESOURCE AND ENERGY MANAGEMENT

#### 18.1 **GROUND AND SURFACE WATER RESOURCES (SOURCEWATER PROTECTION)**

It is a policy of this Plan to protect the quality and quantity of ground water and surface water of the Municipality in order to ensure that existing and future water consumption needs of the Towns residents are met in a sustainable manner. Council considers sourcewater protection planning to be integral for the future health and well-being of Town residents and visitors. Further, the Town considers groundwater and surface water to be a significant public resource, which should be protected, improved and restored where possible.

The Town relies on underground water resources, known as aquifers, as a source for municipal drinking water. At present, two well locations, one on Powerline Road and the other known as the Jenetta Street Well (Beach Area 1) supply the Town's needs.

It is the intention of this Plan to protect the function of wellhead protection areas, significant ground water recharge/discharge areas, and highly vulnerable aquifer areas in the Municipality.

#### 18.1.1 **Goals and Objectives**

##### 18.1.1.1 **Goals**

18.1.1.1.1 The Town's goals for sourcewater protection are set out as follows:

- a) To provide for the sustainable use of groundwater resources;
- b) To ensure the provision of safe and clean drinking water;
- c) To sustain stream flows and valued ecosystem components where maintained by groundwater recharge;
- d) To ensure that long-term municipal drinking water supplies are suitably protected from contamination from incompatible land uses thereby avoiding unexpected costs associated with the restoration of impacted water supplies; and,
- e) To promote and support water resource conservation and management initiatives.

##### 18.1.1.2 **Objectives**

18.1.1.2.1 In an effort to protect groundwater resources, steps should be made to achieve the following objectives:

- a) Identify and map sensitive groundwater areas;
- b) Identify high risk land use categories, based on the potential for groundwater impact, that should be prohibited in sensitive areas;
- c) Apply land use restrictions through the zoning by-law and the use of holding provisions to require risk assessment or hydrogeologic analysis where development may pose significant risk to groundwater resources, particularly in identified high risk areas;
- d) Require environmental impact review and site screening for development applications in sensitive areas;
- e) Support implementation of a protection program as further hydrogeological information is determined and as a sourcewater protection plan is completed;
- f) Encourage voluntary measures to address risk associated with existing land uses;
- g) Avoid any public work which would impair the quality of the groundwater;
- h) Establish an area wide monitoring program that includes the quality and quantity of surface water and groundwater;
- i) Develop an integrated information management system; and,
- j) Implement programs of community awareness and educate residents about potential contamination sources and the risk associated with groundwater contamination.

## 18.1.2 **Definitions**

- 18.1.2.1 Wellhead Protection Areas - The surfaces and subsurface area surrounding a water well or well field that supplies a municipal drinking water system and through which contaminants are reasonably likely to move so as eventually to reach the water well or well field.
- 18.1.2.2 Time of Travel - The predicted time it takes for groundwater to reach a wellhead through an underground aquifer. Refers to the estimated time required for groundwater to move from a given location in an aquifer to the intake of a water well. A wellhead protection area is typically divided into several time of travel zones.
- 18.1.2.3 Wellhead Protection Area WHPA-A - 100 metre Fixed Radius Area Capture Zone - The area centered on the well with an outer boundary identified by a radius of 100 metres. This distance allows only limited time for natural remediation of any contaminates reaching the groundwater or for municipal

response. Within this area, the Town should take all reasonable measures to address and correct, remove and/or remediate such risks as abandoned wells, buried items such as leaking underground storage tanks, septic tanks, leakage from sewers, and similar sources of pollution.

- 18.1.2.4 Wellhead Protection Area WHPA-B - 2 Year Capture Zone - The area within which the time of travel to the well is less than or equal to two years. This is considered to be close to the wellhead, whereby groundwater contaminated by petroleum hydrocarbons, industrial solvents or similar material within this area would arrive at the well in a relatively short time frame.
- 18.1.2.5 Wellhead Protection Area WHPA-C - 2 Year to 10 Year Capture Zone - The area within which the time of travel to the well is less than or equal to ten years but greater than two years. Within this zone any groundwater contamination would have some time to be attenuated and diluted before reaching the municipal well.
- 18.1.2.6 Wellhead Protection Area WHPA-D - 10 Year to 25 Year Capture Zone - The area within which the time of travel to the well is less than or equal to twenty-five years but greater than ten years. Within this zone any groundwater contamination would take a longer time to be attenuated and diluted before reaching the municipal well. Furthermore this time frame and distance may be sufficient to permit the Town to secure a new water supply or undertake remedial action prior to contamination at the wellhead.
- 18.1.2.7 Risk Assessment - A study completed by a qualified person that examines the relevant hydrologic pathways and qualitatively evaluates the level of risk associated with a land use or land use activity that may pose a threat to the quantity or quality of a municipal drinking water supply.
- 18.1.2.8 Risk Management Plan - A document completed by a qualified person that describes the results of the risk assessment, proposes a plan for the mitigation and management of the identified risks, and outlines an emergency response plan to be executed in the event that a risk occurs.
- 18.1.2.9 Vulnerable Aquifer Areas - An aquifer that can be easily impacted by contamination from both human activities and/or natural processes.
- 18.1.2.10 Significant Recharge Areas - A natural feature that replenishes significant amounts of groundwater and/or maintains a sensitive feature, such as a stream or a wetland.
- 18.1.2.11 Contamination Management Plan - A nutrient management strategy or plan if and as required by the *Nutrient Management Act*, 2002, or its successor, or a municipal nutrient management by-law, or a comparable management and contingency plan for the management of contaminants stored or discharged from the subject lands and that are not nutrients as defined by the *Nutrient Management Act*, 2002, or its successor.

### 18.1.3 **General Policies**

- 18.1.3.1 The Town supports the preparation of a sourcewater protection plan for the Nottawasaga Valley Source Protection Area, as mandated by the *Clean Water Act*, 2006, or its successor. Council recognizes that the sourcewater protection plan may necessitate changes to the Official Plan in regards to risk management of significant drinking water threats, groundwater budgets, highly vulnerable aquifers, and significant groundwater recharge areas. Therefore, Council should consider updating wellhead studies and groundwater modeling every 5 years to refine the groundwater mapping, and the extent of wellhead protection areas for all municipal wells. Changes to mapping or policy as a result of the sourcewater protection plan will require an Amendment to this Plan.
- 18.1.3.2 All development applications in sensitive areas, including wellhead protection areas and areas of high aquifer vulnerability should be accompanied by an environmental site screening questionnaire to assess the potential risk involved with a new use and to better understand the history of past land uses on the site. The site screening questionnaire will assist the Town in determining the requirement for an environmental site assessment to support a development application. Where lands have been occupied by a previous use which may have caused soil or groundwater contamination, any development application should be accompanied by an environmental site assessment and/or a record of site condition.
- 18.1.3.3 The Town should develop and implement a community awareness and education program concerning development in sensitive areas, water conservation, sustainable use of aquifers, and associated best practices in regard to water use and protection.

### 18.1.4 **Wellhead Protection Areas**

- 18.1.4.1 Wellhead protection areas are zones around wells where land uses must be planned in order to protect the quality and quantity of the Town's water supply. In these areas, it may be necessary to restrict or even prohibit certain land uses due to their potential to impact groundwater quality and drinking water quality. These policies shall be implemented in the zoning by-law.
- 18.1.4.2 Wellhead protection areas are shown on Schedule "G", Wellhead Protection Areas and Vulnerable Aquifer Areas, of this Plan. Development within wellhead protection areas shall be restricted in the Comprehensive Zoning By-law, to ensure the sustained integrity of the municipal drinking water supply, the groundwater resource, and its hydrological function.
- 18.1.4.3 Notwithstanding the uses permitted in the underlying land use designation shown on Schedule "A" of this Plan, land uses that pose a risk to the quality and quantity of groundwater, as listed in Table WH1, entitled "Risk Categories by Land Use", will be prohibited or restricted in the zoning by-law in accordance with Table WH2, entitled "Land Use Restrictions". Accordingly, those land

uses considered to be a high risk to groundwater resources shall be prohibited in all wellhead protection areas. The Town may require a hydrogeological investigation or risk assessment to assess whether other uses not included in Table WH1 will be a potential risk to groundwater within wellhead protection areas. Potential prohibitions and restrictions could be applied and/or mitigation required through the zoning by-law.

- 18.1.4.4 In Table WH2, entitled “Land Use Restrictions”, a use that is restricted may only be permitted within a wellhead protection area if the applicant demonstrates to the satisfaction of the Town that the proposed use or activity will have no negative impact on the groundwater associated with wellhead protection areas. In such cases, a risk assessment for development and/or expansion of an existing use shall be conducted as prescribed by the *Clean Water Act*, 2006, or its successor, and a risk management plan shall be developed and approved prior to the establishment of new land uses.
- 18.1.4.5 Expansion of legally existing incompatible uses within the WHPA-A 100 metre Fixed Radius Area Capture Zone of a wellhead protection area shall be prohibited. Redevelopment of these uses to more compatible uses is encouraged, subject to an appropriate risk assessment and risk management plan.
- 18.1.4.6 Expansion of legally existing incompatible uses between the WHPA-A 100 metre Fixed Radius Area Capture Zone and the WHPA-C 10 Year Capture Zone will not be permitted, unless a risk assessment and risk management plan have been undertaken to the satisfaction of the Town.
- 18.1.4.7 A risk assessment should address the disclosure of activities on site, mitigation measures, spills response requirements and availability, contaminant recovery requirements, and aquifer rehabilitation plans. When required, a risk assessment shall be prepared in accordance with Appendix 4 to the County of Simcoe Official Plan, entitled Terms of Reference for a Risk Assessment Study for Ground and Surface Water or its successor.
- 18.1.4.8 The Town should encourage the identification and decommissioning of unused private water wells, the upgrade of existing private wells, septic system inspections and upgrades, runoff and erosion protection, and best land use management practices to protect groundwater resources.
- 18.1.5 **Vulnerable Aquifer Areas**
  - 18.1.5.1 Areas of high aquifer vulnerability are shown on Schedule “G”, Wellhead Protection Areas and Vulnerable Aquifer Areas, of this Plan. The following policies shall be applied to protect aquifers and groundwater resources.
  - 18.1.5.2 Proposed land uses considered to be a high risk to groundwater resources, as listed in Table WH1, entitled “Risk Categories by Land Use”, that are located within high aquifer vulnerability areas should be supported by a contamination management plan that defines the approach to protect water resources.



- 18.1.5.3 Existing land uses considered to be a high risk to groundwater resources, as listed in Table WH1, entitled “Risk Categories by Land Use”, that are located within high aquifer vulnerability areas are encouraged to implement best management practices.
- 18.1.5.4 The Town should encourage the study of the nature and extent of aquifers especially in existing unserved areas of the community through the compilation of existing information or the collection of new information.
- 18.1.5.5 Given the general low level of detailed information relating to the groundwater regime of the Town, any use which requires an approval under the *Planning Act*, as amended, which could result in significant amounts of water being withdrawn from an aquifer within the Municipality, such as a water extraction and bottling plant, shall require an Amendment to the implementing zoning by-law. When considering such an Amendment, the proponent shall address the following to the satisfaction of Council:
- a) The long term impact of the proposal on the quality and quantity of water in the affected aquifer and upon any hydrological linkages which may affect environmentally sensitive areas;
  - b) The potential of the proposal to interfere with the quality and quantity of water yielded by adjacent wells;
  - c) The adequacy of measures proposed by the proponent to ensure the long term monitoring of the impact of the water withdrawal on the water budget of the aquifer, and adjacent wells, and the municipal water supply; and,
  - d) The preparation of a suitable agreement which could require the installation of on site metering of water withdrawals from the aquifer and the addressing of municipal concerns such as the need for road upgrades, traffic control signage, and licensing or other such matters deemed appropriate by the Municipality.

18.1.6 **Groundwater Recharge/Discharge Areas**

- 18.1.6.1 It is the intent of this Plan to provide a high level of protection to the significant groundwater recharge/discharge areas of the Municipality. These areas typically consist of highland areas where infiltration to the shallow groundwater regime discharges into the headwaters of streams and rivers and/or to wetlands and development of these areas may pose a hazard to persons and/or property.
- 18.1.6.2 Where significant groundwater recharge/discharge areas of the Municipality have been determined and delineated, the Town may place these areas in a special designation or zone which may require new development to address the following concerns to the satisfaction of Council:

- a) The impact of the proposed use(s) on the groundwater recharge function and any associated ecological systems or environmentally sensitive areas.
- b) The general viability of locating the proposed use(s) in an area of groundwater discharge and the methods by which this constraint may be overcome according to established and accepted standard engineering practices.
- c) The effect of the proposed use(s) on the quality and quantity of drinking water in adjacent public and private wells.

18.1.6.3 Where development upon aquifer areas or lands having capacity for groundwater recharge is approved, the development will incorporate best management practices and be designed to:

- a) Minimize the reduction of groundwater recharge;
- b) Maintain groundwater quality to the highest degree; and,
- c) Promote aquifer recharge by means of runoff retention or detention ponds.

## SECTION 19

### IMPLEMENTATION

#### 19.1 **GENERAL**

19.1.1 This Plan may be implemented by a number of means including:

Zoning By-laws;  
Development Permits;  
Subdivisions;  
Agreements; and,  
Public Works.

#### 19.2 **ZONING BY-LAWS**

19.2.1.1 Council shall review and amend the existing Comprehensive Zoning By-law to implement the policies in this Plan. The by-law will zone land in accordance with policies contained in the Plan and shall make provisions for adequate development control while regulating the use of land and the character, location and use of buildings and structures.

19.2.1.2 It is not intended that all lands be zoned at the outset for the uses indicated on Schedule "A", but rather the by-law will recognize existing uses and be of a restrictive nature. Applications for rezoning will be considered on an individual basis in order to achieve the objectives of this Plan.

19.2.1.3 Where an area is described as a development permit area through an Amendment to this Plan and the implementing development permit by-law, the zoning by-law will not apply.

#### 19.2.2 **Holding Zones**

19.2.2.1 The *Planning Act*, as amended, allows the use of the holding "H" symbol in conjunction with any zone category found in the zoning by-law to specify the use to which lands, buildings or structures may be put at such time in the future as the holding "H" symbol is removed by Amendment to the by-law.

19.2.2.2 As an alternative to Section 19.2.1.2, Council may use the holding "H" symbol in conjunction with any zone category in the zoning by-law to prevent or limit the use of land until Council is satisfied that development will take place in an orderly and phased manner and to ensure that the servicing and design criteria established in this Plan have been met.

19.2.2.3 The zoning by-law shall specify the uses, if any, to which lands, buildings or structures may be put while the holding "H" symbol is in place.

19.2.2.4 Prior to passing a by-law removing the holding "H" symbol, Council shall ensure that the owner has satisfied all of the requirements of the Town and

has entered into any necessary agreements to this effect and that the policies of this Plan regarding phasing, servicing and design criteria have been fulfilled.

- 19.2.2.5 When the holding “H” symbol is removed, the sections of the *Planning Act*, as amended, that allow for the appeal by an interested party of a change in zoning do not apply and no appeal process is provided. Notice of Council’s intention to pass an amending by-law to remove the holding “H” symbol shall be given in the manner prescribed under the *Planning Act*, as amended.

### 19.2.3 **Development Zones**

- 19.2.3.1 Where more than one type of zone is available for development of land, Council may use a “D” suffix in conjunction with a non-specific zone category, for example, “CD” instead of “C1H”.

- 19.2.3.2 In such a case, the by-law will permit interim land uses; however, the removal of the “D” suffix will only be done in conjunction with a rezoning to a specific land use and will be subject to the formal rezoning process.

### 19.2.4 **Zoning With Conditions**

- 19.2.4.1 Council may enact a Zoning Bylaw amendment and impose one or more conditions on the use, erection or location of buildings or structures on a site-specific basis

- 19.2.4.2 Where Council has approved a conditional Zoning Bylaw amendment, Council may require a landowner to enter into an agreement with the Town relating to the conditions.

## 19.3 **SUBDIVISIONS**

- 19.3.1 Council, when considering plans of subdivision, shall ensure conformity to this Plan.

- 19.3.2 It shall be the policy of Council to recommend subdivision proposals for approval only if they can be provided with adequate utilities and services as required by this Plan, and is unlikely to adversely affect the economy or financial position of the Municipality.

## 19.4 **CONSENTS**

- 19.4.1 Council and the Committee of Adjustment shall ensure that all consents granted are in conformity with the policies of this Official Plan, Simcoe County Official Plan as well as Provincial policy and legislation and the provisions of the Comprehensive Zoning By-law.

- 19.4.2 Consents shall only be permitted where it can be shown that a registered plan of subdivision is not necessary for the proper and orderly development of the Municipality.

19.4.3 In considering applications for consent Council shall have regard for the criteria contained in the *Planning Act*, as amended, and the following:

- a) Consents should be granted only in areas where undue extensions of municipal services would not be required;
- b) Consents should only be granted when the land fronts on an existing public road, maintained to municipal standards of construction;
- c) Consents should have the effect of infilling existing developed areas, rather than unduly extending such areas;
- d) Consents should recognize and have regard for the character of established residential neighbourhoods and should take into consideration the impact and compatibility of the proposed development with the existing built form and fabric of an area;
- e) The size of any parcel of land created by such a consent should be appropriate for the use proposed considering the public services available, soil conditions, surrounding development, and neighbourhood character, and in no case shall any parcel be created which does not conform to the provisions of the Comprehensive Zoning By-law;
- f) Direct access to and from arterial and collector roads should be controlled and properly designed and residential lots should, where possible, have access only from local roads;
- g) Consents should not be granted for land adjacent to a road from which access is to be obtained, where a traffic hazard would be created because of limited sight lines on curves or grades;
- h) Consents should not be granted if the effect of granting the severance would prejudice the future development of an area. In particular, consents should not be granted if the effect is to exploit the frontage of the lands with little regard for the remainder of the property. In addition, consents in "Commercial" and "Tourism" designations may not be granted if the division of the property will prevent the efficient and appropriate present or future development of the property; and,
- i) Consents for new uses wholly within natural heritage system category 1 lands shall not be granted. Prior to consideration of a consent application within natural heritage system category 2 lands, an Environmental Impact Study is required to the satisfaction of the Town.

19.4.4 Consents within the Bay Colony neighbourhood identified on Schedule "A-1" shall have regard to the policies contained within Section 5.6.4 of this Official Plan.

19.5 **AGREEMENTS**

19.5.1 Council shall ensure that all agreements conform to the intent of the Plan.

19.5.2 Agreements may deal with all applicable aspects of development including: aesthetic design, landscaping, parking, circulation, access, sign control and design, drainage grading, lighting, services, staging and timing.

19.6 **SITE PLAN CONTROL**

19.6.1 The *Planning Act*, as amended, permits a Municipality to require, as a condition of development or redevelopment, a site plan agreement setting out the various aspects and conditions of development. The *Planning Act*, as amended, requires that a proposed site plan control area be shown or described in the Official Plan. The land use subsections found herein identify those areas or uses subject to site plan control and as such, all such development or redevelopment, significant expansion or change of use may be subject to site plan control.

19.6.2 The policies relating to why such control is required, what is hoped to be achieved through its implementation and the general objective applicable to the area or land adjacent to the site plan control area are set out as follows:

- a) To protect existing adjacent uses from new development where it is likely that the new use, due to its nature, would have a detrimental impact either visually or physically on the existing use or uses;
- b) To ensure adherence to proper development standards and to encourage aesthetic and sustainable design and proper landscaping;
- c) To ensure the safe and efficient movement of both vehicular and pedestrian traffic as it relates to the development and surrounding area;
- d) To ensure the conveyance of any required easements to the Municipality for maintenance or improvement of drainage works, watercourses, public utilities, roadways and similar undertakings;
- e) To ensure proper grading, storm drainage and maintenance in regard to surface water and erosion;
- f) To control the placement and scale of buildings, public utilities and related site facilities; and,
- g) To ensure that facility design has regard for accessibility for people with disabilities.

19.6.3 Where in this Official Plan, an area is proposed as a site plan control area, Council may pass by-laws designating the whole or any part of such an area

as a site plan control area. Notwithstanding the above, where an area is described as a development permit area through an Amendment to this Plan and the implementing development permit by-law, site plan control will not apply.

- 19.6.3.1 A site plan control by-law may include a differentiation between major and minor site plan control applications. The intent of this differentiation would be to improve the efficiency of the site plan control approval process for those applications which are deemed to be minor in nature.
- 19.6.3.2 Where there is an existing site plan approval, a site plan control by-law may describe an alternate process and/or fees for a revision or a minor amendment.
- 19.6.3.3 Minor site plan control applications are small in scale, have sufficient existing municipal services on-site, adjacent or nearby, and will generally have a minor impact on the environment, infrastructure, or nearby uses. Minor applications may be characterized by development that:
  - i) Proposes minor expansion(s) to an existing building (generally less than a 25% increase in floor area);
  - ii) Does not require a permit from the conservation authority;
  - iii) Does not require significant new off-site infrastructure; or
  - iv) Is anticipated to have minimal additional traffic, noise, or drainage impacts.
- 19.6.3.4 All other site plan control applications may be deemed to be major applications.
- 19.6.4 Once such areas are established by by-law, Council may require, as a condition of development, or redevelopment, the entering into of an agreement between the Municipality and an owner of land in this area. Such an agreement may stipulate, through the text of the agreement and/or through the use of plans and drawings, the location of all buildings and structures to be erected and show or describe the location of all works and facilities to be provided, or any other items provided for through the *Planning Act*, as amended.
- 19.6.5 Site plan control may include but is not limited to items such as the layout, location and exterior design of buildings and structures, access points, pedestrian traffic routes, barrier-free design elements, lighting, planting, buffering and the general treatment of the existing topography and tree cover and similar information.
- 19.6.5.1 Site plan control may also include:
  - a. Staging of the development and a time frame within which the staging is to be completed;
  - b. The exterior design of buildings and structures, including the character, scale, appearance, and sustainable design features; and,

- c. Sustainable design elements on the municipal right-of-way, including street furniture, curb ramps, waste and recycling containers, bicycle parking facilities, permeable paving material, and landscaping.

19.6.6 Storm water management and/or lot grading and drainage plans may be required as a condition of development.

19.6.7 A servicing report acceptable to the Municipality may be required as a condition of development and shall be prepared indicating the manner in which services such as sewage, water, fire protection and utilities will be provided.

19.6.8 A traffic and parking report, acceptable to the Municipality or appropriate road authority having jurisdiction may be required as a condition of development and will include among other things, the anticipated traffic generated, the design and location of entrances and exits, road widenings and deceleration lanes, the standard and design of internal roads, the amount of required parking and its location and other similar matters.

19.6.9 The following road widenings may be required as a condition of site plan control approval:

19.6.9.1 The County reserves the right to require road widenings, as may be set out in the County Official Plan. The areas that may be affected are located at the Town boundary on 45<sup>th</sup> Street and Sunnidale Road.

19.6.9.2 Mosley Street from Main Street to River Road West where a 20 metre right-of-way is to be acquired.

19.6.9.3 Mosley Street from River Road West to Forty Fifth Street where a 26 metre right-of-way is to be acquired.

## 19.7 **PUBLIC WORKS**

19.7.1 All public works undertaken by Council shall conform to the policies of this Plan.

## 19.8 **MAINTENANCE AND OCCUPANCY BY-LAWS**

19.8.1 Council has passed a by-law pursuant to the *Building Code Act*, as amended. This by-law contains provisions dealing with such matters as establishing standards for the maintenance and occupancy of property and requiring property that does not conform to the standards to be repaired and maintained in conformity with the standards.

## 19.9 **AMENDMENTS**

19.9.1 Council may initiate Amendments to this Plan at any time to review or incorporate new objectives, policies and specific designations, and will review



the Plan as a whole at appropriate intervals to ensure its continuing relevance. In addition, a general review of the Plan as a whole shall take place at least once every five years.

19.10      **LARGE SCALE DEVELOPMENT**

19.10.1      Council may require, as a precondition to approval of large scale development of any nature, sufficient detail regarding the development as is deemed necessary to provide a basis for a decision.

19.11      **BONUSING**

19.11.1      The Town may pass a zoning by-law or Amendment thereto, authorizing an increase in the height and density of a development beyond what is otherwise permitted by the by-law in return for the provision of such facilities, services or matters as may be set out in the zoning by-law.

19.11.2      The Town may consider negotiating for the provision of facilities, services or matters set out in a site specific by-law in exchange for increased height or density, only in situations where the need for such facilities, services or matters has been identified by the Town.

19.12      **TEMPORARY USE BY-LAWS**

19.12.1      The *Planning Act*, as amended, permits the passing of a zoning by-law to authorize the temporary use of land, buildings or structures for any purpose set out in the by-law that might otherwise be prohibited. Such a by-law must describe the area affected and set an expiry date for the by-law no more than three years after the passing thereof.

19.12.2      Council may pass subsequent by-laws granting extensions of up to three years each, however, once the by-law has lapsed, the use permitted by the by-law must cease or any use that continues will be viewed as an illegal use in regard to the Comprehensive Zoning By-law.

19.12.3      Notwithstanding the other policies of the Plan, temporary uses may be permitted in any designation. The Council, before passing a by-law to permit a temporary use shall be satisfied that those of the following requirements that are relevant to the specific application are, or will be, fulfilled in order to safeguard the wider interests of the general public.

- a)      Any proposed development or redevelopment must be consistent with the temporary nature of the proposed use;
- b)      The proposed use will be compatible with adjacent uses;
- c)      The size of the parcel of land or building to be used is appropriate for the proposed use;

- d) Services such as water, sewage disposal, roads, etc., are sufficient;
- e) Items such as noise, vibration, fumes, smoke, dust, odours, lighting and traffic generating capacity be considered to ensure that the impact of any such use will not be detrimental in regard to adjacent uses or the wider community;
- f) 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 and measures to reduce nuisances, and regulations for alleviating adverse effects caused by outside storage, lighting, advertising signs, etc.;
- g) The by-law will establish suitable regulations in regard to setbacks, lot coverage, parking and other items as may be required either through the text of the by-law or by reference to the Comprehensive Zoning By-law; and,
- h) Maintains the intent of this Plan and conforms to the policies of the County Official Plan.

19.12.4 Temporary uses may be subject to site plan control. Refer to Section 19.6, regarding additional policies concerning site plan control.

#### 19.13 **INTERIM CONTROL BY-LAWS**

19.13.1 The *Planning Act*, as amended, permits the passing of a by-law to prohibit the use of land, buildings or structures within the Municipality or within a defined area for, or except for, such purposes as may be set out in the by-law. The purpose of such a by-law is to prevent development or redevelopment until a review or study can be undertaken in respect of the land use planning merits of any use or proposal. Such a by-law shall set an expiry date for the by-law no more than one year from the date of passing thereof.

19.13.2 Council may pass subsequent by-laws granting extensions to the interim control by-law period provided that the total period of time does not exceed two years from the date of passing of the original interim by-law.

19.13.3 No notice of hearing is required prior to the passing of an interim control by-law; however the Clerk shall provide notice of the passing of the by-law in the manner prescribed in the appropriate Provincial regulations.

#### 19.14 **EXEMPTIONS FROM REQUIRED PARKING**

19.14.1 The *Planning Act*, as amended, permits the owner or occupant of a building to enter into an agreement with the Council of the Municipality, exempting the owner or occupant, as may be specified in the agreement, from the requirements of providing or maintaining parking facilities as may be otherwise required without Amendment to the zoning by-law.

19.14.2 As a general policy, Council should strive to ensure that development or redevelopment meets the requirements of the various parking regulations found within the Comprehensive Zoning By-law. However, where circumstances dictate, the provisions of this section may be implemented.

19.14.3 An agreement entered into under this section shall provide for the payment of money as a consideration for the granting of the exemption and shall set forth the basis upon which such payment is calculated.

19.14.4 All monies received by the Municipality under an agreement entered into under this section shall be paid into a special account that shall be used to offset municipal parking related expenses.

19.15 **PUBLIC PARTICIPATION**

19.15.1 The *Planning Act*, as amended, provides that an Official Plan may contain a description of the measures and procedures for informing and securing the views of the public in respect of a proposed Amendment to, or a proposed revision of, the Plan, or in respect of a proposed zoning by-law.

19.15.2 The provisions of the *Planning Act*, as amended, regarding public participation, and the regulations passed thereunder, continue to apply except where alternative procedures are specified in this section.

19.15.3 **Public Open Houses and Public Meetings**

19.15.3.1 Council shall have the option of requiring that an open house be advertised and held a minimum of 7 days prior to a public meeting. An open house is required in the following circumstances:

- a) Official Plan five-year review updates;
- b) Official Plan Amendments that implement a development permit system;
- c) Zoning by-law updates as a result of a Official Plan five-year review; or
- d) Zoning by-laws that implement a development permit system.

19.15.3.2 Council, or a Committee of Council to which Council has delegated the authority, shall hold a public meeting prior to the adoption of an Amendment to this Plan or the passage of a zoning by-law or zoning by-law Amendment.

19.15.4 **Notice**

19.15.4.1 Notice of the public meeting shall be given in accordance with the requirements and regulations of the *Planning Act*, as amended.

19.15.5 **Further Written Submissions**

19.15.5.1 Where prior to or at the public meeting, Council receives a request to make further written submissions, Council shall allow at least seven days for the receipt of such submissions. Any submissions received by Council in that

period shall be considered by Council before it adopts an Amendment to this Plan, or passes a zoning by-law or zoning by-law Amendment.

**19.15.6 Changes to Proposed Amendments**

19.15.6.1 Where a change is made in a proposed Amendment to this Plan or in a proposed zoning by-law or zoning by-law Amendment after the public meeting, Council shall determine whether any further notice is to be given in respect of the proposed Amendment to this Plan, proposed zoning by-law or zoning by-law Amendment. If Council determines that further notice is to be given, a further public meeting shall be held. At least seven days notice of this meeting shall be given in the manner provided in Section 19.15.4.

**19.15.7 Cancelled Meeting**

19.15.7.1 Where for reasons beyond the control of Council, a public meeting of which notice has been given is cancelled, a further public meeting shall be held. At least 7 days notice of this meeting shall be given in the manner provided in Section 19.15.4.

**19.15.8 Mapping Updates**

19.15.8.1 Additions and changes to any of the map schedules to this Official Plan or the zoning by-law which involve only the addition of lot and road fabric is permitted and deemed to form part of this Plan or the zoning by-law and may be done through a resolution of Council without the need for formerly amending this Plan or the zoning by-law.

**19.15.9 Consolidations**

19.15.9.1 Where Council determines that an Amendment to this Plan or to a zoning by-law is a consolidation of this Plan or the zoning by-law, or deletes obsolete provisions, renumbers or rearranges its contents, makes minor changes to punctuation or language or corrects clerical, grammatical or typographical errors and does not change the substantive provisions of this Plan or the zoning by-law, public notice and a public meeting are not required.

**19.16 FEES**

19.16.1 The Council shall establish a procedure and application form for Official Plan and zoning by-law Amendments. The Council may establish a tariff of fees for the processing of applications made in respect of planning matters. These fees may be reviewed and adjusted as required so as to meet the anticipated cost of the processing of each type of application.

**19.17 NON-CONFORMING USES**

19.17.1 As a general rule, uses which do not conform with the Official Plan or zoning by-law; and buildings or structures that do not comply with the zoning by-law

should in the long run cease to exist or be altered, so that the land affected may revert to a use in conformity with the intent of this Plan and in conformity and compliance with the implementing zoning by-law. In special instances, however, it may be desirable to permit the extension or enlargement of a non-conforming use if doing so is to avoid unnecessary hardship and providing the application is in conformity with the policies of this section to ensure the general welfare of the community.

- 19.17.2 This Plan will not limit the authority of the Municipality to recognize in the zoning by-law, land uses existing at the time of adoption of this Plan but which do not conform to the land use designation in this Plan. This Plan will not limit the authority of the Municipality to pass a by-law permitting the extension or enlargement of any land, building or structure which is being used, at the time of the passing of the zoning by-law, for a purpose which does not conform with the land use designation of the Plan. Such a by-law shall, however, be in conformity with the policies included in this Plan.
- 19.17.3 Before concurring with any application for the extension or enlargement of an existing non-conforming use or non-complying building or structure, the feasibility of acquiring the subject property at the time of the application or at some future date and of holding, selling, leasing or redeveloping it in accordance with the provisions of the *Planning Act*, as amended, will be considered by Council. In this context, special attention will be given to the opportunity for the re-establishment of the use under consideration in a different location, in accordance with the planning policies of the Municipality. However, if acquisition does not appear to be feasible and if the special merits of the individual case make it desirable to grant the extension or enlargement of a non-conforming use or non-complying building or structure, Council may consider the passing of a zoning by-law pursuant to the requirements of the *Planning Act*, as amended, such a by-law may then be passed without the necessity to amend the Official Plan, if it complies with the policies of this section.
- 19.17.4 Before making any decision on any matter dealing with non-complying buildings or structures to the zoning by-law and non-conforming uses, the application will be referred to the appropriate municipal body for a report on the various aspects of the matter for the information of Council.
- 19.17.5 Council, before approving an application, shall be satisfied that those of the following requirements which are relevant to each specific application for the extension or enlargement to a non-conforming use, are or will be fulfilled in order to safeguard the wider interests of the general public:
- a) That the proposed extension or enlargement of the established non-conforming use shall not unduly aggravate the situation created by the existence of the use, especially in regard to the policies of the Official Plan and the requirements of the zoning by-law, applying to the area;
  - b) That the proposed extension and enlargement shall be in an appropriate

proportion to the size of the non-conforming use established prior to the passing of the original zoning by-law. The extension should not exceed 25% of the size of the established building, structure or use;

- c) The characteristics of the existing non-conforming use and the proposed extension or enlargement shall be examined with regard to noise, vibrations, fumes, smoke, dust, odours, lighting and traffic generating capacity. No Amendment to the by-law shall be made if one or more of such nuisance factors will be created or increased so as to add to the incompatibility of the building, structure or use with the surrounding area;
- d) That the neighbouring conforming uses will be protected, where necessary, by the provision of areas for landscaping, buffering or screening, appropriate setbacks for buildings and structures, devices and measures to reduce nuisances and where necessary, by regulations for alleviating adverse effects caused by outside storage, lighting, advertising, signs, etc. Such provisions and regulations shall be applied to the proposed extension or enlargement and, wherever feasible, be also extended to the established use in order to improve its compatibility with the neighbourhood;
- e) That traffic and parking conditions in the vicinity will not be adversely affected by the extension or enlargement and traffic hazards will be kept to a minimum by appropriate design of access points to the site, and improvement of site conditions, especially in proximity to intersections;
- f) That adequate provisions have been or will be made for off-street parking, loading facilities and lot grading and drainage; and,
- g) That the proposed enlargement has the approval of the servicing by the appropriate approval agency having jurisdiction.

19.17.6 In addition to the above, in all cases where an established non-conforming use seriously affects the amenity of the surrounding area, consideration shall be given to the possibility of improving such conditions, especially when public health and welfare are directly affected.

19.17.7 In addition to the above, the Municipality will not approve an application for the extension or enlargement of a non-conforming use if such use was not legally established. In this regard, to be legally established, the use would have had to have been one of the following:

- a) A use that existed at the time of the passing of Zoning By-law 75-10 on February 11, 1975 and continued to be used to the day on which the application is made; or,
- b) A use that conformed to Zoning By-law 75-10 and continued to be used to the day on which the application was made.

19.18      **WAYSIDE PITS**

19.18.1      Wayside pits and quarries and portable asphalt plants used on public authority contracts will be permitted, without the need for Official Plan Amendment, rezoning or development permit under the *Planning Act* in all areas except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.

19.19      **COMMUNITY IMPROVEMENT POLICIES**

19.19.1      The *Planning Act* and *Municipal Act* provide for the opportunity to plan for, coordinate and initiate development, redevelopment, construction, rehabilitation and reconstruction, and improve energy efficiency, resulting in the physical improvement of selected areas of the Town. The policies of this section are intended to provide access to various Provincial cost sharing programs, municipal assistance, programs for revitalization and to encourage private investment. Through this process the Town may identify and designate by by-law, community improvement project areas and then prepare improvement plans leading to community improvement projects and the implementation of these works. The following is intended to provide a framework for the selection and designation of community improvement project areas and for the preparation and implementation of any community improvement plans.

19.19.2      The objectives of identifying and designating community improvement project areas are as follows:

- a)      Promote the long term health, vitality and stability of the identified area;
- b)      Provide solutions and opportunities to correct inadequate municipal services and facilities, building and infrastructure deterioration, inadequate housing and inappropriate or incompatible land use combinations;
- c)      Promote opportunities for financial investment and improved private property maintenance and appearance;
- d)      Address deficiencies concerning streetscapes including road conditions, sidewalks, curbs, parking, landscaping, tree planting, furniture and lighting;
- e)      Investigate and address flood protection measures;

- f) Promote views and visual amenities such as the waterfront, provide protection opportunities for these areas and provide opportunities for the benefit of recreation, leisure and tourism activities;
- g) Promote the maintenance restoration or rehabilitation of natural heritage areas, features and functions;
- h) Promote the maintenance and use of buildings of historic or architectural merit, interest or significance;
- i) Promote the remediation and removal of soils or structures which have been contaminated due to chemicals or other pollutants as a result of previous development activity;
- j) Correct and/or improve transportation or transit deficiencies;
- k) Promote the provision and development of affordable housing; and,
- l) Promote the improvement of energy efficiency and accepted sustainability initiatives.

19.19.3 It is expected that the following considerations will be addressed, as applicable, through the preparation of community improvement plans:

- a) Various financial incentive, assistance opportunities and the use of public funds which may consist of tax relief, grants, loans, development charges, application fees and other methods resulting in the rehabilitation, redevelopment or improvement of public and private properties;
- b) Establish and outline cost sharing agreements, joint ventures and public/private partnerships;
- c) Rehabilitation and infill opportunities;
- d) Acquisition of property by the Town and works thereon;
- e) Historic preservation through Local, Provincial and Federal legislation;
- f) Streetscape and building facade design guidelines;
- g) Set capital improvement outlines and timetables for projects;
- h) Amend municipal by-laws in support of improvement plans; and,
- i) Undertake relevant actions directed at the improvement area(s) to provide appropriate housing, facilitate economic improvement and the protection of social, physical, environmental and cultural aspects of the area.



- 19.19.4 Community improvement plans and Amendments thereto will be done in consultation in an inclusive manner with affected ratepayers, residents, tenants, public agencies and other interested parties.
- 19.19.5 Implementation of community improvement plans may only occur when the Town is satisfied that the proposed works are within the fiscal capabilities of the Municipality.
- 19.19.6 The selection, order and timing of community improvement plans will be determined by the Town.
- 19.19.7 For the purpose of carrying out a community improvement plan, the Council of the County of Simcoe may make grants or loans to the Council of the Town of Wasaga Beach, and vice versa.
- 19.19.8 The scope of eligible costs for which the Town or the County may provide community improvement grants or loans includes:
- a) Environmental site assessment;
  - b) Environmental remediation;
  - c) Development, redevelopment, construction and reconstruction of lands and buildings for rehabilitative purposes; and,
  - d) The provision of energy efficient uses, buildings, structures, works, improvements and facilities.
- 19.19.9 Facade improvement programs and streetscape design guidelines may be developed together with associated loan and grant programs to assist commercial land owners in the implementation of the design program.
- 19.19.10 **Community Improvement Project Areas**
- 19.19.10.1 The areas delineated on Schedule “H”, Community Improvement Project Areas, have been identified based upon the goals and objectives of this section. It is Council’s intent to consider community improvement plans for the identified areas as necessary, using financial assistance if available, provided that Council is satisfied that the financial impact on the Municipality is reasonable and affordable.
- 19.19.10.2 Mosley Village Community Improvement Project Area
- 19.19.10.2.1 Mosley Village is a historic business district that contains a mix of commercial, residential, and tourism accommodation uses on small parcels of land. Other policies of this Plan encourage residential intensification and a variety of commercial uses.
- The intent for this area, among other matters, is to improve deficiencies including but not limited to road and infrastructure conditions; pedestrian infrastructure; public transit infrastructure; public and private parking;

streetscape elements; property maintenance and appearance; and property underuse and vacancy.

#### 19.19.10.3 Downtown Wasaga Beach Community Improvement Project Area

- 19.19.10.3.1 Downtown Wasaga Beach is an area which has historically been the focal point for economic and tourism activity in Wasaga Beach, known as the 'Main End'. It currently functions as the primary destination for tourism activity, and contains a mix of commercial and tourism accommodation uses.

A Downtown Community Improvement Plan is intended to stimulate investment in redevelopment rather than renovation to existing buildings and uses. Initially, the priority for investment in the Community Improvement Project Area will be for properties that have frontages on Main Street between Elm Street and Beach Drive and includes properties fronting onto proposed public open space/squares, and within the lands bounded by 3<sup>rd</sup> Street North, Beach Drive, the Town 'Jenetta Street' well in the Wasaga Beach Provincial Park, and Mosley Street.

The intent for this area, among other matters, is to stimulate investment and improve deficiencies including but not limited to road and infrastructure conditions; built form and mixed-use development on private property; pedestrian and cycling infrastructure; the addition of civic open spaces in key locations; public access to the waterfront; public transit infrastructure; public and private parking; streetscape and public realm elements; property maintenance and appearance; and property underuse and vacancy.

#### 19.19.10.4 West End Community Improvement Project Study Area

- 19.19.10.4.1 The west end of Wasaga Beach is an area that requires servicing, infrastructure, transportation, and aesthetic improvements. This is an area in transition, due in part to the realignment of Highway No. 26 by the Ministry of Transportation and the provision of municipal water and sanitary sewer services. This area generally consists of lands within the existing Highway No. 26 corridor between the Town's southern and western municipal boundaries. However, further study of this area is required to delineate the precise boundaries of the area for which a community improvement plan could be prepared. Schedule "H", Community Improvement Project Areas, identifies the general area to be included in this review.

### 19.20 URBAN DESIGN

#### 19.20.1 **Basis for Urban Design Policies**

The Town of Wasaga Beach is a centre for recreational and tourism activity, centered around the sandy shoreline of Nottawasaga Bay, the natural habitats in the forested Wasaga Beach Provincial Park, and the Nottawasaga River. The Town also accommodates a wide variety of urban land uses within a natural landscape setting. As the Town continues to grow, it is important to

maintain the small-town and recreational atmosphere that attracts visitors and permanent residents alike throughout the year.

The urban design policies are intended to form a framework for the creation and implementation of urban design guidelines to guide new development and redevelopment within the Town of Wasaga Beach.

19.20.2 The goals of the Urban Design policies are as follows:

- a) Maintain a recreational and tourism character in the Town.
- b) Promote high quality development.
- c) Promote the long term health, vitality and stability of the commercial and tourist areas of the Town.
- d) Integrate or harmonize different land uses.
- e) Promote the principle of sustainability in community design.
- f) Establish the principles for the preparation of town-wide urban design guidelines.
- g) Enhance the built form, scale, and aesthetic appeal of the built up areas of the Town.
- h) Protect view corridors and visual amenities such as the waterfront, and provide opportunities for the benefit of recreation, leisure and tourism activities.
- i) Address residential, commercial, and industrial streetscapes to create aesthetically pleasing environments.
- j) Create environments that promote pedestrian activity and a healthy lifestyle for residents and visitors.
- k) Promote the maintenance and use of buildings of historic or architectural merit, interest or significance.

19.20.3 Through the preparation of urban design guidelines, it is expected that the following objectives will be met:

- a) Establishment of criteria and a process for architectural control;
- b) Preparation of streetscape and building facade design guidelines;
- c) Designs for new roads, buildings, and utility installations should be encouraged to blend with the natural landscape;

- d) Maintenance of existing topography, vegetation and grades shall be encouraged within the constraints of sound engineering practice;
- e) New residential development should generally be screened from surrounding major roads by retaining existing tree cover, planting new trees and/or shrubs, installing a berm, providing fencing, or a combination thereof;
- f) Where fencing is required, the use of natural construction materials such as wood 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;
- g) Outside storage shall be avoided, wherever possible, and, where permitted, generally shall not be visible from the road or surrounding properties;
- h) Where additional landscaping is necessary as a component of site development, it shall generally consist of plants which are indigenous to the area. These guidelines shall not apply to minor decorative flower plantings;
- i) Landscape details on individual lots or sites shall blend with other surrounding properties and with the character of the entire area. The use of building materials and building designs that blend in with the landscape and with each other shall be encouraged. The natural character of the landscape shall be respected and reinforced;
- j) Buildings or structures on untreed sites shall incorporate landscaping to enhance the site and the surrounding area;
- k) The scale of buildings and structures shall be appropriate to their surroundings; and,
- l) On-site parking shall be integrated with the development of the site and generally should be screened from surrounding roads and properties. The provision of landscaping internal to parking areas is encouraged.

## 19.21

### **PRE-CONSULTATION AND COMPLETE APPLICATION REQUIREMENTS**

#### 19.21.1

An application submitted to the Town in support of a development proposal must be a complete application in accordance with the provisions of the *Planning Act*, and be accompanied by the appropriate fees and studies, before processing will begin. In order to meet the timing requirements of the *Planning Act*, any required background reports, studies, documents and materials necessary to deem an application to be complete, as set out in Section 19.21.3 of this Plan, must be prepared and submitted with the application, to the satisfaction of the Town.

19.21.2 Should it be determined through the review process and/or the peer review process, that the submission is inadequate or that further issues need to be addressed, additional information shall be required. In addition, under special or unique circumstances, the Town may require further or other reports which it determines are necessary to address special or unforeseen circumstances.

19.21.3 In order for a development application to be considered complete in accordance with the *Planning Act*, in regards to official plan amendments, zoning by-law amendments, draft plans of subdivision and condominium, site plan and consent applications, the Town may require that reports, plans, and/or studies be prepared to the satisfaction of the Town and relevant commenting or approval agencies. These studies may include but are not limited to the following topics and issues:

1. Active Transportation Report
2. Affordable Housing Report
3. Aggregate Potential Assessment and/or Aggregate License Compatibility Assessment
4. Aggregate Studies related to/and in compliance with the requirements of the MNR license for new and expansion to existing pits and quarries
5. Agricultural Assessment and/or Minimum Distance Separation Report
6. Archaeological Assessment
7. Architectural/Cultural Heritage Report
8. Composite Servicing/Utility Plan
9. Contamination Management Plan
10. D4 Assessment
11. Digital Plan according to Town specifications
12. Energy Analysis
13. Environmental Impact Study
14. Environmental Site Assessment and Record of Site Condition
15. Financial Impact Analysis
16. Fire Safety Plan
17. Fisheries Impact/Marine Impact Study
18. Functional Servicing Report
19. Geotechnical or Soil/Slope Stability Report
20. Golf Course Errant Ball Spray Analysis
21. Growth Management Report
22. Heritage Impact Assessment
23. Hydrogeological Study/Hydrology Study or Water Budget
24. Infrastructure Design Report
25. Legal and/or Topographic Survey
26. Lighting Illumination Study/Plan
27. Market Impact Study
28. Master Fire Plan
29. Master Servicing Study/Servicing Options Report
30. Natural Hazards Study and/or Coastal Engineering Study
31. Noise/Vibration Impact Analysis
32. Odour/Dust/Nuisance Impact Analysis

33. Open Space/Trail Master Plan
34. Operation and Maintenance Manual
35. Parking Report/Analysis
36. Planning Needs/Justification Report
37. Property Appraisal Report
38. Recreational Needs Study
39. Rental Housing Conversion Study
40. Settlement Capability Study
41. Shadow Analysis
42. Stormwater Management Report
43. Traffic Impact Study
44. Tree Preservation and Compensation Plan or Arborist Report
45. Urban Design Report/Streetscape Study
46. Water Conservation Report
47. Watershed/Sub-watershed Study
48. Wellhead Interference Study
49. Wellhead Protection Area – Risk Assessment Report or Risk Management Plan
50. Wind Study
51. Wind Turbine Impact Study

However, the approval authority can always request any subsequent information that it determines necessary to enable its review of the proposed application.

- 19.21.4 The cost associated with all required studies shall be borne by the applicant. Costs incurred by the Town in engaging peer review consultants in order to evaluate the proposal and supporting submissions shall also be borne by the applicant.
- 19.21.5 Prior to the submission of any development application and/or site alteration, applicants shall pre-consult with the Town and applicable agencies on matters relating to the development proposal in accordance with the provisions of this Plan. The pre-consultation process is intended to address the requirements for a complete application and may require more than one pre-consultation meeting and involve other agencies. This policy is not intended to apply to site plan control applications which are deemed to be minor by the Town.
- 19.21.6 The need for any of the studies listed in Section 19.21.3 shall be determined by the Town of Wasaga Beach following pre-consultation between the Town, the appropriate agencies and the applicant.
- 19.21.7 Council may pass a by-law requiring an applicant to attend a mandatory pre-consultation meeting prior to the submission of any development application and/or site alteration, other than those that have been deemed to be minor in nature.

19.22 **DEVELOPMENT PERMIT SYSTEM**

- 19.22.1 The development permit system is a land use planning tool which provides an alternate development approval system. The intent of the development permit system is to combine zoning, site plan control, and minor variance processes into one application/approval process. The purpose of the development permit system is to streamline the planning approval process, incorporate flexibility for uses and development standards, and clearly establish rules and criteria for development through a “one-window” planning approach.
- 19.22.2 In accordance with the *Planning Act*, and its implementing regulations, Council may describe one or more areas of the Municipality as development permit areas.
- 19.22.3 An Amendment to this Plan shall be required to establish a development permit system, which should generally set out the following:
- a) Describe the geographic limits of a development permit area;
  - b) Describe the goals, objectives, and policies of the development permit system;
  - c) Require the preparation and approval of a development permit by-law to implement the goals, objectives, and policies;
  - d) Define the type of conditions that may be included in a development permit by-law;
  - e) Identify the criteria for evaluating discretionary uses and variations that may be included in a development permit by-law; and/or,
  - f) Identify information and material requirements for a development permit application.
- 19.22.4 Within a development permit area, for which a development permit by-law has been enacted, the zoning by-law and site plan control will not apply.
- 19.22.5 Council may delegate the approval or issuance of development permits to a Committee of Council or to staff. Limits on and criteria for such delegation will be established in the development permit by-law or other municipal by-laws.
- 19.23 **DESIGN CRITERIA FOR PEOPLE WITH DISABILITIES**
- 19.23.1 Recognizing the unique accessibility issues of people with disabilities, all new public buildings, structures and facilities shall be constructed to a standard that is accessible to people with physical disabilities.
- 19.23.2 The retrofitting of existing municipal facilities to remove physical and technological barriers is a goal of the Town.

19.23.3 Barrier-free design shall be employed for all publicly accessible space, and design criteria should be incorporated into the Town's guidelines and engineering standards.

19.23.4 New private development and building construction shall occur in accordance with the regulations of the *Building Code Act* and with the Town's design manuals and engineering standards, in regards to accessibility for people with disabilities. As soon as possible after the completion of construction, new private buildings and sites are encouraged to be fully accessible to people with disabilities.

#### 19.24 **GATEWAYS TO THE TOWN**

19.24.1 The gateways to the Town are identified as access points to the Town along transportation corridors, and include the private lands fronting onto those corridors.

19.24.2 The existing gateways to the Town generally consist of lands that are vacant or contain rural land uses, but are typically designated for urban land uses in the long-term by this Plan.

19.24.3 The objectives of these policies are to:

- a) Draw the tourist population into the Town;
- b) Maintain the natural feel of the Town by retaining the natural vegetation and topography, where feasible;
- c) Promote attractive development which recognizes and addresses the prominent gateway location;
- d) Require the use of best urban design practices for building construction and site planning;
- e) Encourage the consolidation of smaller parcels of land to promote cohesive development;
- f) Create shared vehicle access locations, where feasible, to minimize the number of driveway entrances onto major roads; and,
- g) Encourage public and private investment in attractive entrance features.

#### 19.24.4 **Regional Gateways**

19.24.4.1 Regional gateways are access points that are primarily used by regional traffic to enter the Town. These gateways are strategic locations on major highways and arterial roads which carry the highest volumes of traffic.

19.24.4.2 The Town's regional gateways include:



- a) Provincial Highway 26 eastbound,
- b) Provincial Highway 26 northbound (Airport Road),
- c) County Road 92 (River Road West),
- d) County Road 10 (Sunnidale Road), and,
- e) Future realignment of Local Airport Road (upon completion of Provincial Highway 26 realignment).

19.24.4.3 Regional gateways shall be the focus for municipal capital investment and private investment in aesthetic improvements including but not limited to entry and wayfinding signage, landscaping, pedestrian infrastructure, and decorative street lighting.

19.24.4.4 Cultural heritage landscapes, including natural landforms, dunes, watercourses, valleylands, and forested areas should be retained to maintain the natural feel of the Town.

Where development is proposed and mature vegetation exists in these gateway areas, efforts should be undertaken to protect significant vegetation by establishing a buffer area of significant depth through conveyance, parkland dedication, or heritage/conservation easements.

19.24.4.5 Private development shall be designed and landscaped to address the prominent location in a regional gateway.

#### 19.24.5 **Local Gateways**

19.24.5.1 Local gateways are access points that are primarily used by local traffic to enter the Town. These gateways are located on secondary roads which carry lighter volumes of traffic.

19.24.5.2 The Town's local gateways include:

- a) Existing Local Airport Road,
- b) County Road 7 (45<sup>th</sup> Street South),
- c) Klondike Park Road,
- d) Ryther Road,
- e) Deerbrook Drive,
- f) Eastdale Road, and,
- g) River Road East.

19.24.5.3 Local gateways shall be a secondary location for signage, landscaping and other aesthetic improvements.

19.24.5.4 Where applicable, Section 19.24.4.4 shall also apply to mature vegetation at local gateways.

#### 19.25 **TREE PRESERVATION AND/OR COMPENSATION**

- 19.25.1 Where possible, development should retain existing vegetation and/or mature trees. Prior to removal of vegetation and/or trees for the purpose of development, a tree identification/preservation plan shall be submitted to the satisfaction of the Town, which should locate and identify the trees in terms of size, species, and health.
- 19.25.2 Where grading, drainage and/or servicing works require the removal of existing vegetation and/or mature trees from existing municipal rights-of-way or private property, the Town may require the replacement and replanting of trees to compensate for tree loss.
- 19.25.3 Tree preservation and/or compensation shall be implemented through the approval of plans of subdivision and condominium, consents, site plan control, development agreements, and the Town's engineering standards, urban design guidelines, and municipal policies.

## SECTION 20

### INTERPRETATION

#### 20.1 **LAND USE BOUNDARIES**

- 20.1.1 The land use boundaries shown on the map schedules to this Official Plan are considered as approximate and absolute only when bounded by a clearly definable physical feature such as a road, watercourse, railway, or other geographic barrier. The location of proposed roads and parks are also considered as approximations and are indicative only of intent and general direction or location. Amendments to this Plan shall not be necessary to make minor adjustments to land use boundaries or make deviations to the locations of roads and parks provided that the general intent of the Plan is maintained. The precise determination and delineation of the land use boundaries for the environmental designations in this Plan shall be determined in consultation with the applicable governing agencies such as the local conservation authority.

#### 20.2 **LAND AREAS, POPULATION ESTIMATES ETC.**

- 20.2.1 It is intended that all figures and quantities herein shall be considered as approximate only and not absolute. Amendments to the Official Plan will not be required for any reasonable variance from any of the proposed figures.

#### 20.3 **LAND USES**

- 20.3.1 The examples of land uses are included in this Plan to illustrate the range of activities in each land use classification. They are not meant to be all inclusive or limiting. More specific uses will be defined in the Comprehensive Zoning By-law. Wherever a use is permitted under a land use classification, it is intended that ancillary uses, buildings or structures normally incidental, accessory or essential to the permitted use may also be permitted.

#### 20.4 **DEFINITIONS**

##### 20.4.1 **Lot**

A parcel or tract of land which is capable of being conveyed separately as provided for by the *Planning Act*, as amended.

##### 20.4.2 **Net Residential Hectare**

Net residential hectare includes residential lots or blocks only, excluding any public lands.

## **SECTION 21**

### **THE SUNNIDALE TRAILS SECONDARY PLAN**

The following policies apply to the lands included in the Sunnidale Trails Secondary Plan area. These policies are intended to be in addition, and complimentary, to all applicable policies of the Official Plan for the Town of Wasaga Beach. In the event of conflict between provisions of this Secondary Plan and other sections of the Official Plan, the Secondary Plan policy shall prevail.

#### **21.1 COMMUNITY VISION**

The policies of the Sunnidale Trails Secondary Plan are based on the concept that the role of the Sunnidale Trails community area is to maintain and build upon the existing park like setting and recreational nature of the Town of Wasaga Beach. The community is intended to be a mixed community providing for all stages of the lifecycle and allowing a wide variety and diversity of housing alternatives and choices. Community facilities and amenities such as schools and parks will be provided with trail linkages to open space and natural areas. The Sunnidale Trails community will be primarily low density in character with some forms of medium density development spread throughout the Secondary Plan area in small clusters. Commercial uses are contemplated in a well defined community centre area that could also include institutional uses. It is intended that a community identity and neighbourhood character be established through the creation and implementation of urban design guidelines and an open space master plan.

#### **21.2 GOALS AND OBJECTIVES**

##### **21.2.1 Goals**

- a) To provide for the optimal convenience, efficiency, health, safety, and well being of the present and future residents of the Sunnidale Trails Secondary Plan community.
- b) To allow for the logical and comprehensive future development within the Sunnidale Trails Secondary Plan area that is integrated with existing and future surrounding development and with the natural environment.
- c) To ensure that development proposals for the Sunnidale Trails Secondary Plan area are designed in accordance with an accepted community structure and they provide the necessary community facilities and amenities to accommodate the needs of existing and future residents.
- d) To conserve, protect, and enhance the significant natural environmental features and qualities of the Sunnidale Trails Secondary Plan area.

- e) To promote a community identity through design and define, protect, or preserve the historical resources of the community area.
- f) To direct growth and development away from areas of environmental and natural heritage significance.
- g) To provide a diversity of recreational opportunities to reflect the range of lifestyle interests, ages, and states of health and mobility of community residents.
- h) To ensure the development of a transportation system that supports the safe and efficient movement of community residents and minimizes disruptions and is integrated with the existing community and the environment.

## 21.2.2 **Objectives**

### 21.2.2.1 Community Population and Settlement Pattern

- a) To create a distinctive and diverse residential community with an ultimate population of approximately 7,200 people;
- b) To ensure that existing and future residents of the Sunnidale Trails Secondary Plan area are provided with an adequate supply and convenient access to recreational, natural, educational, commercial, and religious facilities and amenities;
- c) To provide a community center with a variety and mix of land uses and increase neighbourhood focus through the creation of a network of attractive public spaces;
- d) To maximize connectivity between and within neighbourhoods and allow convenient and efficient access to community features and amenities through a modified grid street pattern that discourages the use of courts and cul-de-sac design; and,
- e) To encourage the establishment of pedestrian friendly streets and neighbourhoods and provide trails, walkways, paths, and other linked open space areas.

### 21.2.2.2 Housing

- a) To offer a wide diversity and range of housing choices to accommodate all lifecycle stages of future and existing residents;
- b) To permit the majority of housing in the Sunnidale Trails Secondary Plan area to develop on a low density basis;

- c) To promote affordable forms of housing and ensure a range of densities through the designation of lands for medium density residential use; and,
- d) To encourage the development of neighbourhood character through compatible building siting and styles and the creation of an attractive streetscape by reducing the predominance of the garage.

#### 21.2.2.3 Surrounding Land Uses

- a) To develop policies that will allow growth to relate well to existing and approved land uses and densities;
- b) To utilize the existing physical terrain features to create distinctive residential areas while minimizing disturbances to existing and proposed natural environment areas; and,
- c) To integrate the proposed road network with approved development on adjacent lands and provide the opportunities for future road linkages and connections.

#### 21.2.2.4 Natural Heritage Lands

- a) To protect and conserve the natural heritage features and functions of the Sunnidale Trails Secondary Plan area;
- b) To encourage conservation through land use planning and design in order to provide an attractive, high quality natural environment for existing and future residents;
- c) To control and limit the impact of development on the existing natural environment through the requirement for individual site specific environmental impact studies identifying the environmental feature, probable impact, and any buffering requirements;
- d) To acquire, through dedication to the Municipality, lands integral to the identified natural heritage system of the Sunnidale Trails Secondary Plan area;
- e) To maintain water quality through the implementation of best management practices for stormwater management; and,
- f) To ensure that land use planning within the Secondary Plan area contributes to the protection, maintenance, and enhancement of water and related resources and aquatic ecosystems on an integrated watershed management system.

#### 21.2.2.5 Open Space/Parkland

- a) To provide municipal parkland adjacent to elementary school sites and promote the joint use of these areas;
- b) To ensure a sufficient supply of recreational land for public use in the built-up area of the Sunnidale Trails Secondary Plan area;
- c) To establish an integrated open space network through the provision of parks and trail and walkway linkages within and between residential areas and between natural heritage areas;
- d) To maintain, for present and future residents of the community, public accessibility to the Nottawasaga River;
- e) To encourage and facilitate the provision of opportunities for both active and passive recreational activities; and,
- f) To promote the visibility of open space areas and provide direct access to parks and other open space areas from frontage along public streets.

#### 21.2.2.6 Transportation

- a) To develop and maintain a rational, efficient, and safe system for the movement of vehicles, bicycles, and pedestrians;
- b) To provide for pedestrian trails, pathways and sidewalks away from and along collector roads in order to minimize potential conflicts with vehicular traffic;
- c) To encourage the alignment of local and collector roads with approved, proposed, and potential development on adjacent lands where possible;
- d) To avoid traffic generated by the Sunnidale Trails Secondary Plan community area from having an adverse impact on the surrounding transportation network of adjacent Municipalities; and,
- e) To implement policy encouraging the Municipality to further review the performance of the municipal transportation system as the Sunnidale Trails Secondary Plan area develops in order to examine the feasibility of improving any identified deficiencies.

#### 21.2.2.7 Institutional

- a) To provide appropriate locations for new institutional uses within the Sunnidale Trails Secondary Plan area; and,
- b) To identify on Schedule "A-9", Land Use Plan, the location of educational facilities serving the Sunnidale Trails Secondary Plan area.

#### 21.2.2.8 Commercial

- a) To improve and support the existing commercial centers of the Municipality and discourage commercial ribbon development along arterial roads;
- b) To provide opportunities for the establishment of commercial facilities that will primarily cater to the local service and convenience shopping needs of the future residents of the Sunnidale Trails Secondary Plan area;
- c) To encourage the development of a centrally situated and easily accessible commercial node of approximately 50,000 square feet (4,645 square metres) in the community centre area; and,
- d) To permit the establishment of a smaller commercial area of up to 5,000 square feet (464 square metres) in the southeast quadrant of the Sunnidale Trails Secondary Plan area.

#### 21.2.2.9 Archaeology

- a) To ensure that known areas of archaeological potential, and other development lands be investigated for items of archaeological or historical interest prior to final approval of draft plans of subdivision or other consumptive land uses being undertaken or established and to encourage preservation through removal of significant findings or preservation on site.

#### 21.2.2.10 Development Standards & Servicing

- a) To allow the creation of Sunnidale Trails community specific development standards through the preparation and implementation of urban design and architectural guidelines and an open space master plan;
- b) To ensure development in the Secondary Plan area proceeds only on full municipal water and sanitary services and that the storm water management systems are designed and constructed in accordance with proper engineering and environmental practices accepted by the Town of Wasaga Beach and applicable regulatory agencies; and,



- c) To provide municipal infrastructure that will ensure that areas and facilities situated outside of the Sunnidale Trails Secondary Plan area are not adversely affected by development within.

#### 21.2.2.11 Staging and Phasing

- a) To ensure that development takes place in an orderly and logical sequence and that the provision of municipal facilities, services, and infrastructure is cost efficient;
- b) To encourage the provision of schools, parks, and community and other institutional facilities at a rate that reflects the needs of the residents of the Sunnidale Trails Secondary Plan area and other areas which these facilities are intended to serve; and,
- c) To ensure the rate of residential development reflects and does not exceed the capacity of the arterial roads, services and other proposed improvements.

### 21.3 LAND USE STRATEGY

#### 21.3.1 **General**

- a) The Sunnidale Trails Secondary Plan area is a residential community with significant natural heritage areas. Supporting the residential uses will be public and separate elementary schools, a public high school, a community centre area with commercial facilities and institutional uses, other institutional lands for facilities such as places of worship, and a system of trails and pathways linking natural heritage areas, neighbourhood parks, and open space areas. Land uses in the Secondary Plan area are to be generally distributed in the following manner:

<b>Table 1.0</b>		
<b>Estimated Land Use Distribution</b>		
Natural Environment Area	Category One	36.5 ha.
	Category Two	28.1 ha.
Net Residential Area	Low Density	109.6 ha.
	Medium Density	8.8 ha.
Commercial		0.2 ha.
Parks/Open Space (5% of Area)		12.6 ha.
Schools & Other Institutional Uses		121.8 ha.
Stormwater Management Facilities		5.3 ha.
Community Centre		5.3 ha.
<b>TOTAL</b>	Approximately	<b>253.3 ha.</b>

- b) The Sunnisdale Trails Secondary Plan area is anticipated to become a residential community with a planned ultimate population of approximately 7,200 persons by the year 2021.
- c) The residential density of the Sunnisdale Trails Secondary Plan area will generally not be less than approximately 22 units per net residential hectare (9 units per net residential acre).

#### 21.3.2

##### **Residential**

- a) The housing mix for the Sunnisdale Trails Secondary Plan area will consist of three general categories. These categories would include large lot single detached (frontages of 14 metres or greater), small lots (lot frontages of 11 to 13.99 metres for singles), and medium/high density development.
- b) The housing mix of individual development proposals is intended to be flexible although a minimum amount of 10 % of all units developed in the Sunnisdale Trails Secondary Plan area should be medium density.
- c) The major concentration of medium density residential development in the Sunnisdale Trails Secondary Plan area should be in the vicinity of the community centre with groupings and clusters situated throughout the community.
- d) The medium/high density forms of housing for the purposes of this plan may include street townhouses, block and/or stacked townhouses, three storey walk-up apartments and apartment buildings. The density of proposed developments will determine whether a given proposal will constitute a medium or high density development.

#### 21.3.3

##### **Commercial**

- a) Commercial facilities to accommodate the convenience shopping needs of the residents are to be concentrated in the community centre in the area of the intersection of the southerly east-west collector road and the north-south collector road west of the unnamed tributary.
- b) A small local commercial node is anticipated to be situated adjacent to a collector road in the southeastern quadrant of the Secondary Plan.

#### 21.3.4

##### **Institutional**

- a) Two public elementary school sites and one separate elementary school site are proposed to serve the Sunnisdale Trails Secondary Plan area. The elementary school sites are to be situated in internal locations along collector roads.

- b) The planning area will also provide a public secondary school site to serve the educational needs of the entire Municipality. The site will be situated in order to provide easy access to Sunnisdale Road.
- c) Institutional sites may be provided for other institutional uses.
- d) A fire hall, ambulance dispatch, and public works facility site is anticipated to be established in the vicinity of the southerly intersection of the internal north-south collector road with Sunnisdale Road.

#### 21.3.5 **Community Centre**

- a) Commercial uses are anticipated to concentrate in the community centre area.
- b) Denser forms of residential development such as three storey walkups and townhouses would be encouraged to locate in the vicinity and adjacent to the community centre area.
- c) Institutional land uses such as a place of worship, fire hall, ambulance dispatch, public works building, local medical clinic or health care professional office, post office etc., would be permitted to locate in the community center area.
- d) Parkettes and/or municipal parks are anticipated to be a component of, and situated within, the community centre area.

#### 21.3.6 **Open Space**

- a) Three 4.0 acre (1.6 hectare) parks are proposed to be located adjacent to the two public elementary school sites and the one separate elementary school site.
- b) Linear parks of approximately 30 metres width will be established and developed in conjunction with a system of trails and pathways that would serve to connect natural corridors and areas, neighbourhood parklands, and other open space areas.
- c) Smaller parks, parkettes are to be situated throughout the planning area.

#### 21.3.7 **Stormwater Management Facilities**

- a) Four blocks of approximately 5.3 hectares in total are designated for the location of stormwater management facilities to service the Sunnisdale Trails Secondary Plan area based on the stormwater and drainage report prepared as background to the Secondary Plan.

- b) It is recognized that the pond located on the Spence property on the north side of the unnamed tributary may only be needed on a temporary basis. Should development proceed on lands situated to the east of the Secondary Plan, this facility may be relocated. Should relocation occur, it is the intention of this Plan that residential development may proceed without an Amendment to this Plan.

#### 21.3.8 **Roads**

- a) The road system in the Sunnidale Trails Secondary Plan area is proposed to consist of collector and local roads designed to facilitate the efficient and safe movement of vehicles and pedestrians.
- b) Two new collector road crossings of the unnamed tributary will be required to implement the concept plan and it is anticipated that portions of 5/6 Sideroad will be closed.

### 21.4 **GENERAL DEVELOPMENT POLICIES**

#### 21.4.1 **Policies**

- a) It is the policy of the Council of the Town of Wasaga Beach that development within the Sunnidale Trails Secondary Plan area generally shall occur in accordance with the land use designations of Schedule "A-9" and policies of this Secondary Plan. Public works that do not comply with the provisions of this Plan shall be discouraged.
- b) The Sunnidale Trails Secondary Plan area will have a planned future population of approximately 7,200 persons accommodated within approximately 2,750 dwelling units. These population figures and dwelling unit figures are approximate estimates only and adjustments will not require an Amendment to this Secondary Plan, providing that the intent of the Plan is maintained.
- c) Development shall predominantly proceed by plan of subdivision or plan of condominium, and part lot control. The division of land by severance may be permitted in limited circumstances for the purpose of boundary adjustment or where a severance or consent serves to facilitate the provision of a public facility or service or to permit development that conforms to the policies and intent of this Plan.
- d) Parties proposing to develop lands shall be required to prepare a Functional Servicing Report for their proposal to review and investigate the feasibility of servicing their proposal in conformity with the municipally approved master servicing plan and the approved area wide stormwater management scheme. Other investigations required may include, but are not limited to, a traffic study, environmental impact assessment, archaeological review, and/or other studies as determined

by the Municipality and the relevant approval and commenting agencies.

- e) For the purposes of calculating residential densities, a net residential hectare shall only include residential lots or blocks, and shall exclude any public lands such as roads, schools, parks, or open space areas.
- f) A Natural Hazard Land Study (NHLS) shall be prepared prior to the draft approval of any plan of subdivision located adjacent to the Nottawasaga River and McIntyre Creek. The NHLS shall determine and define the erosion hazard limit in relation to these river and creek systems. No development including lot lines shall be permitted within the erosion hazard limit. The recommendations of this study including the appropriate setbacks will be implemented through subdivision design, conditions of draft plan approval, and the implementing zoning by-law Amendment process. The NHLS shall be prepared by a qualified engineer to the satisfaction of the NVCA and other governing agencies.
- g) All new development in the Sunnidale Trails Secondary Plan area with the exception of low density residential is subject to site plan control.
- h) All new development approved in the Sunnidale Trails Secondary Plan area shall be subject to, and generally comply with, the urban design and architectural guidelines as required by Section 21.7 of this Plan.
- i) It is the policy of this Plan to encourage the gradual transition from medium density to low density residential areas and boundaries separating these land use designations are approximate and flexible.
- j) It is recognized that development in the Sunnidale Trails Secondary Plan area may proceed in stages by means of several plans of subdivision. It is also recognized therefore, that certain individual plans of subdivision may exceed or fail to achieve the stated goals of this Plan with regard to housing mix and density. Development within the Secondary Plan area will maintain to the greatest extent possible, a continuing and overall compliance with the stated goals and objectives of this Secondary Plan.
- k) It shall be the policy of the Town of Wasaga Beach that an important factor in the approval of development will be the conservation and preservation of environmentally sensitive natural heritage areas. In this regard it shall be the policy of this Plan to generally prohibit development in wetlands and stream corridors and to review the environmental impact of proposed development upon the natural heritage features and functions of the woodland areas of the Sunnidale Trails Secondary Plan area.
- l) Nothing in this Plan is meant to adversely affect the continuance of existing rural and non-intensive agricultural uses in any land use

designation that were legally established on the date that the Plan was adopted by Council. Non-conforming uses throughout the Sunnidale Trails Secondary Plan area will be subject to Section 19.17 of this Plan.

- m) The following measures shall be taken to assist in protecting agricultural uses and minimizing such potential adverse impacts as trespassing and neighbour complaints about agriculturally related activities:
  - i) Proponents of plans of subdivision or other development may be required to provide farm fencing along those boundaries of a development abutting or adjacent to agriculturally used lands;
  - ii) Conditions of draft plan of subdivision approval will include, where applicable, a condition requiring the incorporation into a subdivision agreement of warning clauses to residents and other land users within 200 metres of agriculturally used lands; and,
  - iii) Warnings advising of the presence of existing agricultural operations and uses and the potential associated impact and concerns, as well as notes advising of the applicable legislation concerning the protection of agricultural operations shall be registered on title of all lots created within 200 metres of existing agriculturally used lands.
- n) Water quality monitoring may be required to be undertaken by parties proposing development with respect to bodies of water or watercourses receiving runoff. If deterioration in water quality occurs, appropriate measures may be implemented or required by the Municipality or the appropriate authority.

## 21.5 **LAND USE POLICIES**

### 21.5.1 **Low Density Residential Policies**

The predominant use of land in the Sunnidale Trails Secondary Plan area will be for low density residential use.

Within the areas designated “Residential” as shown by Schedule “A-9”, Land Use Plan, the following policies shall apply:

- a) Within the Sunnidale Trails Secondary Plan area, the minimum lot depth for any low density single or semi detached residential lot shall be 27.4 metres and the minimum lot frontage for any low density single detached residential lot shall not be less than 11 metres. The minimum lot area for any low density single family residential lot shall not be less than 301.4 m<sup>2</sup>.
- b) Street townhouses may be located within areas designated “Low Density Residential” as shown on Schedule “A-9”, Land Use Plan,

subject to the Town being satisfied that their location, configuration and density contribute to an appropriate housing mixture and neighbourhood structure.

- c) Any street townhouses developed within the “Low Density Residential” designation as per policy 21.5.1 b) shall contribute to the unit count considered within policy 21.5.2 d).

#### 21.5.1.1 Large Lot Singles

- a) Permitted residential uses shall be limited to single detached dwelling units.
- b) Large lot singles shall be defined as those lots with a minimum frontage of 14 metres and a minimum lot area of 400 m<sup>2</sup>.
- c) Large lot singles are encouraged to be situated adjacent to significant woodlands and environmentally sensitive areas.
- d) As the goal of the Secondary Plan is to require a variety of lot sizes and housing choices, it is the policy of this Plan that generally no less than 20 % of the net residential area of every plan of subdivision be developed as large lot singles.

#### 21.5.1.2 Small Lots

- a) Permitted residential uses shall be limited to single detached dwelling units, semi-detached dwelling units and street townhouses.
- b) Small lot single detached dwellings shall be defined as those residential lots having a minimum frontage of no less than 11 metres and a frontage of no more than 13.99 metres.
- c) The minimum lot frontage for individual semi-detached residential dwelling units shall be 8.5 metres.
- d) The minimum width for townhouse units shall be 7.6 metres.
- e) Street townhouses should generally not contain more than six units in a single building.
- f) A maximum density of up to 30 units per net residential hectare shall be permitted for those lots defined as small lot singles.

### 21.5.2 **Medium/High Density Residential Policies**

Within areas designated “Medium/High Density Residential” as shown by Schedule “A-9”, Land Use Plan, the following policies shall apply:

- a) Permitted uses shall include street townhouses, block and/or stacked townhouses and other multi-unit residential buildings.
- b) A maximum density of up to 50 units per net residential hectare shall be permitted for street townhouse development.
- c) A maximum density of up to 76 units per net residential hectare shall be permitted for other residential uses.
- d) It is the policy of this Plan that generally no less than 10 % and no more than 35 % of the total number of residential units in plans of subdivision should be developed as the permitted unit types.
- e) The minimum width for townhouse units shall be 7.6 metres.
- f) Street townhouses should generally not contain more than six units in a single building
- g) Multi-unit residential buildings shall not exceed 6 storeys in height. Buildings in excess of 3 storeys in height shall be located in general conformity with the Medium/High density designation on Schedule “A-9”.
- h) Council may consider a rezoning for additional locations for multi-unit buildings in accordance with the policies of Section 5.2.6.1 of this Plan and other applicable policies of this Plan.

### 21.5.3 **Community Centre Policies**

The purpose of the “Community Centre” designation is to recognize the location of a mixed use area intended to provide a focal point for the Sunnidale Trails community area. The community centre area will serve as the primary location for retail commercial uses and service commercial office uses and may accommodate institutional development. This area should be developed as a “pedestrian friendly” area with parkettes and developed at a scale which is compatible with surrounding uses.

It is anticipated that development of the commercial market for the Sunnidale Trails Secondary Plan area may occur over a period of up to twenty years. It shall be the policy of this Plan to maintain the “Community Centre” designation to ensure that as the market matures and the population growth of the Sunnidale Trails community reaches the planned population, the retail and service commercial needs of future residents are met.

Within the areas designated “Community Centre” as shown by Schedule “A-9”, Land Use Plan, the following policies shall apply:

#### 21.5.3.1 Community Centre Commercial



- a) The policies outlined in Section 6.2.1 of this Plan with regard to local commercial uses shall not apply.
- b) Commercial retail uses permitted by zoning should have a convenience function and cater to a range of day to day needs of the residents of the Sunnidale Trails community.
- c) Appropriate commercial uses may include a convenience store, restaurant, grocery store, personal care services, day care facility, fitness club, cleaning services, home entertainment rentals, financial services, and service commercial outlets of a retail nature. Office type retail commercial uses such as travel agency, real estate agency, insurance office, and medical/dental services shall also be permitted.
- d) The total amount of commercial development approved in the community centre area should generally be approximately 50,000 square feet (4,700 square metres).
- e) In addition, nothing in these community centre policies shall prohibit the establishment of a satellite local commercial node of a total size of approximately 5,000 square feet (465 square metres) to service the residents of the area located in the southeastern quadrant of the Sunnidale Trails Secondary Plan.
- f) A maximum site area for an individual commercial use shall be approximately 2.4 acres (1 hectare).
- g) Adequate buffering in the form of setbacks, building design, fencing and site layout shall be provided where commercial development is proposed adjacent to residential development. No open storage of vehicles, machinery, or equipment is to be permitted.

#### 21.5.3.2 Community Centre Institutional

- a) Institutional land uses such as a place of worship, fire hall, ambulance dispatch centre, public works building, library, day care facility, community hall, local medical or dental clinic, post office, community service, recreational or cultural building etc., shall be permitted and encouraged to locate within or adjacent to the Sunnidale Trails community centre area.
- b) All institutional uses shall be located near or adjacent to collector roads and shall have sufficient lot area to adequately accommodate parking generated by the use.

#### 21.5.4 **Institutional Policies**

Schedule "A-9" of the Sunnidale Trails Secondary Plan designates three elementary school sites, one secondary school site, and other institutional

sites to serve the needs of the Sunnidale Trails community. Permitted uses for institutionally designated lands other than identified school sites include those institutional uses listed in Section 21.5.3.2 a) above.

The need for the identified school sites is based upon catchment area boundaries, the capacities of existing facilities, projected population growth and pupil yields, and other need estimates. School sites have been situated in the Sunnidale Trails Secondary Plan area to maximize accessibility and minimize walking distances from existing and future neighbourhoods.

Within the areas designated “Institutional” as shown by Schedule “A-9”, Land Use Plan, the following policies shall apply:

- a) Elementary school sites shall be located on a collector road and be approximately 6 acres (2.4 hectares) in size.
- b) Simcoe Muskoka Catholic District School Board (SMCDSB) elementary school sites shall be located on a collector road and be approximately 5 acres (2.02 hectares) in size.
- c) Elementary school sites should be situated adjacent to a municipal park of approximately 3 acres (1.2 hectare) and integrated into the community open space network or trail system in order to assist in the creation of a neighbourhood “focus”.
- d) School site locations shown on Schedule “A-9” generally indicate preliminary locations. These locations may be modified or relocated by the respective school boards in co-operation with the Town of Wasaga Beach without the need to amend this Plan.
- e) Notwithstanding the Institutional policies of the Sunnidale Trails Secondary Plan, the identified school sites may be developed for residential uses as per the policies of the Secondary Plan but no sooner than the timeframe for acquisition by the respective School Board(s) as identified in the Option Agreement required to be entered into in fulfillment of conditions of Draft Plan Approval. The predominant use shall be low density residential but may also include medium density residential as per the policies of this Secondary Plan.

#### **21.5.5 Open Space Policies**

The Sunnidale Trails Secondary Plan area will contain an open space system consisting of parks, natural areas, parkettes and walkway trails providing connections and linkages to and from residential and open space areas. Three neighbourhood parks are planned for the Sunnidale Trails Secondary Plan area situated adjacent to elementary school facilities.

Within the areas designated “Open Space” as shown on Schedule “A-9”, Land Use Plan, the following policies shall apply:

- a) A neighbourhood park shall be approximately 4 acres (1.6 hectares) in size located adjacent to an elementary school site. Neighbourhood parks shall have frontage onto a collector road and will generally provide a neighbourhood focus where joint use of playing fields, parking, and other facilities can be optimized.
- b) Linear parklands approximately 30 metres in width, will be provided as part of a pedestrian link system determined by an open space master plan.
- c) Areas eligible for dedication as municipal parkland shall generally consist of open table lands and shall generally not include lands identified by the comprehensive Environmental Impact Study or an individual site EIS as being part of any recommended environmental protection area.
- d) The Town may require parkland to be conveyed to the Municipality for park or other public recreational purposes at a rate of up to 5 percent or one hectare per 300 dwellings units proposed whichever is greater. Alternatively, Council may accept cash in lieu of parkland.
- e) As a condition of development of land for commercial purposes, Council may require that land in an amount not exceeding 2 percent be conveyed to the Municipality for park or other public recreational purposes or Council may accept cash in lieu of parkland.
- f) An open space master plan for the Sunnidale Trails community area shall be completed and approved by the Municipality prior to the approval of any proposed draft plan of subdivision.
- g) The location and size of the lands to be dedicated as municipal parkland as shown by Schedule "A-9" are approximate and parkland areas may be added or adjusted by the Town without the need to amend this Plan.

21.6

## **ENVIRONMENTAL POLICIES**

It is intended that the natural heritage system features and areas of the Sunnidale Trails Secondary Plan are to be conserved and maintained and not subject to the impact of incompatible and inappropriate land uses. In order to protect and conserve the natural heritage system of the area, the environmentally sensitive lands of the Sunnidale Trails community area identified by the comprehensive Environmental Impact Study as constraint areas have been divided into two land use designations.

Natural heritage system – category 1 lands in the Sunnidale Trails Secondary Plan area are comprised of natural and environmentally complex areas of quality and local significance and/or sensitivity. These lands contain various features such as wetlands, ravines, watercourses and riverine habitats.

Natural heritage system – category 2 lands in the Sunnidale Trails Secondary Plan area for the most part consist of forested areas that may be characterized as areas of lesser environmental significance and/or sensitivity that may have been previously altered or impacted by human activities. The two land use categories delineate those areas of the Sunnidale Trails Secondary Plan area where “development or site alteration will not be permitted” (Category 1); and areas where “development may be permitted if it can be demonstrated that it will not negatively impact” the natural features and functions of areas (Category 2).

#### 21.6.1 **Natural Heritage System – Category 1 Lands**

Within the areas designated “Natural Heritage System – Category 1” as shown by Schedule “A-9”, Land Use Plan, the following policies shall apply:

- a) Category 1 lands are intended to be preserved and protected. Permitted uses on lands designated “Natural Heritage System – Category 1” as shown by Schedule “A-9” include existing passive agricultural uses, sustainable forestry, passive outdoor recreation, scientific research and education, wildlife management, and other activities compatible with the conservation and preservation of the natural heritage features and functions. The land uses permitted under this section are also permitted in natural heritage system – category 2 lands.
- b) No buildings or structures or site alteration shall be allowed in natural heritage system – category 1 lands other than accessory buildings to permitted uses and those structures necessary for flood, and erosion control. Site alteration for conservation purposes, road crossings or river access may be permitted subject to the findings and recommendations of a site specific Environmental Impact Study as approved by Council in consultation with the appropriate agencies such as the local conservation authority.

#### 21.6.2 **Natural Heritage System – Category 2 Lands**

Within the areas designated “Natural Heritage System – Category 2” lands as shown by Schedule “A-9”, Land Use Plan, the following policies shall apply:

- a) Residential development may be permitted in lands delineated natural heritage system – category 2 if it can be demonstrated to the satisfaction of the Town and the local Conservation Authority, and other applicable commenting and approving agencies, that there will be no negative impact on the ecological features or functions of the natural heritage system of the Sunnidale Trails Secondary Plan, and that appropriate mitigative measures will be implemented. Development may be permitted if it can be demonstrated to the satisfaction of the Town and the local Conservation Authority, and other applicable commenting and approving agencies, that minimal or no negative impact on the ecological features or functions of the natural heritage system of the

Sunnidale Trails Secondary Plan area will occur or can be compensated for by appropriate mitigative measures. The land uses permitted under the policies of 21.6.1 a) are also permitted in natural heritage system – category 2 lands.

b) Special Study Area

Lands situated within the area shown as being subject to this subsection, as indicated on Schedule “A-9” to this Plan, will be subject to an EIS review, which substantiates development, prior to the approval of any future plan of subdivision, plan of condominium or Amendment to the Town’s zoning by-law. Upon the approval of the required EIS reports by the Town and the appropriate approval authority, a plan of subdivision, and/or a plan of condominium and zoning by-law Amendment, which reflect the findings of the EIS concerning the need for the protection and buffering of the identified areas, may be brought forward to the Town and County with respect to a plan of subdivision, and/or plan of condominium and the Town with respect to a zoning by-law Amendment. No further Amendment to this Plan will be required concerning the affected special study area lands and any plan of subdivision, plan of condominium and amending zoning by-law shall be deemed to conform. The policies of Section 13.5, Environmental Impact Studies, and 21.6.3 shall provide the guidelines for any EIS report and the Town, in cooperation with the appropriate government agency, will determine the need for a full site Environmental Impact Study or a scoped site Environmental Impact Study concerning the affected areas and the terms of reference for same. Where residential development is approved, such lands shall be subject to the residential policies of the Official Plan and Sunnidale Trails Secondary Plan.

21.6.3 **Environmental Protection Policies**

- a) When development is proposed adjacent to category 1 lands or adjacent and within category 2 lands, the proponent will be required to prepare a full site Environmental Impact Statement prepared by a qualified professional acceptable to the Town in order to determine buffer and development setback widths, appropriate water access (if any), exact boundaries and conservation requirements, and to examine the impact of the proposed use and development on the natural features and attributes and functions of the area. The general purpose of the EIS will be to accurately assess the potential impact on the ecological features and functions of the area with specific reference to the hydrogeological and biological features. If it is anticipated that environmental or ecological features or functions will be impaired or impacted the study shall determine the appropriate mitigative measures or actions.

- b) Prior to the approval of all draft plans of subdivision applications in the Sunnidale Trails Secondary Plan area, a full site, or scoped Environmental Impact Statement shall be completed and reviewed by the Town and the applicable commenting and approving authorities.
- c) The findings and recommendations of the Environmental Impact Statement and the environmental policies, regulations, and guidelines of the commenting agencies and approval authorities shall be reviewed and incorporated into conditions of development approval where appropriate.
- d) The Town may accept ownership of natural heritage lands and associated buffer areas as the development process proceeds. The NVCA, in consultation with the Town, may acquire lands designated “Natural Heritage System” to help ensure their long term protection, in conformity with the NVCA’s Conservation Land Protection and Acquisition Policy (2002).
- e) An Amendment to the Official Plan will not be required for minor changes to the boundaries of the “Natural Heritage System – Category 1” designation if detailed site specific environmental studies indicate a more accurate and precise boundary and approval is obtained from the appropriate authority.
- f) An Amendment to the Official Plan will not be required for residential development in the “Natural Heritage System – Category 2” designation provided an Environmental Impact Study demonstrates to the satisfaction of the Town, applicable commenting agencies, and the local conservation authority that there will be no negative impact or that any anticipated impact may be adequately addressed by appropriate mitigative measures. Residential development may only proceed in compliance with all of the applicable policies of the Plan.
- g) Nothing in this Plan shall be used to prevent or limit existing passive or non intensive agricultural uses where such uses presently occur adjacent to or within a natural feature or area provided that they are consistent with, and conform to, the regulations of the general zoning by-law.
- h) Notwithstanding Section 21.6.1 and 21.6.2, no development shall be permitted within natural heritage system - category 1 and natural heritage system - category 2 lands within the lands legally described as Part of Lots 4, 5 and 6, Concession 14, being Part 1 on Reference Plan 51R-34465 and Part 1 on Reference Plan 51R-34466.

21.7

## **URBAN DESIGN POLICIES**

It is a goal of this Plan to create and promote a high quality residential community through the introduction and implementation of urban design

policies. The urban design policies will seek to establish a definitive character for community neighbourhoods and will contain policies promoting a high quality of design, attractive views, and a sense of architectural continuity. The urban design policies will be used as a reference from which development applications in the Sunnisdale Trails Secondary Plan area may be evaluated.

Urban design policies for the Sunnisdale Trails Secondary Plan area will be set out and defined through the preparation and creation of urban design and architectural guidelines. The urban design guidelines will take into consideration the recommendations and suggestions of the open space master plan and will outline specific design principles that should be incorporated into development applications. The architectural guidelines will outline directives and recommendations concerning architectural styles, detailing, and siting, and will set out the architectural review process. This process will allow the Town to review and examine housing styles and elevations as well as the character of building facade treatments.

It is intended that the urban design policies of this Plan reduce the predominance of the garage in the urban streetscape as well as promote a safe, park-like setting and atmosphere for new residential areas of the Sunnisdale Trails Secondary Plan area. The following policies relating to urban design shall apply to new development in the Sunnisdale Trails Secondary Plan area:

- a) Options or alternatives for garage placement that decrease their predominant appearance on the street will be encouraged; these options may include second storey garage build-over or the recessed placement of garages.
- b) The Town shall promote the development of definitive residential neighbourhood characteristics and an attractive residential built form with features such as front porches, interesting roof lines and other pleasing architectural treatment.
- c) Prior to the approval of development applications in the Sunnisdale Trails Secondary Plan area, the Town shall require the development of detailed urban design guidelines.
- d) The urban design guidelines prepared for the Sunnisdale Trails Secondary Plan area shall seek to establish attractive gateway entrances to the community, promote scenic views and view corridors, promote a park like theme through the provision of a linked open space network for non vehicular traffic, and provide an attractive streetscape through road patterns, landscaping, and building location and massing.
- e) Prior to the final approval of development applications in the Sunnisdale Trails Secondary Plan area, the Town shall require the development of detailed architectural guidelines.

- f) The architectural guidelines prepared for the Sunnidale Trails Secondary Plan area shall seek to encourage individual architectural expression through differences in elevations, layouts, materials and detailing while providing a sense of continuity throughout the community through the promotion of compatible building styles.
- g) It is the intention of the Secondary Plan to promote high quality architecture and site design for institutional uses such as schools and churches and local commercial uses. The architectural guidelines will contain guidelines for institutional and commercial development in the Sunnidale Trails Secondary Plan area.

## 21.8

### **TRANSPORTATION POLICIES**

The road network of the Sunnidale Trails Secondary Plan area consists of existing local and arterial roads and the proposed collector roads, as shown by Schedule “A-9”. Additional local roads required to service the community will be developed in accordance with the policies of this Plan and the engineering standards of the Municipality.

The road pattern is designed to facilitate the efficient movement of both people and goods to and from the various land use areas within the Secondary Plan area, throughout the Town, and adjacent Municipalities as well as to facilitate the movement of seasonal residents and tourists to and from recreational areas. The proposed collector road pattern anticipates the construction of two new road crossings of the unnamed tributary.

### 21.8.1

#### **General Policies**

- a) The major thoroughfares of the Sunnidale Trails Secondary Plan area consist of Sunnidale Road (both a Municipal arterial and County Road), the two proposed east-west collectors, one north-south collector, and an east-west collector situated north of the unnamed tributary proposed for future extension to Klondike Park Road, as shown by Schedule “A-9”, Land Use Plan.
- b) It is the policy of this Plan that the Town of Wasaga Beach may require a Traffic Impact Study be completed by a proponent of development prior to the approval of a draft plan of subdivision. The County will require a Traffic Impact Study and that the applicant may be required to enter into an agreement with the County for the implementation of the results of the study.
- c) It shall be the policy of this Plan to internalize traffic movements within the boundaries of the Town of Wasaga Beach to the greatest extent possible in order to avoid traffic generated by development in the Sunnidale Trails Secondary Plan area having an adverse impact on the surrounding transportation network of adjacent Municipalities.



- d) The provisions of roads, road widenings and/or daylighting triangles and other improvements to the road network shall be provided in accordance with the applicable municipal engineering standards and the approved recommendations of a Traffic Impact Study as approved by, and dedicated to, the appropriate road authority.
- e) Signalization of major intersections and other road improvements such as the installation of turning lanes shall be determined by the Town of Wasaga Beach and County and the findings of the relevant approved Traffic Impact Study.
- f) The locations of collector roads on Schedule "A-9", Land Use Plan are approximate and adjustments or revisions to the routing of collector roads will not necessitate an Amendment to this Plan provided that the intent of the policies of the Plan are maintained.
- g) Any road development and construction proposed across the unnamed tributary of the Nottawasaga River will require a permit from the conservation authority, under the *Conservation Authorities Act*. Through the NVCA permit process, Department of Fisheries and Oceans (DFO) will be consulted as part of the established Level II Fish Habitat Agreement. Approval from DFO may be required prior to any stream or in water works.

#### 21.8.2

##### **Arterial Road Policies**

- a) Sunnidale Road will continue to serve as a major arterial road of the Town of Wasaga Beach. It is anticipated that Sunnidale Road will also be upgraded and it is the policy of this Plan to obtain road widening dedications from adjacent lands as a condition of draft plan of subdivision approval. Road widening dedications will be determined by the Town and County and be of sufficient width to accommodate a four lane arterial road having a minimum width of 30.5 metres.
- b) Access to Sunnidale Road will be limited to existing properties and existing local roads and proposed collector roads.

#### 21.8.3

##### **Collector Roads Policies**

- a) Collector roads will provide for through traffic between arterial roads, other collector roads, and local streets.
- b) The requirements for sidewalks on collector roads shall be determined by the Town of Wasaga Beach in consultation with the applicable and interested commenting agencies prior to draft plan of subdivision approval.

- c) It shall be the policy of this Plan to discourage wherever possible the back lotting of collector roads in the Sunnidale Trails Secondary Plan area. Through efficient design, efforts will be made to reduce the number of driveways accessing collector roads, where feasible.
- d) The Town may require, as a condition of approval for any draft plan of subdivision for the south-easterly quadrant of the Sunnidale Trails Secondary Plan area, the provision for a road stub for the future extension of the southerly east – west collector road further to the east and the option for extending the collector road network to the south.
- e) In order to minimize the impact of erosion, wherever feasible collector road crossings should be perpendicular to the watercourse and designed to accommodate the appropriate storm flows in consultation with the local conservation authority.
- f) The collector road network is shown on Schedule “A-9” to this Plan. The precise location of proposed collector roads may vary without an Amendment to this Plan. The right-of-way widths for collector roads shall generally be a minimum width of 20 metres and will have a paved width of 9.0 metres.

#### 21.8.4 **Local Roads Policies**

- a) Local roads should not encourage through traffic, however it is the policy of this Plan to promote a “modified grid” road design and a high degree of co-ordination of road pattern between individual properties and neighbourhoods in order to maximize the connectivity of local roads.
- b) In an effort to increase connectivity and efficiency, local roads that end in a cul-de-sac or court designs shall be discouraged.

#### 21.8.5 **Trail System**

- a) It shall be the policy of this Plan to encourage the development of a system of pedestrian and bicycle trails to link the community together. The trail system is intended to be an integral part of the open space system and would provide a physical link between parks, community facilities, open space areas, and other focal points of the Sunnidale Trails community.

### 21.9 **SERVICING POLICIES**

A Master Servicing Study prepared for the Sunnidale Trails Secondary Plan area reviewed the sanitary sewage system, water supply and storage facilities, as well as other related and supporting infrastructure and the transportation network and the electrical distribution system. In addition, a Stormwater Management and Drainage Report examined pre and post development

drainage conditions and made recommendations concerning stormwater management.

#### 21.9.1

##### **General**

- a) Development in the Sunnidale Trails Secondary Plan area shall only proceed on full municipal services.
- b) Development shall only be permitted at such time as water and sewage treatment capacities, sufficient to service the lands within the Secondary Plan area proposed for development are available or will be made available and have been allocated by the Municipality.
- c) It is recognized that over the duration of the planning period sufficient servicing capacity may not always be available to service all lands designated for development within the Sunnidale Trails Secondary Plan area. To prevent the premature approval of development lands, the Town shall provide controls in the zoning by-law and through draft plan conditions to restrict development to the level of available servicing capacity through a municipal sewage treatment and water supply allocation review process.
- d) The cost of local infrastructure or service improvements, including the cost of extending full municipal services to facilitate the development of lands within Sunnidale Trails Secondary Plan area which benefit more than one individual development shall be equitably apportioned amongst benefiting landowners within and outside the Secondary Plan area. Such costs include, but are not limited to, the cost of preparation and obtaining approval of the planning policies and the related background studies in support of the Sunnidale Trails Secondary Plan. Such costs may also include, but are not limited to community use lands and facilities, schools, parks, trails and community infrastructure facilities or public works (including over sizing) including roads, sanitary, water and storm water facilities and utilities including upgrades to work outside the Sunnidale Trails Secondary Plan area necessary to permit development within the Sunnidale Trails Secondary Plan area.
- e) In extending services to develop specific vacant parcels in the Sunnidale Trails Secondary Plan area, the developer(s) shall provide adjacent existing unserved or partially served residences with the opportunity to connect to the municipal servicing system at an appropriate pro rated cost.
- f) It is expected that land owners in the Sunnidale Trails planning area will co-operate with each other in order to facilitate the development of lands in the planning area on the basis of full urban services and to that end will permit access to services installed within their lands by way of easements or in any other such way to the satisfaction of the Town of Wasaga Beach.

- g) Any servicing and development proposed in association with the Nottawasaga River, McIntyre Creek and the unnamed tributary will require a permit from the conservation authority, under the *Conservation Authorities Act*. Through the NVCA permit process, the Department of Fisheries and Ocean (DFO) will be consulted for comment with regard to any in stream or in water works. Stormwater management facilities proposed adjacent to these defined fisheries must be designed to ensure no negative impact on fish habitat.

#### 21.9.2 **Sanitary Sewer Policies**

- a) The design of the sanitary sewer system servicing the Sunnidale Trails Secondary Plan area shall be based to the greatest extent possible on gravity flow in order to minimize the need for, and the number and size of, pumping stations.
- b) A master servicing plan shall be approved by the Town and the applicable approval authority(ies) prior to the approval of any draft plan of subdivision in the Sunnidale Trails Secondary Plan area. The above noted Plan shall identify detailed design requirements and the proposed phasing of sanitary sewers to the Sunnidale Trails community area.

#### 21.9.3 **Water Supply Policies**

- a) The Sunnidale Trails Secondary Plan area shall be serviced by an internal loop water system.
- b) The design of the water supply and the sizing of the watermains of the distribution system shall be in accordance with the approved master servicing plan for the Sunnidale Trails Secondary Plan area. The plan shall identify detailed design requirements and the proposed phasing of providing the necessary water supply, storage, and distribution system to the Sunnidale Trails community area.

#### 21.9.4 **Stormwater Management**

- a) A Master Drainage Plan (MDP) shall be approved by the Town and the applicable authority(ies) prior to the approval of any draft plan of subdivision in the Sunnidale Trails Secondary Plan area. The above noted plan shall identify the location, number and detailed design requirements and proposed phasing of providing stormwater management facilities to the Sunnidale Trails community area. The MDP shall be prepared in conformity with the plans, policies, and guidelines of the NVCA and the MOE, including the Nottawasaga Valley Watershed Management Plan (1996) and the Stormwater Management Practices Planning and Design Manual (1994), and their successors.

- b) Stormwater management facilities may be altered in extent and shape without an Amendment to this Plan. In the event such facilities diminish in size, such additional lands may be used for residential purposes without further Amendment to this Plan. Specifically, should development proceed on lands situated to the east of the Secondary Plan, the facility anticipated to be situated on the Spence property may be relocated. Residential development may proceed on these lands without an Amendment to this Plan.
- c) A detailed site specific stormwater management plan shall be completed and approved by the Town and the applicable approval authority prior to the final approval of a draft plan of subdivision.
- d) Development plans should be designed to maximize infiltration to emulate pre-development conditions where ground and soil conditions permit. Storm water management facilities will be required to control run-off (quality and quantity) during and after 1:100 year storm events.
- e) Lands situated within the "Special Policies Area" as shown on Schedule "A-9" to this Plan are within the sub-catchment of an adjacent wetland area. The post development quantity and quality of surface runoff from this area must be carefully regulated in order for development not to negatively impact this natural heritage feature. Detailed stormwater management plans for this area should contain a water budget analysis completed for the catchment area.
- f) Whenever possible, the design of a stormwater management facility should be curvilinear in shape with gentle grades and slopes so as to present as natural a landscaped effect as possible, as opposed to square and rectangular designs with steep slopes.

21.10

#### **HERITAGE RESOURCE POLICIES**

- a) A site specific archaeological study will be required by the Town or other public agencies prior to major earthworks or other site alteration activities being undertaken. The study shall be required to be undertaken by an applicant as part of a condition of development approval for lands situated in the Sunnidale Trails community area.
- b) Any required site specific archaeological study shall be completed by a qualified archaeological consultant in conformity with the applicable guidelines and Ministry policies. The study will include a detailed examination of the site, a description of any artifacts discovered, an evaluation of the significance of any artifacts discovered, and mitigation measures proposed.

21.11

#### **STAGING AND PHASING OF DEVELOPMENT**

- a) The public elementary school situated on the west side of the unnamed tributary is projected to be the first school facility required and established in the Sunnidale Trails Secondary Plan area.
- b) The approval of specific development applications in the Sunnidale Trails Secondary Plan area shall be subject to the following general principles:
  - i) The protection and conservation of natural heritage features and functions;
  - ii) The avoidance of scattered development and the promotion of the sequential development of neighbourhood areas;
  - iii) The availability of hard services, including municipal sanitary and water services, and the adequacy of the electrical, gas, cable and telephone distribution systems;
  - iv) The availability of schools, parks, community and/or recreational facilities, and protective and other services;
  - v) The adequacy of stormwater management protection;
  - vi) The timely construction of required collector roads and necessary road improvements; and,
  - vii) The minimization of public front-end costs.

## 21.12 **IMPLEMENTATION AND INTERPRETATION**

The implementation and interpretation of this section shall be in accordance with the provisions of Sections 19 and 20 of this Official Plan and the following policies:

### 21.12.1 **Implementation**

#### 21.12.1.1 **Plans of Subdivision or Condominium and Part Lot Control**

- a) The processing and approval of development applications by plans of subdivision or condominium and the part lot control process shall require conformity with Schedule “A-9”, Land Use Plan and the policies of this section.
- b) Prior to the review of a plan of subdivision or other development applications, the development limits of a property shall be established where developable areas are situated adjacent to lands designated “Natural Heritage Category 1 or 2” lands. This delineation of the limits

of development shall be approved by the Town of Wasaga Beach in consultation with the applicable commenting agencies.

21.12.1.2 Zoning By-Law

- a) The Town of Wasaga Beach may amend the Comprehensive Zoning By-law to give effect to the provisions of this Plan. Where lands are designated, but development approvals not immediately sought, the lands shall generally be zoned to permit existing agricultural and rural uses or rezoned to limit permitted uses to passive or non intensive agricultural uses, environmental protection, public uses and utilities or similar uses. Such areas shall only be rezoned for their designated use upon compliance with the relevant provisions of this Plan.
- b) Building and structure setbacks adjacent to County Road 10 shall satisfy the requirements of the County Setback By-law.

21.12.1.3 Servicing

- a) Development shall only proceed when full municipal urban services, including water, sanitary sewer, and storm drainage facilities are or will be made available to serve all or a part of the Sunnidale Trails Secondary Plan area. If sufficient servicing capacity is not available for all or part of the planning area, such deficiencies shall be identified during the draft plan of subdivision review process, and shall not delay the approval of the land use designations and policies of this Plan.

21.12.1.4 Developer Group Cost Sharing Agreement

- a) Prior to the final approval of any plan of subdivision or plan of condominium or consent to subdivide lands, the Town shall require that the landowner(s) with said development application(s) enter into a cost sharing agreement which shall equitably apportion the costs identified in Section 21.9.1 d) and which shall establish the means by which each developer/owner will share in the provisions of the community facilities and services as well as common amenities (collector roads, trunk sewers and watermains, school sites, stormwater management facilities, parkland, trails, bridges, footbridges, etc) for the Sunnidale Trails Secondary Plan area, where such costs are not set out as a work covered by the *Development Charges Act* or are not recoverable in accordance with a front end financial agreement.
- b) The developer cost sharing agreement will establish rights for adjacent landowners to connect to the services of the Sunnidale Trails Secondary Plan area provided such land owners pay their appropriate share of the common costs of development. The development agreement will seek to secure easement rights throughout the secondary plan area in order to provide necessary municipal services.

- c) As a condition of draft approval, draft condominium or consent approval, the Town will require notification in writing from the Trustee of the Developer Group that the obligations of the developer group cost sharing agreement have been satisfied by the relevant landowner, prior to providing its release to the County of Simcoe or other approval authority to allow the plan of subdivision to be registered.
- d) Any non-participating landowner within the Sunnidale Trails Secondary Plan area will not be entitled to the benefit of any land use designation or development rights under this Secondary Plan until they have executed the development group cost sharing agreement and fulfilled its obligations.
- e) This section also requires, and applies to, agreements for road improvements entered into with the County of Simcoe.

#### 21.12.1.5 Municipal Front Ending Agreement

- a) Whenever municipal services are, or are proposed to be, front-end financed, the Town of Wasaga Beach may require as a condition of development approval, a developer or group of developers to enter into a front end financial agreement relating to the cost of said services.
- b) This section also requires, and applies to, agreements for road improvements entered into with the County of Simcoe.

#### 21.12.1.6 Municipal Development Charges

- a) The Town may identify the necessity of establishing area specific or modifying uniform Town wide development charges that may apply to development in the Sunnidale Trails Secondary Plan area.

#### 21.12.1.7 Required Studies and Peer Review

- a) Where this Plan requires the submission of technical studies by the applicant in support of a development application, the Town may, after consultation with the applicant, require that such studies be carried out by a consultant that is acceptable to the Town. The Town should be consulted and given the opportunity to have input into the establishment of the terms of reference for any such study.
- b) When technical studies are submitted by the applicant in support of a development application, the Town may, at its discretion and after consultation with the applicant, require that such studies be subject to a peer review carried out by a consultant retained by the Town at the cost of the applicant. The applicant shall have input into the fixed cost limit established prior to the commencement of the review.



## 21.12.2 Interpretation

- a) This section shall be interpreted in accordance with the policies of Sections 19 and 20, the Implementation and Interpretation sections of this Plan.
- b) This section supplements the policies of the Official Plan for the Town of Wasaga Beach and should be read in conjunction with it. In the event of conflict, the policies outlined in this section shall prevail in the Sunnidale Trails Secondary Plan area to the extent of the conflict.
- c) The location of collector roads and land use designations depicted on Schedule "A-9", Land Use Plan are approximate and indicate the general intent of the Secondary Plan rather than the precise boundaries and alignments. Minor revisions will not require an Amendment to this Plan provided the intent of the goals and objectives of the Plan are maintained.
- d) The final delineation of the natural heritage system – category 1 and category 2 lands shall be determined at the plan of subdivision stage in consultation with the relevant approval and commenting agencies and authorities.
- e) Statistics concerning population and land use areas are approximate and shall be considered flexible except for those concerning residential development standards and maximum densities. Variations from the statistics shall be permitted provided the intent of the Plan is maintained.
- f) The policies of the Official Plan for the Corporation of the Town of Wasaga Beach, as amended from time to time, shall apply to this section.

## SECTION 22

### DOWNTOWN WASAGA BEACH

22.1

#### **INTRODUCTION**

Downtown Wasaga Beach, as illustrated in Figure 1, is considered the primary intensification node in the hierarchy of intensification areas in Wasaga Beach. It is also identified as a strategic growth area for the Town which will be the focus for accommodating intensification and higher-density mixed-uses in a compact built form. Within the downtown, intensification will be primarily directed along Main Street so as to create an environment that promotes a complete community where one can live, work learn and play.



The focus of the Downtown Wasaga Beach policies is to promote the development of a high quality urban environment through the implementation of urban design, planning, transportation and economic development best practices. The Downtown Wasaga Beach policies are also intended to reinforce and enhance the Downtown as the social, economic and cultural heart of Wasaga Beach.

Mixed use development is encouraged in key districts in the Downtown so that its position as an employment, commercial and civic centre will be balanced by residential development, entertainment, and facilities for business visitors and tourists. These policies encourage and

facilitate the dynamic growth and change of the Downtown as it matures and repositions Wasaga Beach into a more vibrant and complete community.

The Downtown Wasaga Beach policies must be read in conjunction with the existing in- force Official Plan. In the event of a conflict, the policies of Downtown Wasaga Beach take precedence.

## 22.2

### **DOWNTOWN GOALS AND OBJECTIVES**

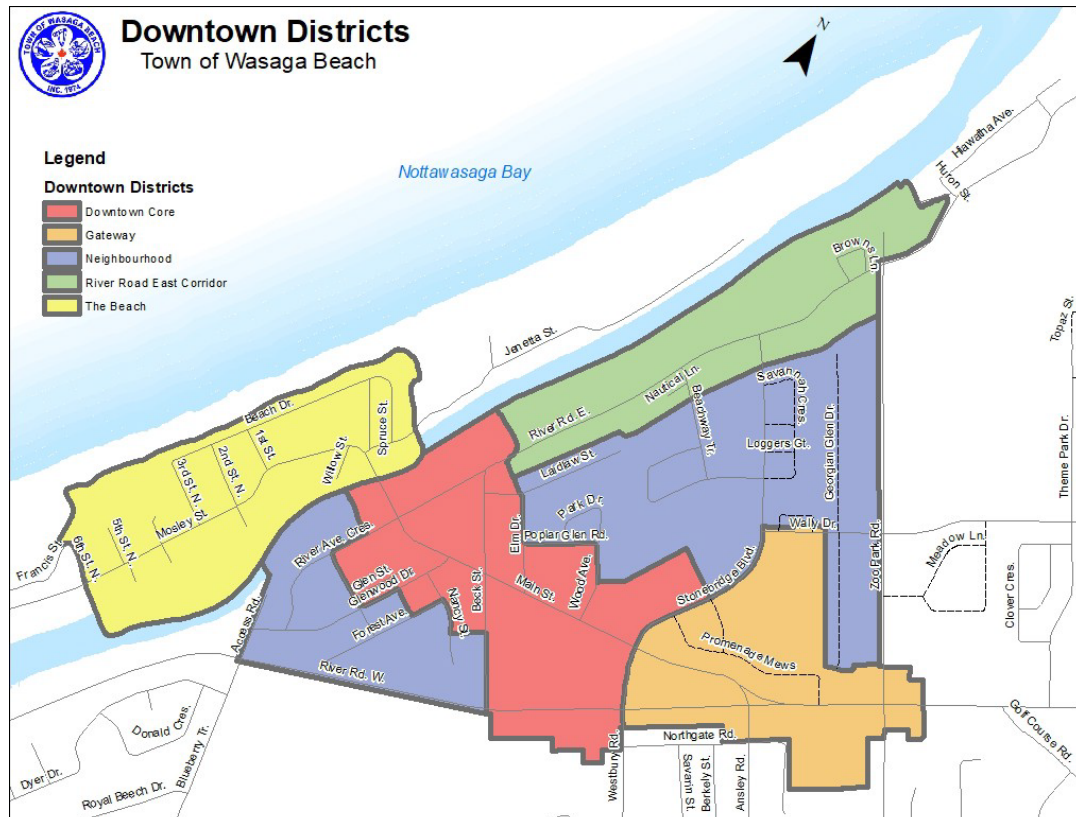
- a) Encourage the achievement of a 'complete community'.
- b) Encourage intensification of land uses within the downtown as a strategic growth area and the primary intensification node in the community structure of Wasaga Beach.
- c) Encourage a high quality of urban design in the built form that positions Wasaga Beach as a unique beach community.
- d) Encourage a compact, walkable core that contributes to the unique identity and prominence of the Downtown within the broader community structure.
- e) Encourage a high standard of urban and streetscape design, with prominence around the Town Square and Festival Squares, as identified on Schedule "A-1O" that enhances a comprehensive and logical system of public and private streets, pathways and open spaces that will:
  - i. include public art representative of the unique Wasaga Beach identity to animate and enhance public space;
  - ii. complement adjacent commercial, office, civic, residential, tourist and other facilities;
  - iii. facilitate pleasant and safe pedestrian and cyclist movement throughout the Downtown;
  - iv. provide opportunities for passive outdoor recreation within the Downtown;
  - v. provide access to and from the beach, Nottawasaga River, and core natural heritage systems including the Provincial Park dunes reserve area; and
  - vi. reinforce and expand the role of the Downtown as the focus of town wide cultural, community and civic activities.

- f) Encourage development with active commercial uses on the ground floor, with particular attention to pedestrian access and amenities.
- g) Encourage the development of a vibrant Downtown with a collection of unique character districts.
- h) Encourage high quality development adjacent to significant public spaces such as the Town Square and Festival Square as well as at significant gateways, along view corridors or at the end of significant vistas within the downtown.
- i) Encourage a finer-grained structure of streets and blocks to improve vehicular, public transit, cyclist and pedestrian connectivity, and to create appropriately sized development parcels.
- j) Encourage parking facilities that are not only convenient but that also visually contribute positively to a high quality pedestrian realm and discourage the creation of parking solutions (surface lots, above-grade structures, access and egress to parking) that detract from a high quality pedestrian experience.
- k) Encourage vertically integrated mixed use development throughout the Downtown, as well as horizontal mixed-use development along individual streets.
- l) Require appropriate transition of built form adjacent to existing low density residential areas.
- m) Foster the continued development of a variety of entertainment activities within the Downtown which will contribute to activity both day and night throughout the year.
- n) Encourage development and activities that enhance the Downtown as a destination for residents and tourists.
- o) Encourage development that will expand tourism in the Downtown and the region.
- p) Maintain the prominence of the Downtown as a significant commercial and employment centre.
- q) Encourage transit-supportive development that positions the Downtown as the prominent transit hub in Wasaga Beach.
- r) Encourage development that is accessible to all.
- s) Encourage the protection and enhancement of natural heritage features and functions.
- t) Encourage safe development which is protected from natural hazards associated with flooding, erosion, and shoreline hazards.

**Downtown Districts**

The Downtown is intended to be comprised of distinct districts with unique characteristics surrounded by supporting neighbourhoods.

District policies articulate the Urban Design policies/goals in greater detail for specific areas of the Downtown, and are supported by the Downtown Wasaga Beach Urban Design Guidelines.

**'The Beach'****Vision**

The Beach District will be the entertainment activity centre of Wasaga Beach. Taking a cue from its cultural heritage, the Beach District will bring back family outdoor and indoor entertainment to diversify the activities offered, through inclement weather and through the off-season, to contribute to an attractive year-round destination. By strengthening the beach as a destination, the synergy between the beachfront and the Downtown Core is reinforced to create a cohesive and sustainable downtown that balances the needs of local residents and tourists.

## Streets and Blocks

- Beach Drive is to be redesigned in accordance with an approved Environmental Assessment. The intent is that Beach Drive will be a pedestrian-focused flush street that can be opened to vehicular traffic, as needed.
- Circulation patterns are to be refined to prioritize pedestrians.
- Council may consider that 1<sup>st</sup> Street North and 2<sup>nd</sup> Street North be closed to vehicular traffic should land assembly occur. Should the roads be closed, pedestrian access in similar locations to 1<sup>st</sup> Street North and 2<sup>nd</sup> Street North shall be maintained through a development agreement or easement with the Town.
- New roundabouts will be considered to make intersections more efficient for vehicles and slow vehicular traffic making intersections safer for pedestrians.
- The opportunity for a new pedestrian overpass over the Nottawasaga River, should be investigated to connect 2<sup>nd</sup> Street North and Access Road/River Avenue Crescent to provide a direct link into the Beach Area.
- The opportunity for a new roundabout should be investigated at the intersection of Mosley Street and Spruce Street.

## Parks and Open Space

- A new Festival Square may be developed at the end or in proximity to Main Street.
- A new boardwalk and entertainment area are encouraged to be created along Beach Drive.
- Parks, squares, open spaces, and cultural heritage resources including the Nancy Island Historic Site and Beck Square, are to be connected through high quality pedestrian linkages.

## Buildings and Land Uses

- Buildings that frame Festival Square are significant buildings and should have enhanced architectural treatments.
- New buildings should frame views to Georgian Bay.
- Tourism-based commercial land uses, including entertainment uses and hotels are encouraged.

- A range of accommodation types is encouraged.
- Tourism-based commercial land uses, including entertainment uses and hotels are encouraged.
- A range of accommodation types is encouraged.

#### Entertainment Anchors

- The entertainment area is intended to broaden the appeal of Wasaga Beach to tourists.
- Tourist retail, indoor entertainment and food and beverage uses are encouraged
- A new performance venue with multi-function space is encouraged.

### 22.3.1.2

#### Downtown Core

##### Vision

The Downtown Core will become the centre of Wasaga Beach's year round residential population and serve as the community's social gathering place - a place to live, work, learn and play. The Downtown Core is characterized by a concentration of employment uses, retail space and residential units in a compact mixed-use form that will create the critical mass of people and uses to create a vibrant and successful core. The Downtown Core is walkable in scale where the majority of daily trips can be undertaken on foot or on bicycle. While placing an emphasis on the pedestrian, the Downtown Core will also be a multi-modal hub.

##### Streets and Blocks

- Main Street should be preserved as the primary spine of the community.
- A new roundabout will be considered at the intersection of Main Street and Beck Street.
- The opportunity for a new roundabout should be investigated at the intersection of Main Street and River Road East/River Avenue Crescent.
- Selected new streets are added to improve connectivity and access.
- Main Street is designed to reflect 'Complete Streets' principles.

- Main Street bridge is designed to improve safety, connectivity and enhance aesthetic character.

#### Parks and Open Space

- A new Town square may be developed on Town-owned land in the vicinity of Main Street and Beck Street.
- A pocket park may be created on Town-owned land where Main Street meets the Nottawasaga River.

#### Buildings and Land Uses

- An uninterrupted facade (street wall) is required for all new development along Main Street.
- Buildings should generally occupy 100% of their lot frontage condition on Main Street with no interruptions for vehicular access, servicing or loading.
- Ground floor uses along Main Street must be retail/commercial.
- Above ground-floor uses are residential and/or office uses.
- A hub of community-oriented uses and services is encouraged in the vicinity of Main Street and Beck Street. As part of the community hub, civic buildings and/or civic uses within mixed-use buildings will be encouraged to front onto public streets and public open space.

### 22.3.1.3 Downtown Gateway

#### Vision

The Downtown Gateway will be a transition area from the more suburban built form found along River Road West and at Stonebridge. Mixed-use development is encouraged in the Downtown Gateway; however, the ground floor retail/commercial experience can contain larger floor areas than in the Downtown Core. Additionally, ground floor uses can be more service oriented and not as focused on experiential retail uses. Auto-oriented uses such as drive-throughs should be prohibited along the entire length of Main Street.

#### Streets and Blocks

- Main Street should be preserved as the primary spine of the community.
- A new roundabout will be considered at the intersection of Main St. and River Road West.
- Selected new streets are added to improve connectivity and access.



- Main Street is designed to reflect 'Complete Streets' principles.

#### Parks and Open Space

- Pocket parks and parkettes should be incorporated into development plans.

#### Buildings and Land Uses

- An uninterrupted facade (street wall) is encouraged for all new development along Main Street.
- Buildings should occupy the majority of their lot frontage condition with minimal interruptions for vehicular access, servicing or loading.
- The Downtown Gateway District contains a key gateway site to the Downtown, located at the northwest corner of the intersection of Main Street and River Road West/Ansley Road, which is subject to Section 22.5.1.4 of this Plan.

#### 22.3.1.4 River Road East Corridor

##### Vision

The River Road East corridor is an area of transition, with a mix of residential and tourism accommodation uses. The River Road East corridor will transition to residential use over time.

##### Buildings and Land Uses

- New buildings are expected to be located close to the River Road East street line, with parking preferred behind the buildings.
- The River Road East corridor contains a key gateway area surrounding the Marina at the north end of Zoo Park Road. This area is identified as a Future Study Area and is subject to Section 22.5.2 of this Plan.

#### 22.3.1.5 Neighbourhood

##### Vision

The Neighbourhoods in the Downtown are intended to support the retail and commercial uses along Main Street and the Beachfront. These Neighbourhoods are currently lower density in nature, but may transition over time with medium density residential built form which is designed to be compatible with its surroundings.

Neighbourhoods may be divided into two categories:

- “Interior”, which includes lands that will remain generally stable over time and will not accommodate significant redevelopment as they are located on local roads; and
- “Exterior”, which includes lands that have potential for intensification and redevelopment that are situated on collector and arterial roads.

Development within “interior” Neighbourhoods shall predominantly focus on low density housing, including single and semi-detached housing forms which may include attached accessory dwelling units, where the low-density character of the area will be preserved. While there is not a significant amount of development anticipated in the Neighbourhood “interior”, infilling on existing lots of record and the rounding-out of existing development patterns is encouraged.

Development within “exterior” Neighbourhoods are intended to accommodate the majority of new medium density residential development through a mix of housing forms including, rowhouses, various townhouse forms, duplexes, triplexes, fourplexes, apartments and other medium density multi-unit buildings. Where any of the aforementioned development forms are proposed, they shall be directed to the “exterior” of the Neighbourhood to take advantage of higher-order roads and accessibility to other transportation options.

### 22.3.2

#### **Downtown Urban Design Policies**

- a) A high level of urban design, pedestrian amenity, and intensity of development is encouraged along principal street frontages.
- b) Main Street and Beach Drive should function as a focus for the Downtown, having a strong sense of place and main street character with active mixed use building frontages and highly pedestrianized nature. These street frontages should reinforce a distinctive, quality image with high standards in built form, landscaping and related pedestrian amenities.
- c) Development abutting the street should encourage a high level of activity along the street by incorporating grade related retail with residential and/or offices above. Retail units should be clearly oriented to, and accessed from, the public sidewalk.
- d) Street Scale and Enclosure - Development should be closely related to, and integrated with, the public sidewalk to focus activity on the street and provide a sense of spatial enclosure for the street.
- e) Within the Downtown Core, Gateway and Beach districts, a minimum height of three (3) storeys and maximum of six (6) storeys directly abutting the street line.

- f) Development fronting on Main Street, Beach Drive or Mosley Street between Spruce Street and 6<sup>th</sup> Street should address the following:
  - i. Commercial frontages should be broken up into smaller retail units and accessed directly from the public sidewalk with frequent access doorways;
  - ii. No parking should be provided between the buildings and street line;
  - iii. Blank walls should be avoided along the street in favour of fenestration;
  - iv. Service, loading and garbage storage areas should be accessed from rear lanes or abutting side streets;
  - v. Periodic building indentations should be provided as relief to long building walls and to provide opportunities for pedestrian spaces.
  - vi. Storefront signage should respect the pedestrian scale and architectural character of development;
  - vii. Pedestrian weather protection should be provided in the form of canopies and/or inset arcades
- g) Streetscape - Development of private land abutting the sidewalk should closely coordinate with the public boulevard to create an integrated design character at the pedestrian level and to reinforce the sense of a community main street. Opportunities for the development of entry forecourts and plazas will be encouraged in order to create a varied streetscape. Any existing vegetation will be considered for preservation through their development/infill process to enhance the liveability of a space.
- h) Public Realm: The Design of the Public Boulevard - The following features should be encouraged to reduce the perceived visual width of the street and improve the level of pedestrian comfort, safety and convenience within the public boulevard:
  - i. common paving materials and patterns, street furniture and signage;
  - ii. road crossings defined by special paving;
  - iii. intersection design to moderate speed of turning traffic in favour of pedestrian movements, i.e. avoid the construction of designated right turn lanes with islands;
  - iv. setting back of bus bays from intersection corners to allow sidewalks to project;
  - v. on-street parking; and

- vi. provision of street trees, feature lighting and related pedestrian amenities.

### 22.3.3 **Economic Development**

The Town undertook the DDMP with the goal of creating a pragmatic and sustainable plan for the future of Downtown Wasaga Beach. Its intent is to enhance the economic competitiveness of Wasaga Beach to bolster the Town's tourism economy while providing a basis for economic diversification.

The implementation of the DDMP is vital to managing land use decisions and achieving a healthy and prosperous economic future for the Town.

- a) The Town has identified its Main Street as a vital corridor which connects the historic economic engine – the beachfront tourist area – with a population-serving commercial area at Stonebridge Boulevard. Mixed use development including: residential, commercial, retail and office uses shall be encouraged to strengthen the Main Street as the Town's economic corridor
- b) The Town shall utilize Community Improvement Plans in the downtown to proactively stimulate community improvement, rehabilitation and revitalization of areas in need of improvement.
- c) The Town shall support the appropriate expansion and development of transportation, parking and telecommunications infrastructure to increase the locational advantage of existing and proposed business and employment uses.
- d) Tourism uses shall be appropriately scaled and located in the Beach, Downtown Core and Gateway designations in a manner that enhances the creation of a year-round tourism destination, where appropriate.
- e) The Town may promote the maintenance and improvement of existing tourism and tourist destination-oriented uses in the downtown and encourage the establishment of additional tourism opportunities in the form of over-night accommodation facilities, and appropriate entertainment and recreational attractions in the Beach, Downtown Core, and Downtown Gateway designations.
- f) The Town recognizes and supports the development of tourism uses within the Beach, Downtown Core, and Downtown Gateway designations that will encourage year-round visitation, provided such uses do not detract from the principal functions and uses of these areas. Such initiatives may include support for:
  - i. Promotion of connected multi-purpose trail systems in parts of the Town with natural amenities, including pedestrian bridges;

- ii. Tourist-recreational and boating activities associated with the waterfront and Nottawasaga River;
- iii. New and existing tourism related attractions such as a craft market, artisan market, farmers market, summer theatre and outdoor festivals, particularly if such uses are designed as a campus/cluster of activities and located to encourage interaction;
- iv. Installation of signage and private/public art that promotes the cultural heritage resources of the Town; and
- v. The Town shall support the development and promotion of scenic, recreational and educational parkways with well signed and interesting attractions along the waterfront and throughout the Town that celebrate its cultural and built heritage resources.

#### 23.3.4

#### **Housing and Residential Density**

- a) The density of residential uses in the Downtown will be influenced by the built form that is permitted in the Downtown Official Plan policies, Zoning By-law, and Urban Design Guidelines. Notwithstanding the residential policies of this Plan, residential densities in the Downtown may exceed those permitted in Section 5.2 in accordance with the land use and built form policies of Section 22.
- b) The Town will work in coordination with Simcoe County and landowners/proponents to ensure that a full range of housing types and densities are provided in the Downtown to meet the anticipated demand and demographic change. All forms of housing required to meet the social, health and well-being of current and future residents, including those with special needs, shall be encouraged. The permission for housing within the Downtown is notwithstanding Section 7.3.10 to this plan.
- c) The Town will negotiate agreements with the public and private sectors to address the provision of affordable rental and ownership housing through the site plan approval, draft plan of subdivision and condominium approval process. For example, negotiating a percentage of new subdivisions to accommodate a higher density housing form (semis, towns, and multiples), and inclusionary zoning to assist in provision of affordable rental and ownership housing units.
- d) The development of a full range of unit types and sizes is encouraged to respond to changes in household composition over time.
- e) The Town may utilize Community Improvement Plans to support a broader range of housing opportunities.

- f) The Town will diversify its housing stock by encouraging:
  - i. Purpose-built market and affordable rental housing units;
  - ii. A greater share of townhouse and townhouse units in supporting neighbourhoods and transition areas;
  - iii. A mix of unit sizes to accommodate all family sizes;
  - iv. A mix of housing types including laneway housing, secondary dwelling units, garden suites, and others types deemed appropriate;
  - v. Higher density residential development along Main Street, particularly above retail and commercial stores.

#### 22.3.5 **Parks, Squares and Open Spaces**

The Town's parks, squares, and open spaces are classified to manage the planning, development and delivery of necessary and important resources. The Town shall implement the strategy identified in this Plan to establish new parks, squares, and open spaces in accordance with the Special Policy Areas identified on Land Use Plan Schedule 'A-10'.

- a) Parks, squares, and open spaces shall be permitted in any land use designation provided there are no threats to health and safety.
- b) Where parks are located adjacent to existing and proposed residential areas, appropriate measures may be taken to minimize potential adverse effects associated with recreation activity areas and parking areas.
- c) The Town's parks, squares, and open spaces should provide venues for a diverse range of structured and unstructured, active and passive leisure pursuits that are inclusive to the community.
- d) The Town's parks, squares, and open spaces should provide opportunities to enhance residents' physical, mental and social well-being and health via venues that allow the pursuit of activities that support fitness, such as sports and trail usage; social development through play, volunteering and meeting fellow residents; and the pursuit of reflective and stress reducing activities.
- e) The Town's parks, squares, and open spaces should provide venues to protect and conserve valued natural resources, such as woodlands, wetlands, waterfronts, and other natural features vital to a healthy and sustainable ecology and natural environment, as well as to recognize and sustain valued historical and heritage venues that have contributed to both the community's historical development and identity.

- f) The Town's parks, squares, and open spaces should provide lands that contribute to more liveable, healthy, functional and sustainable urban forms amongst the many land uses within the Town. Parks, squares, and open spaces shall also provide lands that contribute to the greening and beautification of the Town via both natural and planted materials and venues, and shall create unique identifiers and focal points for the community.
- g) The Town's parks, squares, and open spaces should provide benefits to the local economy through the attraction of visitors and tourists to sport tourism and special events; waterfront and trails; to natural and heritage venues; and other opportunities.
- h) Parks, squares, and open spaces may be provided by conveyance in accordance with the provisions of the Planning Act and through other actions by public authorities. All lands conveyed as part of parkland dedication must be suitable for public recreational uses and acceptable to the Town in accordance with the Planning Act.
- i) The Town shall work with proponents to identify lands to be dedicated as parks, squares, and open spaces, and assist in identifying lands that are to be equipped with playground equipment.
- j) New development may be required to incorporate an integrated walkway and bicycle path and trail system, interconnecting residential neighbourhoods, commercial areas, schools, public buildings, and major recreation facilities.
- k) The retention and expansion of parks, squares, and open spaces is of a high priority and shall be encouraged subject to the land's ownership, location, and existing conditions. Prior to acquiring new parks, squares, and open spaces, the completion of an Environmental Site Assessment may be required to determine the level of contamination, if any, at no cost to the Town.
- l) The Town, with support from the County and other agencies and organizations shall seek opportunities to create linked open spaces through the integration of:
  - i. Natural Heritage Features in public ownership;
  - ii. abandoned rail lines in public ownership;
  - iii. existing rights-of-way;
  - iv. established and proposed service and utility corridors;
  - v. existing park and open space lands;

- vi. sidewalks and pathways; linkages provided through the draft plan of subdivision approvals process;
- viii. agreements with private landowners;
- ix. retention or acquisition of access easements; and
- x. land acquisition.

## 22.3.6 **Achieving a More Sustainable Downtown**

### 22.3.6.1 Energy Efficiency

- a) The Town shall contribute to and promote a culture of conservation among all public, private, and community groups and local citizens and aim to reduce energy use in the Downtown.
- b) The Town may pursue opportunities to engage, collaborate and partner with local community groups and private businesses in the Downtown to identify and implement goals, programs, and initiatives related to energy conservation and efficiency.
- c) The Town may prepare a Downtown Conservation and Demand Management Plan (as required) in accordance with the *Green Energy Act*.
- d) The Town may support the increased availability of cleaner and more efficient sources of energy in the Downtown, and aim to attract economic growth in the development of renewable energy projects and green industries.
- e) The Town may support district energy projects as an efficient method of heating and cooling buildings in the Downtown.
- f) The Town shall encourage the design and development of neighbourhoods and buildings in the Downtown that conserve energy.
- g) The Town may promote and encourage business and homeowner participation in programs that reward or incentivize investments in energy efficient technologies in the Downtown.
- h) The Town may pursue opportunities to engage, collaborate and partner with local community groups and private businesses in the Downtown in order to address issues of environmental concern. This may involve the identification of sustainability goals, programs, initiatives, and the development and implementation of Town-wide programs related to air quality and climate change.
- i) The Town shall contribute to and promote a culture of conservation in the Downtown, aim to reduce greenhouse gas emissions and air pollution in all sectors, reduce material consumption and waste



production, and increase waste diversion and reuse in all sectors (including multi-residential).

#### 22.3.6.2 Sustainable Development Standards

- a) The Town encourages the design of compact and complete neighbourhoods in the Downtown that are consistent with sustainability principles. In keeping with the LEED ND rating system, the following criteria are encouraged to be addressed in the design and development of new residential subdivisions:
  - i. Housing and job opportunities are located within proximity to each other;
  - ii. Streets are walkable and interconnected
  - iii. Residents have access to civic and public spaces, and recreation facilities;
  - iv. Opportunities active transportation are promoted and the need for vehicular trips is minimized;
  - v. Energy and water efficiency is achieved through the development of green buildings;
  - vi. Energy efficiency is achieved through the solar orientation of streets and buildings;
  - vii. Access to transit is increased, where applicable;
  - ix. Water-efficient landscaping incorporates native species;and
  - x. Light emissions are reduced and directional, low-level lighting is used.
- (b) The Town encourages urban agriculture initiatives such as community gardens, edible landscaping and roof top gardens in all land use designations and zones in the Downtown.
- (c) The Town encourages new developments in the Downtown to propose innovation and market transformation in their design, including but not limited to:
  - i. Urban agriculture and local food production;
  - ii. Community kitchens, food co-ops and community food centres;
  - iii. Innovative stormwater management;
  - iv. Innovative wastewater management;

- v. Additional innovations and technologies in sustainable infrastructure;
  - vi. On-site renewable energy generation;
  - vii. District heating and cooling;
  - viii. Innovative green spaces to reduce the urban heat island effect; and/or
  - ix. Other innovative practices and technologies.
- (d) The Town encourages all new office, commercial, institutional, and higher density residential buildings, including renovations, in the Downtown to be consistent with sustainability principles, including innovative stormwater and wastewater management, greenspaces and green roofs, on-site renewable energy generation, and other innovative practices and technologies. The following criteria should be addressed in the design and development, or renovation, of buildings:
- i. Facilities for active transportation and/or access to public transportation is provided;
  - ii. Site disturbance is minimized by reducing the development footprint and by protecting and restoring open space;
  - iii. Light emissions are reduced and directional, low-level lighting is used;
  - iv. Water-efficient landscaping incorporates native species;
  - v. High efficiency appliances and fixtures are used;
  - vi. Durable building materials that include recycled content, and/or are reused, and/or are extracted or manufactured regionally are used;
  - vii. Low-emitting materials such as (paints and coating, carpets, and adhesives) are used; and
  - viii. Buildings are designed and oriented to maximize daylight and views.

#### 22.3.7 **Infrastructure**

##### 22.3.7.1. Transportation

##### 22.3.7.1.1 Pedestrian

- a) In the Downtown, safe access and movement for pedestrians shall be a priority.

- b) On Main Street, boulevards are encouraged to be of an appropriate width, as determined by the Town; however, width shall be confirmed through an Environmental Assessment. Additional space may be required, per the discretion of the Town, to support street trees, additional pedestrian flows, furniture, and patios, where applicable.
- c) Sidewalks on Main Street shall be designed so that pedestrians can enjoy at least five hours of sunlight from the Spring through to the Fall;
- d) The ground floors of buildings provide uses that enliven sidewalks and create safe pedestrian conditions.

#### 22.3.7.1.2 Active Transportation

- a) The Town shall work towards providing safe bicycle and pedestrian paths, including paths that are separated from the roadway, on existing and proposed roads, and within parks, squares, and open spaces, as appropriate.
- b) The Town shall consider adapting roads to provide safer travel for bicycles and pedestrians on road pathways, where feasible and appropriate.
- c) The Town shall undertake to complete connections along the waterfront, where feasible and appropriate to provide continuous trail system linkages. Routes should provide continuous access between the north and south-ends and east and west-ends of the Town.
- d) The Town shall promote accessible and convenient trail systems within a reasonable distance from Downtown to the Town's larger parks.
- e) The Town shall ensure that trail and path systems provide places to sit, and include the use of diverse paving, high quality landscape materials, and pedestrian-scaled directional lighting.
- f) The Town shall promote aesthetically pleasing trail systems, particularly for recreational purposes. Particular attention shall be given to trail systems associated with natural assets including the waterfront, parks, and natural features.
- g) The Town shall examine opportunities for improvements to pedestrian and bicycle infrastructure connectivity across the Nottawasaga River, including consideration of new and existing pedestrian routes.
- h) The Town shall encourage the integration of bicycle path and walkway systems into the design of transportation facilities by including facilities such as sufficient and protected bicycle storage areas at places of employment and major community, institutional, educational, cultural and shopping locations, where appropriate.

- i) The Town shall implement and operate an effective trail system maintenance program.
- j) The Town shall promote opportunities for public access to the waterfront and the development of a continuous waterfront trail system and open space linkages along the Nottawasaga Bay shoreline.

#### 22.3.7.1.3 Complete Streets

- a) The Town should undertake the construction of new roads, or rehabilitation of existing roads, and development projects through the lens of complete streets.
- b) Complete Streets shall be designed in accordance with the following principles:
  - i. Streets shall provide for multiple means of transportation including vehicular, pedestrian, bicycle and transit;
  - ii. Traffic calming measures as identified in the Town's Traffic Calming Policy, which includes, but is not limited to, special pavers or stamped/coloured asphalt at crosswalks, bump-outs to reduce the width of lanes at intersections, raised intersections and roundabouts to reduce vehicle speed;
  - iii. Streetscapes shall be designed to enhance the pedestrian experience and the inclusion of mid-block connections are encouraged where appropriate in the Downtown;
  - iv. The design of Complete Streets shall reinforce and promote the unique character of the Town through streetscape design;
  - v. Roadway and engineering standards will be updated to reflect the principle of complete streets and to promote pedestrian scale and the comfort and safety of pedestrian and cyclists. Where feasible, reduced lane paved widths and number of lanes to accommodate different transportation modes such as a cycling, transit and pedestrians shall be encouraged;
  - vi. Street trees are encouraged in the design of all streetscapes to contribute to a high quality of landscaping and promote pedestrian comfort;
  - vii. Sidewalks shall be designed to promote a safe pedestrian experience and where possible, enhance connectivity and accessibility throughout the Town;
  - viii. Street furniture, lighting, and public art on or adjacent to sidewalks shall be designed and located to enhance the pedestrian experience, particularly along Main Street;

- ix. Within the Downtown, the Town shall promote the provision of wide sidewalks to encourage the development of outdoor patios, transit stops and opportunities for streetscape animation;
- x. The design of street furniture, street lighting and signage, shall be coordinated to encourage a sense of place, the notion of a destination and promote the Town's unique cultural heritage;
- xi. Hydro transformers and telecommunications utility boxes must be located in the rear of buildings, internal to buildings or below grade within the Downtown, Beach and Gateway designations. They will not be permitted along Main Street, Beach Drive or Mosley Street (between Spruce Street and 6<sup>th</sup> Street).

#### 22.3.7.1.4 Roads

- a) The right-of-way width for Main Street shall be 30 metres, or as otherwise determined through an Environmental Assessment.
- b) The right-of-way width for Mosley Street in the Downtown shall be a minimum of 23 metres, or as otherwise determined through an Environmental Assessment.
- c) The right-of-way width for Beach Drive and Spruce Street shall be a Minimum of 20 metres, or as otherwise determined through an Environmental Assessment.
- d) The Town may consider alternative development standards including reduced pavement widths and roundabouts, where applicable, to accommodate other pedestrian or active transportation infrastructure. The Town recognizes that in some existing areas, the reconstruction of roads to the standards required by the policies of this Plan may be economically or physically infeasible as a result of constraints of existing buildings, existing services, access driveways and other conditions. In order to secure needed road improvements in such cases, it may be necessary to find a realistic balance between accepted engineering standards and the disruptive effects upon existing conditions.
- e) Where additional land is required for road widenings and extensions, such land shall be conveyed wherever possible, in the course of approving draft plans of subdivision or condominium, consents or site plan agreements, without amendment to this Plan. The conveyance of such land shall take into account the following:
  - i) the extent of the right-of-way that may be required as established in the policies of this Plan;
  - ii) road widenings being taken equally on either side of the centre line of existing roads. However, unequal widenings may be

required where factors, such as topography, historic building locations, grade separation, channelization, existing development or other unique conditions make the conveyance of equal widenings infeasible;

- iii) the need to provide on-road bicycle lanes, dedicated transit lanes and stopping areas, medians, traffic signals or dedicated right and left turn lanes, other traffic control devices, sight triangles at intersections and/or any other traffic or road engineering consideration. The extent of the widening shall be based on specific characteristics of the intersection and shall be determined in accordance with accepted traffic engineering design criteria; and
  - iv) other requirements as established by the Town.
- f) No development or redevelopment of land shall be approved in proximity to an intersection which is scheduled for improvement until the improvement has been sufficiently designed to determine the land requirement for the improvement.
  - g) As a measure of maintaining a satisfactory road system, the Town may consider establishing a program of improving road alignments, surfaces, pavement widths, and intersection design including the opportunity for roundabouts, and establishing adequate road allowances for new roads as future development occurs. Provision shall be made in the Zoning By-law for adequate setbacks for all new development, having regard for the width and function of the abutting road while recognizing that the urban design policies of this Plan intend to draw buildings closer to the street, thereby creating a positive environment for pedestrians.
  - h) Any proposals to widen, extend, realign or improve roads shall consider Natural Heritage Features and cultural heritage resource factors and attributes of adjacent land, or by views created by the road. The Town may require a landscape assessment prior to approval or endorsement of any proposals to widen, extend, realign or improve roads.
  - i) Paved streets, curbs and gutters, and sidewalks shall be provided for any major new development or redevelopment in the Downtown to the satisfaction of the Town.
  - j) The Town should encourage the use of traffic calming management techniques to reduce the impact of traffic on neighbourhoods by improving road user safety and quality of life. This may include the use of physical road treatments such as reduced pavement widths, textured pavements, curb extensions or medians, traffic circles and roundabouts, bicycle lanes or on-street parking. The type of traffic calming technique shall depend on the road characteristics and degree of required traffic flow impedance, in consideration of the

Town's Traffic Calming Policy and as determined through an  
Environmental Assessment

22.3.7.1.5 Parking

- a) Except in certain circumstances in the Downtown, all new development and redevelopment, including re-use of existing buildings, shall be required to provide adequate off-street parking and loading spaces in accordance with standards established in the Zoning By-law. Access and egress to all off-street parking or loading spaces shall be limited in number and designed to minimize danger to vehicular and pedestrian traffic.
- b) The Town shall assess parking needs in the Downtown in order to provide adequate on-street and off-street parking. Off-street parking may be accommodated through the development of a covered Town parking facility.
- c) All new development or redevelopment in the Downtown shall be encouraged to provide sufficient parking on-site to accommodate the proposed use. If such parking cannot be provided, the Town at its sole discretion may collect cash-in-lieu pursuant to Section 40 of the *Planning Act* to be used for the provision of public parking spaces in an appropriately defined area. Residential uses in the Downtown shall not be permitted to develop solely on the basis of cash-in-lieu of parking. Where cash-in-lieu is accepted by the Town, the Town shall look at existing occupancy rates in the area to determine where and how parking should be provided elsewhere in the area.
- d) Shared parking between residential and non-residential uses is encouraged to provide for a more efficient use of fewer parking spaces.
- e) All required parking shall be provided on the site or in a shared facility having adequate capacity within 150 metres of the subject lands. If adequate parking cannot be feasibly provided, the Town will consider Cash-in-Lieu of parking.
- f) Efficient site design practices shall be promoted which focus on compact and accessible land development to minimize land consumption for parking.
- g) Opportunities to promote cycling, walking and transit shall be promoted to reduce parking demand.

22.3.7.1.6 Transit

- a) The Town shall generally support Main Street and Mosley Street as mixed-use transit supportive corridors.

- b) To accommodate transit services, road network planning in new developments and in the Downtown, shall include provisions for future public transit. Such provisions shall include:
  - i) allocations for bus bays in public rights-of-way so as not to affect traffic operations;
  - ii) arterial and collector roads planned and designed in such a way as to accommodate transit services;
  - iii) the placement of the maximum number of people within reasonable walking distance of such a service; and
  - iv) allocation of land for purposes of a terminal location in the Downtown for the transfer of passengers.
- c) The Town shall promote public transit connections to major community destinations, included within the Beach, Downtown Core, and Downtown Gateway Districts.
- d) The Town is encouraged to achieve higher transit usage by supporting improvements in service, convenient access and good urban design, including the following:
  - i) minimizing walking distance to planned and existing transit stops through measures such as the provision of walkways, sidewalks and more direct street patterns;
  - ii) connecting transit stops directly to sidewalks and adjacent buildings in the Downtown;
  - iii) providing bus bays, transit shelters and bus loops with sufficient lighting;
  - iv) directing medium- and high-density urban development to transit corridors;
  - v) creating a system of parking and drop-off facilities for commuters;
  - vi) providing transit service on mid-block collectors;
  - vii) giving priority to pedestrian and cycling access to transit through site plan control by providing access to transit facilities, on-site cycling facilities, and on and off-road trails and cycling routes; and
  - viii) requiring all new development applications to demonstrate the proposal's approach to mobility and transit.



- e) The Town is encouraged to provide viable transit services for individuals traveling into and within the Downtown, as well as elsewhere in the Town.
- f) The Town shall coordinate with the County to provide viable inter-regional transit service with a connection point in the Downtown

#### 22.3.7.1.7 Servicing

- a) Servicing capacity will be evaluated and allocated on a site specific basis based on the capacity of the municipal water and sanitary sewer systems.
- b) Stormwater Management Facilities shall be designed to take into account the potential impacts from climate change to minimize damage, with a preference toward practices of better stewardship and protection of nature, naturalized areas, greenspaces and water resources.
- c) No new development, or work on existing lands, shall have a negative effect on the drainage characteristics of adjacent land.
- d) The Town shall apply best management practices in dealing with stormwater management and shall meet the following criteria:
  - i) No net reduction in aquifer recharge and discharge;
  - ii) Minimize potential for contamination of ground water and surface water;
  - iii) Minimize alterations to the natural drainage boundaries;
  - iv) No creation of new flood or erosion problems or aggravation of existing flood or erosion problems;
  - v) Minimize pollutant loadings to the watercourses, including phosphorus, in accordance with the water quality targets that are established from time to time;
  - vi) Net gain of fish habitat;
  - vii) Minimize changes to base flow quality and quantity in receiving watercourses;
  - viii) Where possible enhance natural vegetation along stream corridors; and
  - ix) Incorporate enhanced stormwater management design including Low-Impact Development (LID) measures.

- e) The Town shall encourage the consideration of Low-Impact Development (LID) measures for all development applications.
- f) Stormwater management facilities shall be designed to manage stormwater quality and quantity, at an appropriate level, as defined by the most current Provincial Stormwater Planning and Design Manual, and the statutory approval authority for the stormwater works being proposed. The integration of natural vegetative features adjacent to and within new facilities shall be encouraged where appropriate, and the naturalization of the periphery of the existing stormwater management facilities is encouraged.
- g) The Town shall support and may give priority to development applications that propose innovation and alternative technologies in their approach to stormwater management.

#### 22.3.7.1.8 Utilities and Telecommunication

- a) The Town recognizes the importance of fast, reliable and affordable high-speed internet access for all residents and businesses.
- b) The Town shall work with providers to increase the accessibility of conduits for fiber optic cable in all public rights-of-way, through new development, redevelopment, road construction and reconstruction
- c) The Town shall ensure that all new development or redevelopment is designed to provide the infrastructure for the delivery of, current or future, leading edge information and communication technologies, to and throughout the buildings.
- d) The Town shall promote all utilities and telecommunications, to be planned for, and installed on, a coordinated and integrated basis in order to be more efficient, cost effective and minimize disruption.
- e) The Town shall ensure that all large, above-ground utility infrastructure is located and designed to be compatible with its surroundings and consistent with the urban design policies of the Town.
- f) The Town shall support the coordinated planning and installation of utilities in initial common trenches, wherever possible, to ensure coordinated digging and minimize disruption of municipal rights-of-way.

### 22.3.8 **Natural Heritage**

22.3.8.1 In order to conserve, maintain and enhance the natural heritage system of the Town, the policies of Section 13 of this Plan shall apply where natural heritage features are located within and adjacent to the Downtown

22.3.8.2 Development applications may be required to submit an Environmental Impact Study to assess the impacts on natural heritage features and ecological

functions on or adjacent to the site, and demonstrate conformity with the policies of this Plan

#### **22.3.9 Natural Hazards**

22.3.9.1 In order to protect people and property from natural hazards, including but not limited to flooding, erosion, and shoreline hazards associated with the Georgian Bay shoreline and the Nottawasaga River, the policies of Section 12 of this Plan shall apply within the Downtown.

22.3.9.2 Development applications along the Georgian Bay shoreline and Nottawasaga River may be required to submit technical studies to ensure that development occurs outside of the natural hazards and that safe access and egress is available to the site

22.3.9.3 In the absence of more detailed mapping, natural hazard boundaries shall be used as guides for the implementation of the natural hazard policies contained within Section 12 of this Plan. Where site specific natural hazard studies demonstrate to the satisfaction of the Town and the Conservation Authority that the boundaries of the Natural Hazards land use designation and implementing zoning should be refined, development may proceed through subsequent planning approvals without the need for a site specific Official Plan Amendment.

#### **22.4 DOWNTOWN WASAGA BEACH LAND USE FRAMEWORK**

The land use framework in the Downtown is comprised of the following land use designations:

- Downtown Core
- Downtown Gateway
- The Beach
- Neighbourhood

#### **22.4.1 Downtown Core**

##### **22.4.1.1 Permitted Uses**

Residential Uses

- Existing low-density residential uses legally existing on the date of adoption of this Plan shall be permitted.
- Medium and High density residential uses shall be permitted including triplex dwellings, fourplex dwellings, stacked or back-to-back townhouse dwellings, small-scale apartments, low-rise and high-rise apartment buildings; apartment hotels; multiple-attached dwellings and other similar medium and high profile residential buildings.

- Special needs housing, group homes, senior citizens' homes or similar housing facilities for senior citizens including nursing homes.
- A home occupation.
- Bed and breakfast establishments.

#### Commercial Uses

- Commercial uses such as business and professional offices, eating establishments, service and convenience retail and similar types of uses shall be permitted.
- A full range of commercial and retail establishments shall be permitted, which are intended to serve the needs of the Town-residents and individuals travelling into the Town requiring a high-level of services, including multi-storey hotels, restaurants, animal hospitals, medical clinics/offices, commercial recreation uses, private clubs, funeral homes, day care centres, food stores, drug stores, banks and other financial institutions, specialty retail stores, personal service shops, and hardware uses.

#### Community Uses

- Municipal office and other civic buildings, places of worship, community hubs, and community and cultural centres.
- Elementary schools, secondary schools, post-secondary institutions, and day care centres.
- Federal, Provincial, community service uses shall be permitted including but not limited to courthouses, post offices, municipal buildings, public service buildings and facilities, police stations, and fire stations.
- Urban squares and parkettes.
- Tourism, entertainment and recreational uses shall be permitted including but not limited to museums, theatres, arts and cultural centres, libraries, and science centres.

#### 22.4.1.2

##### Land Use and Built Form Policies

- a) New development shall ensure that proper building frontage, per the policies of this Plan and the regulations in the Zoning By-law, is maintained and that the proposed uses do not negatively impact the planned function of the area.
- b) New development should generally conform to the intent of the Town's approved Downtown Urban Design Guidelines.

- c) The Town is encouraged to direct uses that may attract large groups of people including, but not limited to, urban squares, community hubs, municipal buildings, and event spaces to strategic locations within the Downtown, as identified on Schedule 'A-10' to this Plan.
- d) The height and massing of the building shall have regard to the height and massing of the buildings on any adjacent property and may be subject to additional setbacks, height restrictions, or landscaping to provide an appropriate transition.
- e) For lands having frontage on Main Street, no residential units shall be permitted at-grade.
- f) For residential units, the development shall be adequately serviced by parks and school facilities.
- g) All required parking shall be provided on the site or in a shared facility having adequate capacity within 150 metres of the subject lands. Appropriate parking standards shall be established in the Zoning By-law. If adequate parking cannot be feasibly provided, the Town will consider Cash-in-Lieu of parking.
- h) Development incorporating apartments, townhouse dwellings and similar residential buildings may be required to provide on-site recreational facilities or amenities such as private open space or playground equipment. These developments shall not have direct frontage on Main Street, unless they incorporate ground-floor commercial uses.
- i) For developments with a potential to impact the traffic patterns of the area, a traffic impact study shall be provided by the proponent identifying the adequacy of the road network to accommodate the expected traffic flows.
- j) Development along Main Street shall reinforce the linkages to the waterfront and preserve and enhance views, contribute to pedestrian animation at the ground floor level, and provide streetscape elements that improve the look, feel, and vibrancy of Main Street.
- k) For development and redevelopment applications along Main Street, the Town shall require the conveyance of lands along the road edge, to accommodate a pedestrian walkway, linear park, trail or any additional lands that the Town deems reasonable to connect to the trail system and improve public access and the active transportation network. The nature and configuration of the conveyance will be determined on a site specific basis.
- l) Development proposals shall contribute to increasing the number of affordable rental and ownership housing units within the Town. Where

feasible, market rental housing units are encouraged to provide a broad range of housing opportunities in the Downtown.

- m) Development proposals shall complement higher density housing forms and recognize the different tenures, including market rental housing units, needed in the Town as a whole.
- n) Development shall be sensitive to existing, lower-density development. As such, the height, density and massing of the development shall be compatible with the adjacent low density residential uses through the use of appropriate transitions including but not limited to lower building heights, additional setbacks and buffers, building treatments, location of parking, and landscaping.
- o) The height, massing, orientation and layout of buildings shall promote the creation of a pedestrian-scaled environment and reinforce the character of Main Street.
- p) The design and positioning of new buildings shall have regard for the impact of the proposed development on year-round sunlight conditions on adjacent properties and streets and have regard for the Downtown Urban Design Guidelines. In reviewing proposed developments, access to sunlight for adjacent properties shall be maximized to enhance the potential for energy conservation and the amenity of residential areas and parks and open space areas, such as parkettes and outdoor plazas. The Town shall require Shadow Studies to determine potential impact on adjacent uses, amenity areas, and public streets.
- q) For lands having frontage on Main Street between the Nottawasaga River and Wood Avenue, development shall strive to achieve 100% of the building frontage in a continuous manner, with the building edge located directly at the front lot line. On streets that provide access to Main Street, development shall strive to achieve 100% of the building frontage in a continuous manner for a minimum distance of 30 metres from the intersection.
- r) For lands having frontage on Main Street, between Wood Avenue and Stonebridge Boulevard, 75% of the building frontage shall be provided in a continuous manner, with the building edge located directly at the front lot line. On streets that provide access to Main Street, 75% of the building's frontage shall be occupied by a continuous building frontage for a minimum of 30 metres from the intersection.
- s) All parking shall be provided at the rear of buildings with driveway access and/or pedestrian passageways being provided from side streets.
- t) New buildings shall generally align with the traditional build-to-lines where possible, unless it is desirable to provide for a wider boulevard.

- u) For lands with frontage on side streets, which are considered to be streets that intersect with Main Street and inside the area requiring continuous building frontage, residential uses may be permitted on the ground floor provided the ground floor residential units may be converted to commercial uses, the residential uses do not detract from the commercial character of the building, where applicable, and the density, height and character of the development is compatible with adjacent uses.
- v) Along Main Street between the Nottawasaga River and Wood Avenue, a minimum building height of 3 storeys, and a maximum building height of 6 storeys, shall be required. For lands that are beyond Wood Avenue, development shall strive to achieve a minimum building height of 3 storeys with a maximum building height of 6 storeys. An exception to the minimum height requirements in the Zoning By-law shall permit civic and public uses, and gaming, recreational and entertainment uses to be less than 3 storeys in height.
- w) Any development proposal in excess of 6 storeys shall only be permitted subject to a site-specific Official Plan and Zoning By-law amendment and satisfying certain criteria to ensure the building height is compatible with neighbouring land uses and that the development provides a suitable transition with adjacent supporting neighbourhoods. The criteria for any building proposed in excess of 6 storeys or otherwise permitted in the Zoning By-law, shall include the following:
  - i. Signature Architecture – Signature architecture above 6 storeys shall be required to ensure a high level of architectural treatment and design. Signature architecture may consist of enhanced building articulation through the use of distinguishable architectural elements, including cornices and mouldings, materials, and colours consistent with the Downtown.
  - ii. Angular Plane – The use of an angular plane shall be required. The maximum height of a building shall be further restricted to the height of an angular plane, extending from the opposite street line upwards at a forty-five degree (45°) angle towards the building. The upper storeys of the building shall be stepped back within the forty-five degree (45°) line projection in accordance with the angular plane.
  - iii. Bonusing Provisions – In exchange for an increase in height, the bonusing provisions of Section 37 of the *Planning Act* shall be utilized in exchange for additional community benefits to the satisfaction of Council, in accordance with Section 22.5.4.

New Development should generally conform to the intent of the Town's approved Downtown Urban Design Guidelines.

- x) A minimum ground floor height shall be required for new development with frontage on Main Street, and within 30 metres of Main Street along

side streets to ensure a consistent ground floor height. Where ground floor residential uses are permitted, a minimum ground floor height of 4.5 metres shall be required to accommodate a ground floor that may be converted to commercial/retail or office uses. The ground floor shall provide for clearly visible/accessible entrances, extensive window openings to accommodate the display of goods/products, higher urban design and enhanced building articulation to provide visual interest at the street.

- y) A home occupation may only be operated as an accessory use within any main dwelling unit which is the primary residence of the person or individuals conducting the business or professional activity and shall not change the residential character of the neighbourhood, nor draw additional traffic into the residential area.
- z) A Bed and Breakfast establishment may only be operated in a single detached dwelling for temporary accommodation, and shall be subject to criteria in the Zoning By-law.
- aa) A Town Square, as identified as Special Policy Area 2 on Land Use Schedule "A-10", may be developed southwest of Beck Street and Main Street and, as such, should be undertaken in accordance with the policies in Section 22.5.1.2 and have regard for the Downtown Urban Design Guidelines.
- bb) A Community Hub, as identified as Special Policy Area 3 on Land Use Schedule "A-10", may be developed in the vicinity of Beck Street and Main Street, and, as such, shall be undertaken in accordance with the policies in Section 22.5.1.3.
- cc) Any parkettes or pocket parks shall be approved by the Town and have regard for Downtown Urban Design Guidelines.

#### 22.4.1.3 Exceptions

##### 22.4.1.3.1 Stonebridge Mixed Use

Notwithstanding the policies of Section 22 of this Plan, the policies of Section 6.4.6 of this Plan shall apply to those lands located within Block 7, Registered Plan 51M-923.

#### 22.4.2 **Downtown Gateway**

##### 22.4.2.1 Permitted Uses

###### Residential Uses

- Existing low-density residential uses legally existing on the date of adoption of this Plan shall be permitted.



- Medium and High density residential uses shall be permitted including triplex dwellings, fourplex dwellings, stacked or back-to-back townhouse dwellings, small-scale apartments, low-rise and high-rise apartment buildings; apartment hotels; multiple-attached dwellings and other similar medium and high profile residential buildings.
- Special needs housing, group homes, senior citizens' homes or similar housing facilities for senior citizens including nursing homes.
- A home occupation.
- Bed and breakfast establishments.

#### Commercial Uses

- Commercial uses such as business and professional offices, eating establishments, service and convenience retail and similar types of uses shall be permitted.
- A full range of commercial and retail establishments shall be permitted, which are intended to serve the needs of the Town-residents and individuals travelling into the Town requiring a high-level of services, including multi-storey hotels, restaurants, animal hospitals, medical clinics/offices, commercial recreation uses, private clubs, funeral homes, day care centres, food stores, drug stores, banks and other financial institutions, specialty retail stores, personal service shops, and hardware uses.

#### Community Uses

- Municipal office and other civic buildings, places of worship and community and cultural centres.
- Elementary schools, secondary schools, post-secondary institutions, and day care centres.
- Federal, Provincial, community service uses shall be permitted including but not limited to courthouses, post offices, municipal buildings, public service buildings and facilities, police stations, and fire stations.
- Urban squares and parkettes.
- Tourism, entertainment and recreational uses shall be permitted including but not limited to museums, theatres, arts and cultural centres, libraries, and science centres.

#### 22.4.2.2 Land Use and Build Form Policies

- a) New development shall ensure that proper building frontage, per the policies of this Plan and the regulations in the Zoning By-law, is maintained and that the proposed uses do not negatively impact the planned function of the area.
- b) New development should generally conform to the intent of the Town's approved Downtown Urban Design Guidelines.
- c) The Town is encouraged to direct uses that may attract large groups of people to strategic locations within the Downtown Core.
- d) The height and massing of the building shall have regard to the height and massing of the buildings on any adjacent property and may be subject to additional setbacks, height restrictions, or landscaping to provide an appropriate transition.
- e) For lands having frontage on Main Street, residential units are discouraged from being located at-grade, with preference for at-grade commercial uses.
- f) For residential units, the development shall be adequately serviced by parks and school facilities.
- g) All required parking shall be provided on the site or in a shared facility having adequate capacity within 150 metres of the subject lands. Appropriate parking standards shall be established in the Zoning By-law.
- h) Development incorporating apartments, townhouse dwellings and similar residential buildings may be required to provide on-site recreational facilities or amenities such as private open space or playground equipment. These developments shall not have direct frontage on Main Street, unless they incorporate ground-floor commercial uses.
- i) For developments with a potential to impact the traffic patterns of the area, a traffic impact study shall be provided by the proponent identifying the adequacy of the road network to accommodate the expected traffic flows.
- j) Development along Main Street shall reinforce the linkages to the waterfront and preserve and enhance views, contribute to pedestrian animation at the ground floor level, and provide streetscape elements that improve the look, feel, and vibrancy of Main Street.
- k) For development and redevelopment applications along Main Street, the Town shall require the conveyance of lands along the road edge, to accommodate a pedestrian walkway, linear park, trail or any additional

lands that the Town deems reasonable to connect to the trail system and improve public access and the active transportation network. The nature and configuration of the conveyance will be determined on a site specific basis.

- l) Development proposals shall contribute to increasing the number of affordable rental and ownership housing units within the Town. Where feasible, market rental housing units are encouraged to provide a broad range of housing opportunities in the Downtown.
- m) Development proposals shall complement higher density housing forms and recognize the different tenures, including market rental housing units, needed in the Town as a whole.
- n) Development shall be sensitive to existing, lower-density development. As such, the height, density and massing of the development shall be compatible with the adjacent low density residential uses through the use of appropriate transitions including but not limited to lower building heights, additional setbacks and buffers, building treatments, location of parking, and landscaping.
- o) The height, massing, orientation and layout of buildings shall promote the creation of a pedestrian-scaled environment and reinforce the character of Main Street.
- p) The design and positioning of new buildings shall have regard for the impact of the proposed development on year-round sunlight conditions on adjacent properties and streets in accordance with the Downtown Urban Design Guidelines. In reviewing proposed developments, access to sunlight for adjacent properties shall be maximized to enhance the potential for energy conservation and the amenity of residential areas and parks and open space areas, such as parkettes and outdoor plazas. The Town shall require Shadow Studies to determine potential impact on adjacent uses, amenity areas, and public streets.
- q) For lands having frontage on Main Street, between Stonebridge Boulevard and River Road West, 50% of the building frontage shall be provided in a continuous manner, with the building edge located directly at the front lot line. On streets that provide access to Main Street, 50% of the building's frontage shall be occupied by a continuous building frontage for a minimum of 30 metres from the intersection.
- r) All parking shall be provided at the rear of buildings with driveway access and/or pedestrian passageways being provided from side streets.
- s) New buildings shall generally align with the traditional build-to-lines where possible, unless it is desirable to provide for a wider boulevard.

- t) For lands with frontage on side streets, which are considered to be streets that intersect with Main Street and inside the area requiring continuous building frontage, residential uses may be permitted on the ground floor provided the ground floor residential units may be converted to commercial uses, the residential uses do not detract from the commercial character of the building, where applicable, and the density, height and character of the development is compatible with adjacent uses.
- u) Along Main Street, development shall strive to achieve a minimum building height of 3 storeys with a maximum building height of 6 storeys, with the exception of civic and public uses, and gaming, recreational and entertainment uses.
- v) Any development proposal in excess of 6 storeys shall only be permitted subject to a site-specific Official Plan and Zoning By-law amendment and satisfying certain criteria to ensure the building height is compatible with neighbouring land uses and that the development provides a suitable transition with adjacent supporting neighbourhoods. The criteria for any building proposed in excess of 6 storeys or otherwise permitted in the Zoning By-law, shall include the following:
  - i. Signature Architecture – Signature architecture above 6 storeys shall be required to ensure a high level of architectural treatment and design. Signature architecture may consist of enhanced building articulation through the use of distinguishable architectural elements, including cornices and mouldings, materials, and colours consistent with the Downtown.
  - ii. Angular Plane – The use of an angular plane shall be required. The maximum height of a building shall be further restricted to the height of an angular plane, extending from the opposite street line upwards at a forty-five degree (45°) angle towards the building. The upper storeys of the building shall be stepped back within the forty-five degree (45°) line projection in accordance with the angular plane.
  - iii. Bonusing Provisions – In exchange for an increase in height, the bonusing provisions of Section 37 of the *Planning Act* shall be utilized in exchange for additional community benefits to the satisfaction of Council, in accordance with Section 22.5.4.
- w) A minimum ground floor height shall be required for new development with frontage on Main Street, and within 30 metres of Main Street along side streets to ensure a consistent ground floor height. Where ground floor residential uses are permitted, a minimum ground floor height of 4.5 metres shall be required to accommodate a ground floor that may be converted to commercial/retail or office uses. The ground floor shall provide for clearly visible/accessible entrances, extensive window openings to accommodate the display of goods/products, higher urban

design and enhanced building articulation to provide visual interest at the street.

- x) New, and proposals to expand, Large Format Retail and Retail Shopping Centre uses shall be subject to a site-specific Zoning By-law amendment and the following criteria:
  - iv. a planning rationale report shall be completed to assess the impact of the Large Format Retail use in relation to the planned function of the Downtown Gateway area and impacts on adjacent uses, as well as any other matters determined by the Town;
  - v. a retail market impact study shall be completed to demonstrate that any new or expanded use shall not detract or compete with any uses in the Downtown, including the Downtown Gateway and the Beach;
  - vi. a traffic impact study shall be completed in accordance with the specific requirements of the Town;
  - vii. a servicing and stormwater management plan shall be completed in accordance with the specific requirements of the Town;
  - viii. an Urban Design Strategy shall be completed that, in addition to other requirements in this Plan related to compatibility and building orientation, demonstrates a high-level of design to ensure a positive image of the Town is exhibited where exposure to an arterial or collector road exists; and
  - ix. a comprehensive development master plan addressing the total gross floor area, location of buildings, parking, landscaping, pedestrian amenities, phasing and other site elements, shall be required when dealing with a development comprised of multiple buildings, irrespective of the proposed size and use of the buildings.
- y) A home occupation may only be operated as an accessory use within any main dwelling unit which is the primary residence of the person or individuals conducting the business or professional activity and shall not change the residential character of the neighbourhood, nor draw additional traffic into the residential area.
- z) A Bed and Breakfast establishment may only be operated in a single detached dwelling for temporary accommodation, and shall be subject to criteria in the Zoning By-law.
- aa) A Gateway Site, as identified as Special Policy Area 4 on Land Use Schedule "A-10", is proposed to be developed northwest of River Road West and Main Street/Ansley Road and, as such, shall be undertaken

in accordance with the policies in Section 22.5.1.4 and be consistent with the approved Downtown Urban Design Guidelines.

- bb) Any parkettes, pocket parks, or gateways shall be approved by the Town and have regard for the Downtown Urban Design Guidelines.

22.4.2.3 Exceptions

22.4.3 **The Beach**

22.4.3.1 Permitted Uses

Residential Uses

- Medium and High density residential uses above ground-floor commercial uses, or on side streets at-grade, shall be permitted including apartments, low-rise and high-rise apartment buildings; apartment hotels (buildings that have both residential and commercial components); multiple-attached dwellings and other similar medium and high density residential buildings.

Commercial Uses

- Commercial uses such as business and professional offices, personal services establishments, eating establishments, service and convenience retail, entertainment uses and other similar types of uses.
- Commercial and retail establishments which are destination oriented or are intended to serve the travelling public shall be permitted, including motels, hotels, gaming facilities, entertainment attractions/facilities, dinner theatres, restaurants, commercial recreation uses, clustered retail uses, food stores, drug stores, and personal service shops.

Community Uses

- Places of worship, neighbourhood community and cultural centres and institutional uses of similar scale shall be permitted with a land area not exceeding 2 hectares.
- Urban squares and parkettes.
- Uses accessory to any of the foregoing permitted uses.

22.4.3.2 Land Use and Built Form Policies

- a) The height, massing, orientation and layout of buildings shall promote the creation of a pedestrian-scaled environment and reinforce the character of the adjacent streets, and have regard to for the Downtown Urban Design Guidelines.

- b) Notwithstanding the policies of this Plan, within the Beach designation, short-term rentals within a residential use are permitted.
- c) Beach Drive should be redesigned in accordance with an approved Environmental Assessment. The intent is that Beach Drive will be designed as a pedestrian-focused flush-street that can be opened to vehicular traffic during peak visitation, for events, or during specific times of the day as needed and determined by Council.
- d) For lands having frontage on Beach Drive, Festival Square and Mosley Street (between Spruce Street and 3<sup>rd</sup> Street), no residential units shall be permitted at-grade.
- e) Residential units at grade are permitted between the area bounded by 3<sup>rd</sup> Street, 6<sup>th</sup> Street, Mosley Street and the beach, as well as along streets perpendicular to Beach Drive (exclusive of Festival Square) and east of Spruce Street, provided the ground floor residential units may be converted to commercial uses, the residential uses do not detract from the commercial character of the building, where applicable, and the density, height and character of the development is compatible with adjacent uses.
- f) Council may consider that 1st Street North and 2nd Street North be closed to vehicular traffic should land assembly occur. Should the roads be closed, pedestrian access in similar locations to 1st Street North and 2nd Street North shall be maintained through a development agreement or easement with the Town.
- g) The opportunity for a new pedestrian overpass over the Nottawasaga River, should be investigated to connect 2nd Street North and Access Road/River Avenue Crescent to provide a direct link into the Beach Area.
- h) For development and redevelopment applications along Beach Drive, the Town shall require the conveyance of lands along the road edge, to accommodate a pedestrian walkway, linear park, trail or any additional lands that the Town deems reasonable to connect to the trail system and improve public access and the active transportation network. The nature and configuration of the conveyance will be determined on a site specific basis.
- i) New mixed use developments shall be subject to Site Plan Control and the following criteria:
  - i. the density, height and character of the development shall be compatible with adjacent uses;
  - ii. the height and massing of the buildings at the edge of the development shall have regard to the height and massing of the buildings of any adjacent use and may be subject to additional

setbacks, height restrictions, or landscaping to provide an appropriate transition;

- iii. the development shall be encouraged to have direct access to an Arterial or Collector road, where possible and appropriate;
  - iv. the watermains and sanitary sewers shall be capable of accommodating the development, or the proponent shall commit to upgrading services at no cost to the Town;
  - v. the development is adequately serviced by parks and school facilities;
  - vi. the development shall be designed and landscaped, and buffering shall be provided to ensure that the visual impact of the development on adjacent uses is minimized;
  - vii. all required parking shall be provided on the site. Cash-in-lieu of required parking shall be considered by the Town if required parking cannot be feasibly provided on site;
  - viii. in developments incorporating small-scale apartments and similar medium profile residential buildings, on-site recreational facilities or amenities such as private open space or playground equipment may be required; and
  - ix. a report demonstrating the adequacy of the road network to accommodate the expected traffic flows, and the adequacy of water and sewer services may be required to be prepared by the proponent and approved by the Town.
- j) The form and design of new development shall complement any significant features such as the waterfront and squares or parks that form part of, or are located adjacent to, the site.
  - k) To the extent feasible, existing trees of desirable species shall be retained and incorporated into the landscaping plans for new development.
  - l) To the extent feasible, new development shall minimize the obstruction of views of natural features and landmarks.
  - m) The relocation or replacement of incompatible land uses and the redevelopment of derelict properties shall be encouraged.
  - n) A coordinated approach shall be taken to the planning and design of streetscape improvements in commercial areas, including the upgrading of building facades, signage, sidewalks, lighting, parking areas and landscaping.



- o) In pedestrian traffic areas, new development shall include street oriented features that provide for the enhancement of the pedestrian environment, such as canopies, awnings, landscaped setbacks and sitting areas.
- p) The design and positioning of new buildings shall have regard for the impact of the proposed development on year-round sunlight conditions on adjacent properties and streets in accordance with the Downtown Urban Design Guidelines. In reviewing proposed developments, access to sunlight for adjacent properties shall be maximized to enhance the potential for energy conservation and the amenity of residential areas and parks and open space areas, such as parkettes and outdoor plazas. The Town shall require Shadow Studies to determine potential impact on adjacent uses, amenity areas, and public streets.
- q) Landscaping shall be used to conserve energy and water, enhance the appearance of building setback and yard areas, and contribute to the blending of new and existing development and screen parking, loading, garbage and service facilities from adjacent properties and streets.
- r) Where a proposed development consists of a new group, or within an existing group, of buildings, the buildings shall be positioned in a way to define functional and secure pedestrian spaces and be oriented to the local street.
- s) Parking and loading facilities and driveways shall be located and designed to facilitate maneuverability on site, between adjacent sites where appropriate, and to reduce the traffic flow disruption resulting from turning movements to and from the property.
- t) To the extent feasible, the design and positioning of new buildings shall minimize the loss of privacy for adjacent residential properties.
- u) Residential developments shall provide, or be in proximity to, an appropriately sized outdoor children's play area that is safely accessible from all units in the development.
- v) A Festival Square, as identified as Special Policy Area 1 on Land Use Schedule "A-10", may developed in the vicinity of the Main Street Pedestrian Mall between Mosley Street and Beach Drive and, as such, shall be undertaken in accordance with the policies in Section 22.5.1.1 and should have regard for the Downtown Urban Design Guidelines.
- w) Where residential development is affected by adverse noise conditions, the use of urban design features such as building orientation, location of outdoor open space relative to the noise sources and noise attenuation measures shall be encouraged.

- x) To encourage the reduction, re-use and recycling of waste, new development shall incorporate waste handling, recycling and, where feasible, composting, facilities into their site design.
- y) New developments shall be designed to minimize energy and water use and where feasible, to provide for the conservation of building materials through re-use, recycling and renovation.
- z) New developments should respect the significance of cultural heritage resources, including but not limited to the Nancy Island Historic Site and Beck Square, through sensitive urban design

#### 22.4.3.3 Exceptions

### 22.4.4 **Neighbourhood**

#### 22.4.4.1 Permitted Uses

##### Residential Uses

- a) Low-density residential uses.
- b) Attached accessory dwelling units.
- c) A home occupation in a dwelling unit.
- d) Medium density residential uses shall be permitted including triplex dwellings, fourplex dwellings, row or block or stacked or back-to-back townhouse dwellings, converted dwellings containing more than two dwelling units, and low-rise apartments.
- e) Existing single detached dwellings may be converted to multiple dwelling units or to commercial buildings provided the external design of the building does not substantially change.
- f) Bed and breakfast establishments.
- g) Special needs housing, senior citizens' homes or similar housing facilities for senior citizens including nursing homes shall be permitted to develop.
- h) Groups homes.

##### **Commercial Uses**

- a) Neighbourhood commercial uses such as convenience stores, personal service establishments, and other similar convenience commercial uses that serve the day-to-day needs of the neighbourhood.

## **Community Uses**

- a) Elementary schools and day care centres.
- b) Places of worship, neighbourhood community and cultural centres and other institutional uses of similar scale.
- c) Parks and open spaces
- d) Uses accessory to any of the foregoing uses.

### **22.4.4.2 Land Uses and Built Form Policies**

- a) The form and design of new development shall complement any significant natural features that form part of, or are located adjacent to, the site.
- b) To the extent feasible, existing trees of desirable species shall be retained and incorporated into the landscaping plans for new development.
- c) To the extent feasible, new development shall minimize the obstruction of views of natural features and landmarks.
- d) Emphasis shall be placed on the promotion of a high standard of design for new buildings in accordance with the policies of this Plan and the Downtown Urban Design Guidelines.
- e) The massing and conceptual design of new development shall provide for continuity and harmony in architectural style with adjacent uses which have a distinctive and attractive visual identity or which are recognized as being of cultural heritage value or interest.
- f) The relocation or replacement of incompatible land uses and the redevelopment of derelict properties shall be encouraged.
- g) A coordinated approach shall be taken to the planning and design of streetscape improvements, including building facades, signage, sidewalks, lighting, parking areas and landscaping.
- h) In pedestrian traffic areas, new development shall include street oriented features that provide for the enhancement of the pedestrian environment, such as canopies, awnings, landscaped setbacks and sitting areas.
- i) The design and positioning of new buildings shall have regard for the impact of the proposed development on year-round sunlight conditions on adjacent properties and streets. In reviewing proposed developments, access to sunlight for adjacent properties shall be maximized to enhance the potential for energy conservation and the

amenity of residential areas and parks and open space areas, such as parkettes and outdoor plazas.

- j) Landscaping shall be used to conserve energy and water, enhance the appearance of building setback and yard areas, and contribute to the blending of new and existing development and screen parking, loading, garbage and service facilities from adjacent properties and streets.
- k) Where a proposed development consists of a grouping of buildings, the buildings shall be positioned to define usable and secure parks and open space areas on the site and to afford a reasonable measure of privacy to individual dwelling units.
- l) The design of new buildings shall facilitate access and use for all individuals and groups.
- m) Parking and loading facilities and driveways shall be located and designed to facilitate maneuverability on site, between adjacent sites where appropriate, and to reduce the traffic flow disruption resulting from turning movements to and from the property.
- n) To the extent feasible, the design and positioning of new buildings shall minimize the loss of privacy for adjacent residential properties.
- o) To encourage the reduction, re-use and recycling of waste, new development shall incorporate waste handling, composting and recycling facilities into their site design.
- p) New developments shall be designed to minimize energy and water use and where feasible, to provide for the conservation of building materials through re-use, recycling and renovation.

#### Residential Uses

- q) Medium density residential uses shall be subject to the following criteria:
  - a. the density, height and character of the development shall be compatible with adjacent uses;
  - b. the height and massing of the buildings at the edge of the medium density residential development shall have regard to the height and massing of the buildings in any adjacent low/medium density residential area and may be subject to additional setbacks, height restrictions, or landscaping to provide an appropriate transition;
  - c. the development shall be required to front on or have direct access to an Arterial or Collector road;

- d. the watermain and sanitary sewers shall be capable of accommodating the development, or the proponent shall commit to upgrading services at no cost to the Town;
  - e. the development is adequately serviced by parks and school facilities;
  - f. the development shall be designed and landscaped, and buffering shall be provided to ensure that the visual impact of the development on adjacent uses is minimized;
  - g. all required parking shall be provided on the site, and cash-in-lieu of required parking shall not be accepted by the Town;
  - h. in developments incorporating small-scale apartments, block townhouse dwellings and similar medium profile residential buildings, on-site recreational facilities or amenities such as private open space or playground equipment may be required;
  - i. except for a triplex dwelling, fourplex dwelling or other similar medium density residential developments, a report on the adequacy of the road network to accommodate the expected traffic flows, and the adequacy of water and sewer services may be required to be prepared by the proponent and approved by the Town; and
  - j. medium density residential uses shall be subject to site plan control.
- r) Where residential development is affected by adverse noise conditions, the use of urban design features such as building orientation, location of outdoor open space relative to the noise sources and noise attenuation measures shall be encouraged.
- s) A home occupation may only be operated as an accessory use within any main dwelling unit which is the primary residence of the person or individuals conducting the business or professional activity and shall not change the residential character of the neighbourhood, nor draw additional traffic into the residential area.
- t) A Bed and Breakfast establishment may only be operated in a single detached dwelling for temporary accommodation, and shall be subject to criteria in the Zoning By-law

#### Neighbourhood Commercial Uses

- u) Neighbourhood commercial uses shall be subject to the following criteria:

- i. no more than one commercial structure or building shall be permitted on any site or in any one location, and the gross floor area of the commercial use shall generally not exceed 500 square metres;
- ii. the building height shall be limited to one storey unless residential apartments are located on the upper floor(s), in which case the maximum building height shall be compatible with the surrounding residential uses;
- iii. landscaping, fencing, berming and other screening shall be provided adjacent to residential land uses where appropriate;
- iv. all required parking shall be provided on the site, and cash-in-lieu of required parking shall not be accepted by the Town;
- v. driveway access shall be approved by the Town;
- vi. the commercial use shall be located on an Arterial or Collector roads, and shall not be located mid-block within a residential area;
- vii. the commercial use shall be subject to a zoning by-law amendment; and
- viii. the use shall be subject to site plan control.

#### Community Uses

v) Community uses shall be subject to the following criteria:

- i. the use shall have direct access to an Arterial or Collector road;
- ii. the use shall have an overall site area of up to a maximum of 2 hectares;
- iii. the density, height and character of the development shall be compatible with adjacent uses;
- iv. the watermains and sanitary sewers shall be capable of accommodating the development, or the proponent shall commit to upgrading services at no cost to the Town;
- v. the development shall be designed and landscaped, and buffering shall be provided to ensure that the visual impact of the development on adjacent uses is minimized;
- vi. all required parking shall be provided on the site, and cash-in-lieu of required parking shall not be accepted by the Town;
- vii. demonstration that the transportation system is capable of accommodating the increased traffic to the Town's satisfaction;

viii. the use shall be subject to site plan approval.

22.4.4.3 Exceptions

22.5 **IMPLEMENTATION**

Where the policies of this Section 22 of this Plan conflict with other policies in the Plan, the policies of Section 22 shall prevail

22.5.1 **Special Policy Areas**

22.5.1.1 Festival Square

1. A Festival Square, as identified as Special Policy Area 1 on Land Use Schedule “A-10”, may be developed in the vicinity of the Main Street Pedestrian Mall between Mosley Street and Beach Drive and should have regard for the Downtown Urban Design Guidelines.
2. Festival Square will be a public urban space that serves as the focal point for activity in the Beach District.
3. Development in proximity or adjacent to Festival Square shall be designed to maximize views of the water while framing and defining the boundaries of the urban space. The design of Festival Square should ensure that its widest view be achieved closest to the water and that this vista is visible from Mosley Street Bridge as it fans out to the water.
4. For lands having frontage on Festival Square, development shall strive to achieve 100% of the building frontage in a continuous manner, with the building edge located directly at the lot line.
5. On streets that flank Festival Square including Mosley Street and Beach Drive, 50% of the building’s frontage should be occupied by a continuous building frontage.
6. The Town may consider acquiring, holding and disposing of land through purchase, dedication/conveyance, land exchange, expropriation, or other means, at market-value, and may use such land for the development of different facilities, including open space/Town squares, civic infrastructure and various forms of transportation and mobility corridors for the benefits of the community and its residents, in accordance with applicable Provincial legislation, including the Municipal Act.

22.5.1.2 Town Square

- a) A Town Square, as identified as Special Policy Area 2 on Land Use Schedule “A-10”, may be developed southwest of Beck Street and Main Street and should have regard for the Downtown Urban Design Guidelines.

- b) The Town Square is intended to function as the main social gathering space for the Downtown Core.
- c) Buildings fronting onto the Town Square shall be constructed with high-quality architecture and urban design, and shall contain active and engaging ground floor uses.
- d) Public uses fronting on the Town Square are encouraged, and may form part of a hub of community-oriented uses and services.
- e) The Town may consider acquiring, holding and disposing of land through purchase, dedication/conveyance, land exchange, expropriation, or other means, at market-value, and may use such land for the development of different facilities, including open space/Town squares, civic infrastructure and various forms of transportation and mobility corridors for the benefits of the community and its residents, in accordance with applicable Provincial legislation, including the Municipal Act.

#### 22.5.1.3 Community Hub

- a) A Community Hub, as identified as Special Policy Area 3 on Land Use Schedule “A-10”, may be developed in the vicinity of Beck Street and Main Street.
- b) A Community Hub may function as a principal location for community services, arts, culture, and recreation. Public and community-oriented uses related to the Community Hub may be distributed within the vicinity in a campus-style format, in addition to the area southeast of Main Street and Beck Street.
- c) A Community Hub is intended to be a prominent building for the Downtown streetscape, by addressing the street frontage with active ground floor uses and high-quality design.

#### 22.5.1.4 Gateway Site

- a) A gateway site is identified as Special Policy Area 4 on Land Use Schedule “A-10”. Lands that are considered to be a key gateway to the Downtown are located at the northwest corner of the intersection of Main Street and River Road West.
- b) This site shall be designed in accordance with the approved Downtown Urban Design Guidelines in order to create street enclosure at the intersection and a welcoming entrance to the Downtown.
- c) Elements of site design shall include:
  - i) a higher level of architectural design excellence,



- ii) minimum building height and front setback requirements,
  - iii) appropriate built form to contribute to a high-quality public realm and streetscape,
  - iv) landscaping and signage.
- d) The gateway site should include the following features, which may be expanded or refined by the Town through Site Plan Control:
  - i) Ensuring that future building(s) are sited to create street enclosure at the intersection;
  - ii) Incorporation of a significant piece of public art;
  - iii) High quality landscaping and differentiated streetscape features; and
  - iv) Potential to incorporate an attractive pocket park.
- e) For the purpose of the policies of Section 22.5.1.4, the street lines dividing the property from Main Street shall be treated as the front lot line and the street line dividing the property from River Road West shall be treated as the exterior side lot line.
- f) Notwithstanding any other policy or guideline to the contrary, the development of the Special Policy Area 4 gateway site may include a vehicle fuel station, subject to the following criteria:
  - i) The vehicle fueling station and associated components (e.g. parking areas, drive aisles, fuel storage tank(s)) are contained entirely within the westerly half of the property. Such a use and all associated components shall be located no closer than approximately 95 metres from the point of intersection of the street lines of the property along River Road West and Main Street.
  - ii) The vehicle fueling station shall be designed such that the automotive-oriented components of the use (i.e., vehicle fueling station pumps and canopy) are oriented towards River Road West and that the visual prominence of those components as viewed from Main Street is reduced to the extent possible. Vehicle fueling station pumps and canopy shall be located no closer than approximately 35 metres from the nearest street line of the property along Main Street, and no closer than approximately 13 metres from the street line of the property along River Road West.
  - iii) Although Section 22.3.2 f), ii, prohibits parking between buildings and street lines, parking in Special Policy Area 4 may be

provided within the exterior side yard, and parking may encroach into the front yard of the property provided that no more than one parking space is located in the front yard.

- iv) The easterly half of the property, adjacent to the intersection of Main Street and River Road West, shall be preserved for development with other permitted use(s) and with a scale and design that recognizes the visual prominence of the easterly half of the property in conformity with all other appropriate policies of this plan.
- v) The proposed development shall be consistent with municipal engineering standards and provide for safe conveyance of vehicular traffic.
- vi) All development on the site shall demonstrate a high level of design excellence.
- vii) If a vehicle fuel station is to be developed in the westerly half of the property prior to the development of the easterly half of the property with other permitted use(s), the easterly half shall be developed on an interim basis with high quality landscaping and differentiated streetscape features, which provide publicly available amenities and street enclosure at the intersection.

## 22.5.2

### **Future Study Areas**

- a) Future Study Areas are proposed to ensure that planning is sensitive to local conditions within a specific area, and may be used to establish unique or more detailed land use policies or land use designations.
- b) Future study areas are intended to permit existing uses, while guiding lands for future development opportunities.
- c) A Future Study Area is identified for lands in the vicinity of the Marina on Land Use Plan Schedule “A-10” to this Plan, with the goal of optimizing the water-based recreational, tourism, and economic development opportunities associated with the marina use and adjacent and surrounding lands.
- d) Planning and development applications to change the land uses in the Future Study Area should be supported by the proponent, at their cost, through detailed studies and reports, which should include the following information:
  - i) A statement of the basis or rationale for the preparation of the detailed studies;

- ii) A description of the area under study and the role and relationship of the area to the Downtown and to the Town as a whole;
- iii) A description of the current land use, ownership, built and natural environment, and infrastructure in the area;
- iv) A statement of the desired land use arrangement for the area;
- v) Goals and objectives appropriate for the area including a statement of how they are in keeping with the Goals and Objectives in Section 22.2;
- vi) Concept plan(s) showing, where appropriate, the following:
  - a. land use designations of the desired type and pattern of development with due consideration to the Town's community design policies;
  - b. the nature and location of public facilities;
  - c. the desired transportation network for the area and its links to the existing transportation network of the Town;
  - d. the nature and location of municipal services including but not limited to sanitary sewage, stormwater management and potable water facilities;
  - e. the identification, protection and integration of significant cultural, built and Natural Heritage Features and Areas; and
  - f. the phasing of development and infrastructure.
  - g. Specific policies and strategies for achieving the goals and objectives established for the area that complement the policies of this Plan; and
  - h. Implementation measures to ensure the orderly delivery of the planned development.
- e) In order to provide the appropriate supporting and background information for planning and development applications within Future Study Areas, the Town may require the submission of detailed studies and reports at the cost of the proponent. These reports may include, but shall not be limited to:
  - i) A stormwater management study;
  - ii) An environmental impact assessment to determine environmental protection and natural heritage areas;

- iii) A natural hazards assessment;
- iv) A master servicing plan;
- v) A traffic impact analysis;
- vi) An urban design strategy;
- vii) A parks and open space study;
- viii) A community services and facilities study;
- ix) A cultural heritage and archaeological resource study; and
- x) A planning rationale report. The planning rationale report shall address the following:
  - a. The integration of proposed new development with the existing development;
  - b. The distribution of proposed land uses;
  - c. The range of housing styles and densities;
  - d. Commercial uses to service the residential and employment areas; and
  - e. Linkages between the residential and employment areas, parks, schools, recreational areas, and institutional facilities.
- f) The preparation of detailed studies shall account for any existing uses within the defined area boundary.

### 22.5.3

#### **Holding Zones**

- a) Holding zones may be incorporated into the Zoning By-law in order to achieve orderly development and ensure that policies established in this Plan have been met.
- b) The Town may place a holding symbol on the zone that prevents development from occurring until the Town is satisfied that certain conditions have been met, allowing the Town to indicate support for the development in principle, while identifying the need for additional actions prior to development proceeding.
- c) Specific actions or requirements for the lifting of the holding provision shall be set out in, or within an amendment to, the Town's Zoning By-law.

- d) Once the required conditions are met, a by-law removing the holding symbol shall be passed.
- e) Temporary uses may be considered on an interim basis as approved by the Town. These may include, but not be limited to, parking lots, food trucks, outdoor recreation, community gardens, markets and other special event space.
- f) These actions or requirements include, but are not necessarily limited to, the following:
  - i) The timing of the provision of municipal services;
  - ii) The phasing and logical progression of development;
  - iii) The provision of adequate service or road infrastructure and works;
  - iv) The required land assembly;
  - v) The installation of noise attenuation measures, where required;
  - vi) The completion and confirmation that environmental contamination remediation has occurred on site, or that satisfactory verification of suitable environmental site condition is received by the Town;
  - vii) The completion of the appropriate supporting study(ies) to the satisfaction of the Town, in consultation with other agencies, as required;
  - viii) Confirmation that the requisite permits and approvals from external authorities have been received;
  - ix) The completion of a development or the subdivision of land, including the negotiation of a development or subdivision agreement;
  - x) That site plan approval has been granted by the Town, and a site plan agreement has been entered into, pursuant to the provisions of the *Planning Act*;
  - xi) That the specific policies of this Plan have been complied with; and/or
  - xii) Additional actions or requirements may be identified in the Official Plan through a site-specific or general amendment, at the discretion of the Town.

#### 22.5.4

#### **Bonus/Density Increases**

- a) In accordance with the *Planning Act*, the Town may pass, at its sole discretion, a site-specific Zoning By-law amendment to authorize increases in the height and density of development above what is permitted in the Zoning By-law, in return for, which may include, but not be limited to, the following:
  - i) The provision of affordable or rental housing;
  - ii) The preservation of built or cultural heritage features;
  - iii) The provision of sustainable design features;
  - iv) The enhancement of Natural Heritage Features and Areas and their functions;
  - v) Parkland greater than that required by the Official Plan;
  - vi) The provision of community hubs or centres, day care facilities or other public service facilities;
  - vii) The provision of public urban open space on private development sites in the Downtown, including the waterfront;
  - viii) The provision of and/or contribution towards public parks and open spaces including Town squares (Festival Square and town Square)
  - ix) The enhancement of pedestrian and cycling infrastructure, such as the beachfront pedestrian promenade/boardwalks, bridges, riverwalks; and/or
  - x) Public art.
- b) Since no two development proposals are the same, the benefit of providing additional height or density provisions will be reviewed on a case-by-case basis to consider whether the overall benefit exceeds the costs associated with permitting a taller or larger building.
- c) Bonuses shall only be approved:
  - i) where the urban design of a site may accommodate additional density and height with no undue impact on adjacent properties;
  - ii) where the additional density and/or height is respectful of the existing character of the adjacent neighbourhood; and
  - iii) if the benefits and bonused density and/or height meet the objectives of the Official Plan.

- d) The following criteria shall be used to evaluate eligible benefits:
  - i) benefits shall remain in public control/ownership as part of ensuring their longevity.
  - ii) bonuses shall not be provided for that which is already required in this Plan.
  - iii) benefits shall be enduring. Buildings have long life spans and the resulting contribution shall have a long-term effect.
  - iv) benefits shall preferably remain on site or in close proximity to the site.
  - v) benefits shall have community support and respond to a real need.
  - vi) benefits shall fit with the priorities and interests of the Town.

#### 22.5.5

#### **Community Improvement**

- a) The Town may undertake community improvement planning activities in accordance with Section 19.19 of this Plan