



**GEORGINA**

# **KESWICK SECONDARY PLAN Office Consolidation**

August 24, 2018

As approved by the Region of York on  
September 23, 2004  
In force and effect on October 26, 2004

## **EXPLANATORY NOTE**

The Keswick Secondary Plan, being item No. 1 of Amendment No. 93 to the Official Plan for the Town of Georgina, was originally approved by the Region of York on October 5, 2004 and deemed to come into force on October 26, 2004.

This Office Consolidation of the Keswick Secondary Plan or Secondary Plan reflects the status of the Secondary Plan as of January 01, 2005 and incorporates approvals of deferred items by the Region of York and/or the Ontario Municipal Board since the original approval.

This Consolidation also reflects changes to the Secondary Plan made through Amendments that have been approved since the Region's original approval in 2004.

The Office Consolidation of the Keswick Secondary Plan is for information purposes only. The Regional Municipality of York Certificate Pages, the Ontario Municipal Board decisions and the approved copy of each Town of Georgina Amendment to the Keswick Secondary Plan is recommended for legal purposes. Copies of these documents are available from the Town of Georgina Planning and Building Department under separate cover.

**INCLUDED IN THIS CONSOLIDATION:**

-	Official Plan Amendment	106	July 28, 2009
-	Official Plan Amendment	113	April 13, 2012
-	Official Plan Amendment	116	July 4, 2012
-	Official Plan Amendment	118	March 27, 2013
-	Official Plan Amendment	121	May 17, 2013
-	Official Plan Amendment	125	September 10, 2013
-	Official Plan Amendment	128	April 8 , 2015
-	Removal of Deferral Area 2		November 3, 2015
-	Removal of Deferral Area 3		November 3, 2015
-	Official Plan Amendment	129	November 23, 2016
-	Official Plan Amendment	131	Tribunal Order August 24, 2018

**MATTERS DEFERRED FOR FURTHER CONSIDERATION:**

1. Lands described as Parts 1, 2 and 4 on Plan 65R-22164 and Part 1 on Plan 65R-2504 (known locally as Crates Marina) and shown as Deferral No. 1 on Schedule F1.
2. ~~The westerly boundaries of the Glenwoods Development Area and shown as Deferral No. 2 on Schedule F1.~~
3. ~~The property described as Part Lot 16, Concession 2 (NG) and shown as Deferral No. 3 on Schedule F1.~~
4. The “Greenlands System” land use designation of property described as Part of Lot 4, Concession 3 (NG) and shown as Deferral No. 4 on Schedule F1.

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## **SECTION 13.1 - THE KESWICK SECONDARY PLAN**

### **13.1.1 INTRODUCTION**

#### **13.1.1.1 Purpose**

- a) This Secondary Plan is the result of the required 5-year review of the previous Keswick Secondary Plan that was originally approved by the Ministry of Municipal Affairs on March 8, 1996.
- b) The community of Keswick is the largest urban community in the Town of Georgina. In the future, Keswick will continue to grow and to evolve into a well-balanced and attractive community. Opportunities for recreation, for shopping and for employment are expected to be enhanced as the planned residential neighbourhoods develop.
- c) The primary purpose of the Keswick Secondary Plan is to manage growth and development, ensuring a high quality of life for present and future residents. This Secondary Plan will achieve this purpose by ensuring future development includes a range of housing opportunities, parkland and recreational space, access to goods and services, enhanced natural features, and expanded employment opportunities.
- d) This Secondary Plan is a long-term strategy for managing change. The planning horizon is to the year 2023. However, as required by the Planning Act, this Secondary Plan will be reviewed every 5 years.
- e) Land use and development in Keswick shall be subject to the policies of this Secondary Plan, Schedules F1, F2, F3, F4 and F5, and the Urban Design Guidelines attached as Appendix A. While the Guidelines do not form part of this Secondary Plan, they are meant to guide the preparation of detailed development plans in accordance with the Town's goals and objectives for Keswick.

#### **13.1.1.2 Goals**

- a) The following goals are the foundation upon which the policies of this Secondary Plan are based:
  - (i) to provide an efficient, healthy, attractive, safe, pedestrian-oriented, accessible and barrier free community for the present and future residents of Keswick;
  - (ii) to promote and strengthen community identity;
  - (iii) to ensure that new *development* is *environmentally sustainable*;

- (iv) to ensure that new *development* is integrated with existing land uses in a logical, orderly and efficient manner;
- (v) to ensure that new *development* meets the needs of present and future residents of Keswick;
- (vi) to ensure that Keswick develops in a manner that promotes a competitive and adaptable economic environment that encourages investment and a diversity of employment opportunities; and,
- (vii) to protect the environment, including the land, air and water and the life it supports.

#### **13.1.1.3 Growth Management**

- a) By the year 2021, it is projected that Keswick will grow to approximately 38,700 residents and 13,700 jobs. It is expected that all of the forecasted population and employment growth can be accommodated within the Urban Service Area Boundary identified on Schedule F1.
- b) Fundamental to Keswick's long-term ability to accommodate projected growth, is the provision of appropriate municipal services, including sewage treatment facilities and an adequate water supply. The Town and Region of York will continue to monitor available sewage treatment and water supply capacity to ensure that adequate facilities are planned and built in concert with expected development activity.
- c) Planned Provincial highway infrastructure, including the construction of Highway 404 adjacent and to the east of Keswick, and the Bradford By-pass to the south, have the potential to enhance the area's accessibility and attractiveness as both a place to live and as a place to locate a business. With this potential in mind, subsequent reviews of this Secondary Plan will consider the Regional allocation of employment projections – both in terms of the amount and the type of employment - to Georgina, as well as the supply of land to accommodate additional employment opportunities.

#### **13.1.1.4 Community Structure**

- a) The long-term community structure of Keswick is expected to evolve based on well-designed residential neighbourhoods, focused on The Queensway as the connecting spine and Woodbine Avenue as the primary commercial/employment district. To achieve this structure, this Secondary Plan includes land use designations and policies based on the following five major community structural elements:

- (i) The Queensway Corridor;
- (ii) the Woodbine Avenue Commercial/Employment District;
- (iii) Neighbourhoods and Neighbourhood Centres;
- (iv) a Greenlands System; and,
- (v) the Street Pattern.

These structural elements all play a significant role in shaping Keswick's future growth and each of these is briefly described below.

#### **13.1.1.4.1 The Queensway Corridor**

- a) The Queensway Corridor, generally stretching from Ravenshoe Road north to Old Homestead Road, is a primary structuring element of Keswick. It includes three distinct centres designated on Schedule F1 as the Glenwoods Urban Centre, the Maskinonge Urban Centre and the Uptown Keswick Urban Centre. The interstitial areas along The Queensway that connect the Urban Centres are designated as Urban Corridors 1 and 2 on Schedule F1.
- b) Each of the three identified Urban Centres serve an important role in the community as follows:
  - (i) The Glenwoods Urban Centre functions predominantly as a retail and service commercial centre combined with some institutional/community uses and medium density residential development. The retail and service commercial role of this Centre is expected to be expanded over time, primarily through intensification and infill redevelopment;
  - (ii) The Maskinonge Urban Centre functions predominantly as a tourist oriented commercial area focused around the marina uses at the Maskinonge River. It is envisioned that this area will develop into a mixed use, tourist commercial and residential centre and serve as a community focal point of Keswick; and,
  - (iii) The Uptown Keswick Urban Centre functions predominantly as a retail and service commercial area. It is envisioned that this area will evolve into a centre containing a diverse array of specialized and boutique retail activities, restaurants, small-scale office and mixed use commercial/residential uses.
- c) It is the intent of this Secondary Plan to support and strengthen The Queensway

Corridor as an area of higher density, mixed use development. The Urban Centres will generally contain retail, service commercial, institutional/community and multi-unit residential uses, while the interstitial areas will generally accommodate higher density forms of housing. The higher density component of The Queensway provides the opportunity for larger numbers of residents to live in proximity to shops, work places and public transit services.

**13.1.1.4.2 The Woodbine Avenue Commercial/Employment District**

- a) The Woodbine Avenue Commercial/Employment District, located on the west side of Woodbine Avenue, is expected to continue to accommodate larger scale retail and other employment generating land uses. The nature and function of the Woodbine Avenue Commercial/Employment District is based on its accessibility attributes as well as the configuration of the current supply of vacant land, including some parcels suitable for large-scale development.
- b) It is the intent of the Town to ensure that ongoing development in this district is *compatible* with adjacent development, serves much of the commercial needs of Keswick and the broader community and provides sufficient opportunities for the location of office and prestige industrial development.

**13.1.1.4.3 Neighbourhoods and Neighbourhood Centres**

- a) Neighbourhoods are to be predominantly low density residential areas built around common focal points or Neighbourhood Centres. The Neighbourhood Centres should be within a walking distance of 5 to 10 minutes for most of the residents of the neighbourhood.
- b) In the Neighbourhood Centres, residents will be provided with day-to-day services such as a convenience store, elementary school, and/or a public park. It is expected that Neighbourhood Centres will also provide locations for medium density forms of housing. The proximity of all these opportunities will encourage residents to walk or cycle to the Neighbourhood Centre, resulting in a reduction of auto trips. It will also encourage a close-knit community by providing an opportunity for neighbours to meet and to interact.

**13.1.1.4.4 Greenlands System**

- a) A linked open space/greenlands system is also seen as a fundamental element of the urban structure of Keswick. Public recreation has evolved from taking place primarily in formal active recreation areas, to include activities undertaken in informal public spaces such as wooded areas, valley lands and other open space areas.
- b) The connection of all these elements and related activities into an open

space/greenlands system will expand the recreational opportunities available to residents. The overall greenlands system is identified on Schedule F1 and further detailed on Schedule F2 and is consistent with the Greenlands System of the Regional Official Plan.

- c) The greenlands system policies of this Secondary Plan are aimed at protecting and enhancing the natural features of Keswick. In a general sense, all planning decisions will consider environmental impacts on a sub-watershed basis. The Town will be assisted in their efforts to protect and enhance the environment by the Lake Simcoe Region Conservation Authority. Sub-watershed boundaries, and lands under the jurisdiction of the Conservation Authority are identified on Schedule F4.

#### **13.1.1.4.5 The Street Pattern**

- a) A grid arterial and collector street pattern that takes into account transportation needs, natural features and existing and proposed land uses, is proposed to provide the community with an efficient road network. The road plan for arterial and collector roads is shown on Schedule F3.
- b) The proposed local street pattern will be based on the arterial and collector roads, similar to that existing in the older neighbourhoods of Keswick. The local roads will have an interconnected street layout with multiple route choices to arterial and collector roads where transit routes and supporting retail facilities are most commonly located.

### 13.1.2 GENERAL LAND USE POLICIES

#### 13.1.2.1 Purpose

- a) The following policies have general applicability to the use and development of land within the Secondary Plan area.

#### 13.1.2.2 Community Design

- a) Urban Design Guidelines are attached to this Secondary Plan as Appendix A. The intent of the Urban Design Guidelines is to assist in the achievement of the Secondary Plan policies and to provide criteria for the evaluation of specific *development* applications, including applications for subdivision and site plan approval. The Urban Design Guidelines may be reviewed from time to time, and any further modifications shall conform to the Secondary Plan and shall be adopted by Council.
- b) To achieve excellent community design, the Town shall encourage the creation of landmarks and other distinctive elements or focal points for activities and events to help foster community identity and sense of place. In addition, the Town shall support *development* that:
  - (i) offers pedestrians and other users a high level of comfort, enjoyment and personal protection;
  - (ii) provides an integrated mix of uses, activities and experiences, including the provision of social and health facilities, arts, culture and recreation facilities and supports the provision of public transit;
  - (iii) is designed to fit its context by considering the mix of uses, and the massing, height, scale, architectural style and details of existing, adjacent buildings and structures; and,
  - (iv) establishes appropriate relationships between built and natural environments, which ensure that natural systems are protected and celebrate *significant* aspects of the natural and cultural landscape.
- c) In the review of *development* applications, the Town shall ensure consistency with the Urban Design Guidelines attached to this Secondary Plan as Appendix A, and shall ensure that the following general site development criteria are implemented:
  - (i) buildings shall be street-front oriented and provide direct street access for pedestrians;

- (ii) parking areas shall be sited to the side, rear or underground. However, where this is not feasible, Council may consider allowing parking within the front yard area;
  - (iii) land use compatibility between non-residential and residential buildings shall be achieved through appropriate siting, design and landscape treatment;
  - (iv) high quality landscape treatment shall be provided;
  - (v) building form and siting shall minimize the impacts of noise, wind and shadows and shall enhance views of landmark buildings, parks and open space;
  - (vi) loading areas, and outdoor and fully enclosed refuse collection areas shall be unobtrusive and screened and shall generally be located at the side or the rear of the building;
  - (vii) rooftop equipment shall be unobtrusive and screened from view;
  - (viii) no open storage is permitted except as permitted under the Zoning By-law. Where open storage is permitted, it shall be unobtrusive and screened, and shall generally be located at the side or the rear of the building;
  - (ix) common vehicular access and internal circulation including service lanes connecting abutting properties shall be provided wherever possible; and,
  - (x) the massing, siting and design of buildings at principle or highly visible locations such as 4-way or T-intersections shall incorporate special built form elements, enhancing the building's prominence as a focal point. *Significant* views along the street line, across open spaces or to focal points shall be required.
- d) The Town will promote building and site design that will reduce the incidence of crime through the implementation of Crime Prevention Through Environmental Design (CPTED) principles including natural surveillance, natural access control, territorial reinforcement and space assessment. The Town shall have regard for the principles of CPTED in their review of all *development* applications.
- e) The Town may require an Urban Design Report to accompany a *development* application. The purpose of the report will be to establish a set of guidelines that will provide general direction for the way in which new *development* is to be located, designed and developed within a specific area.

- f) The Town may require that Architectural Design Guidelines be prepared to accompany an Urban Design Report. The Guidelines will address the physical elements within the private realm that contribute to the development of character and a 'sense of place' for the community. The Guidelines will build upon the principles and concepts established in the Urban Design Report and will establish a common vision, providing the builders of the community with guidance to achieve that vision.

#### 13.1.2.3 Heritage Conservation and Archaeological Preservation

- a) It is the intent of the Town to protect cultural and archaeological resources by requiring the identification, restoration, protection and maintenance of cultural and archaeological resources. The Town, through the management of its heritage resources, seeks:
  - (i) the conservation of the Town's heritage resources by identifying, recognizing, preserving, protecting, improving and managing those resources, including the potential for their adaptive reuse;
  - (ii) the integration of the conservation of heritage resources into the Town's general planning approach; and,
  - (iii) the promotion of an understanding and appreciation of the heritage resources of the Town to both residents and visitors.
- b) Heritage conservation will be integrated into the *development* approval process by requiring the preparation of an Archaeological Assessment when a *development* proposal affects known archaeological resources or areas of archaeological potential. Archaeological Assessments shall be completed by qualified licensed archaeologists prior to *development* approval in accordance with Ministry of Culture technical conservation guidelines and Heritage Act Regulations.
- c) The Town, through the Georgina Heritage Committee, may examine buildings and sites with regard to the desirability and suitability for restoration, conservation and preservation purposes, and support initiatives, such as the creation of heritage resource information bases, comprehensive heritage site inventories and heritage master plans. The Town may consider areas within the municipality for future designation as Heritage Conservation Districts and may also designate buildings and structures of heritage significance under the Ontario Heritage Act.
- d) The Town shall consult with the Georgina Island First Nation and relevant government agencies, including the Ministry of Culture when an identified human cemetery, or a marked or unmarked human burial is affected by *development*. In such circumstances, the provisions of the Heritage Act and the Cemeteries Act shall



apply.

- e) The Town shall give consideration to the effects of municipal public works or similar municipal undertaking affecting buildings and features of historical significance. Consideration shall also be given to conserving *built heritage resources*, *cultural heritage resources* or other such resources that are under municipal ownership and/or stewardship.
- f) Incentives may be provided to land developers in exchange for the preservation of *significant cultural heritage resources*. This can be accomplished by permitting increased densities, density transfers and by providing assistance through a trust fund or other means considered appropriate, in exchange for heritage resource conservation.
- g) The Town will work with the Georgina Island First Nation and the community to identify *significant cultural heritage resources* that should be protected and conserved.
- h) In recognition of the importance of the fact that *cultural heritage resources* are tied most significantly to their original location, such resources shall be, wherever possible, incorporated into new *development* plans.

#### **13.1.2.4 Tree Conservation**

- a) It is the intent of the Town to protect and enhance tree cover throughout Keswick. The Town supports tree conservation by:
  - i) ensuring existing trees are protected during *development* as described in the section entitled "Town of Georgina, Tree Preservation for Subdivisions and Site Plans" within the Town of Georgina Development Design Criteria document;
  - ii) maximizing the number of trees that can be conserved or established on *development* sites;
  - iii) promoting the planting of trees in parks and suitable locations within Town road rights-of-way; and,
  - iv) encouraging *reforestation* and maintenance along watercourses and the lakeshore to reduce flooding and soil erosion, and to provide fish and *wildlife habitat*.
- b) Any *development* proposal on a site which includes a woodlot, hedgerow or trees may be required to include a Tree Preservation Plan prepared in accordance with

the provisions as set out in the Town of Georgina Development Design Criteria Document, as revised. Tree Preservation Plans shall be submitted at the consent to sever and/or the draft plan of subdivision stage, or at the site plan application stage, or as otherwise required by the Town.

- c) A Tree Preservation Plan shall be prepared by a qualified professional in the field of ecology or forestry and shall be approved by the Town. A Tree Preservation Plan shall identify the present conditions of the site and shall make recommendations on tree preservation in conjunction with the *development* proposed. A Tree Preservation Plan shall include the following information:
- (i) location of each tree exceeding 80 mm in diameter at 1.2 metres from ground elevation;
  - (ii) location and description of smaller trees or shrubs;
  - (iii) species of plant material including botanical and common name;
  - (iv) size of plant material (i.e. height, spread and caliper);
  - (v) crown of tree;
  - (vi) condition (state of health);
  - (vii) quality of tree with regard to species;
  - (viii) sensitivity of tree to *development*; and,
  - (ix) indicate whether the tree is to be retained or removed, with reasons if the tree is to be removed.
- d) In the consideration of *development* applications in which there is a net loss of trees, the Town will require this loss to be compensated by the developer with the replacement of trees in a location to be determined by the Town.
- e) The Town shall encourage *aided succession* or *reforestation* through the plantings of any cleared lands which are not proposed for *development* and which are not used for agricultural purposes.

**13.1.25 Conservation Authority Regulated Areas and Infiltration Areas**

- a) In general, the Town shall not permit new *development*, the expansion, reconstruction or replacement of existing non-conforming uses, the placement of fill or the alteration of watercourses within the area regulated by the Lake Simcoe Region Conservation Authority without the prior approval of the Conservation Authority and any other approval authorities having jurisdiction.
- b) Infiltration areas are identified for information purposes on Schedule F4. These areas have a high potential for replenishing the groundwater supply.
- c) Development that is proposed within an area identified as an infiltration area shall only be considered if it is demonstrated to the Town, in consultation with the relevant agencies, that the proposed development will have no detrimental effects on the quality and quantity of water which recharges the groundwater or aquifer. The Town may require a hydrogeology study to examine the potential impact of the proposal on the groundwater system.

**13.1.2.6 Housing**

- a) The Town shall encourage the provision of a full range of housing types and densities to meet the projected demographic and market requirements of current and future residents, recognizing that these requirements shall primarily be satisfied through residential development in Keswick, in accordance with the policies of this Secondary Plan.
- b) The Town will ensure an adequate housing supply in Keswick by:
  - (i) maintaining a ten year supply of lands that are designated for residential purposes;
  - (ii) maintaining at least a three year supply of undeveloped lots within plans of subdivision that have been draft approved or registered;
  - (iii) encouraging the provision of affordable housing opportunities;
  - (iv) providing for an adequate supply of serviced lands for residential purposes in a variety of locations;
  - (v) encouraging infilling and intensification through development of vacant or under-utilized lands or redevelopment of existing buildings;
  - (vi) providing for a diverse and innovative housing stock in terms of design, types, tenure, density and cost; and,

- (vii) adopting monitoring procedures to ensure that the housing supply objectives of this Secondary Plan are being met.

#### 13.1.2.7 Low Density Residential Development

- a) Low density residential uses shall include single detached, semi-detached and duplex dwelling units and accessory apartments. Low density residential development shall not exceed 11.0 units per *gross residential hectare*, unless otherwise specified in this Secondary Plan.
- b) To promote greater conservation of land and flexibility in the development of sites which are unique because of their special site configuration, topography, vegetation, location or access, alternative ground related building forms may be permitted provided the maximum gross residential density limit is not exceeded. Alternative ground related building forms shall include a tri-plex or multiple dwelling units joined by a common vertical wall(s) each with separate entrances, provided that no more than four dwelling units are contained in any one building.
- c) Notwithstanding the definition of *Gross Residential Land*, where *woodlands* are to be protected and preserved, and that land does not possess environmental characteristics which would otherwise preclude its development, such land shall be included within the meaning of *Gross Residential Land* for residential unit calculation purposes.

#### 13.1.2.8 Medium Density Residential Development

- a) Medium density residential uses shall include all forms of dwellings containing three or more dwelling units such as tri-plex and four-plex buildings, street and block townhouses and low-rise apartments. Medium density residential development shall generally be less than four storeys (or 12 metres, whichever is less) in height and shall not exceed 60 units per *net residential hectare*.
- b) New medium density residential *development* may be permitted subject to the following conditions:
  - (i) the site is within an Urban Corridor designation, an Urban Centre designation, the Tourist Commercial Area designation or is part of a Neighbourhood Centre;
  - (ii) the proposed *development* is *compatible*, and can be sensitively integrated with the surrounding land uses. Special measures, such as increased building setbacks, or landscaped buffer strips may be required in order to ensure sensitive integration;

- (iii) the site is adequate in size and configuration to accommodate on-site facilities and amenities;
- (iv) the transportation, utilities and service infrastructure can adequately serve the proposed *development*; and,
- (v) the community and neighbourhood amenities such as parks, open space, recreational facilities and institutional services, can adequately serve the proposed *development*.

#### 13.1.2.9 High Density Residential Development

- a) High density residential uses shall include all forms of multiple residential dwelling unit buildings having a density between 60 and 100 units per *net residential hectare*. High density residential development shall generally not exceed 6 storeys (or 18 metres, whichever is less) in height, unless otherwise specified in this Secondary Plan.
- b) New high density residential *development* may be permitted subject to the following conditions:
  - (i) the site is within an Urban Centre designation;
  - (ii) the proposed *development* is *compatible*, and can be sensitively integrated with the surrounding land uses. Special measures, such as increased building setbacks, or landscaped buffer strips may be required in order to ensure sensitive integration;
  - (iii) the site is adequate in size and configuration to accommodate on-site facilities and amenities;
  - (iv) the transportation, utilities and service infrastructure can adequately serve the proposed *development*; and,
  - (v) the community and neighbourhood amenities such as parks, open space, recreational facilities and institutional services, can adequately serve the proposed *development*.

#### 13.1.2.10 Accessory Apartments

- a) Accessory Apartments

An accessory apartment is an “accessory unit” which is a self-contained dwelling unit

supplemental to the primary residential use of the property. An accessory apartment must comply with the following policies:

- (i) an accessory apartment may only be permitted within a single detached, semi-detached and/or townhouse dwelling;
- (ii) an accessory apartment shall only be created and used in accordance with the zoning provisions as set out in the Zoning By-law, as amended. Furthermore, it is the intent of Council and this Plan that any deviation from the zoning provisions regulating accessory apartments shall not be permitted;
- (iii) the accessory apartment shall comply with the provisions contained in a Municipal Registration By-law;
- (iv) an accessory apartment shall comply with all applicable health and safety standards, including but not necessarily limited to those set out in the Ontario Building Code and Ontario Fire Code; and,
- (v) an accessory apartment shall comply with Ontario Regulation 179/06 under the Conservation Authority Act as they relate to development within lands affected by flooding, erosion, or located within hazardous lands;

#### **13.1.2.11 Special Needs Housing**

- a) Special Needs Housing includes *Group Homes, Lodging Houses, Halfway Houses, Homes for Special Care*, and all other types of residences licensed or funded under a federal or provincial statute for the accommodation of persons living under supervision in a single housekeeping unit and who, by reason of their emotional, mental, social or physical condition, require a group living arrangement for their well being.
- b) Special Needs Housing that is not a *Halfway House* and accommodates 8 or less occupants (not including staff) shall be permitted, subject to the provisions of the Zoning By-law and the satisfaction of the following criteria:
  - (i) the site is within a Neighbourhood Residential designation, an Urban Centre designation, an Urban Corridor designation or an institutional/Community designation;
  - (ii) Special Needs Housing of this scale shall not be permitted within 100 metres of another property containing any other Special Needs Housing;
  - (iii) the Ontario Building Code, as well as all applicable health and safety requirements, can be satisfied;

- (iv) any changes to a building resulting from the conversion to Special Needs Housing shall be in keeping with the physical form and character of the surrounding neighbourhood;
  - (v) municipal property maintenance standards and all other relevant municipal regulations and standards shall apply to the Special Needs Housing;
  - (vi) 3 on-site parking spaces, plus a minimum of 1 on-site parking space per non-resident staff member on duty, shall be required; and,
  - (vii) Special Needs Housing operators shall obtain a license in accordance with the requirements of the applicable authority.
- c) *Halfway Houses*, and other forms of Special Needs Housing that accommodate more than 8 occupants (not including staff), shall be permitted, subject to the provisions of the Zoning By-law and the satisfaction of the following criteria:
- (i) The site is within an Urban Centre designation, an Urban Corridor designation or an Institutional/Community designation;
  - (ii) Special Needs Housing of this scale shall not be permitted within 400 metres of another property containing any other Special Needs Housing;
  - (iii) the site is adjacent to and has direct access to an arterial or collector road;
  - (iv) the site is located with convenient access to community services and facilities;
  - (v) the lot size and configuration is sufficient to accommodate the building, required parking, green space and amenity areas;
  - (vi) the Ontario Building Code, as well as all applicable health and safety requirements, can be satisfied;
  - (vii) any changes to a building resulting from the conversion to Special Needs Housing shall be in keeping with the physical form and character of the surrounding neighbourhood;
  - (viii) municipal property maintenance standards and all other relevant municipal regulations and standards shall apply to the Special Needs Housing;
  - (ix) a minimum of 4 on-site parking spaces, plus 1 on-site parking space per non-resident staff member on duty, shall be required; and,

- (x) Special Needs Housing operators shall obtain a license in accordance with the requirements of the applicable authority.

**13.1.2.12 Uses Permitted in all Land Use Designations**

- a) The following uses are permitted in all land use designations, except where otherwise indicated within the specific policies of this Secondary Plan:
  - (i) Town or Region owned or operated buildings, facilities and uses;
  - (ii) hydro facilities, public utilities, and storm water management facilities;
  - (iii) fire stations, ambulance bases, police stations and similar emergency services facilities;
  - (iv) elementary schools, except in the Commercial/Employment Area and Tourist Commercial designations;
  - (v) secondary schools, except in the Tourist Commercial designation;
  - (vi) parks, open space, natural areas, conservation uses, pedestrian and bicycle routes and transit facilities; and,
  - (vii) buildings, structures and uses that are accessory to any permitted uses.

**13.1.2.13 Home Occupations**

- a) *Home Occupations* may be permitted in residences in accordance with the following provisions:
  - (i) the use is carried out entirely within the dwelling unit, and can be appropriately accommodated within a residential structure;
  - (ii) the use is clearly secondary to the primary use of the property as a residence, in terms of floor space utilization;
  - (iii) the property is the principal residence of the person carrying on the *Home Occupation* use;
  - (iv) no outside storage of goods, materials, equipment or service vehicles such as trailers and commercially licensed vehicles related to the *Home Occupation* use shall be permitted, except where permitted in accordance with the provisions of the Zoning By-law;



- (v) the activities associated with the *Home Occupation* use, including traffic generated and hours of operation, do not adversely affect the surrounding area;
- (vi) adequate water supply and sewage disposal facilities are available and the requirements of the Ontario Building Code are satisfied;
- (vii) solid waste beyond the volume normally generated by a household as defined by regional and provincial data is not permitted;
- (viii) compliance with on-site parking requirements and other provisions regulating *Home Occupations* in the Zoning By-law; and,
- (ix) a permit has been obtained from the Town to operate a *Home Occupation*.

**13.1.2.14 Development on an Assumed Public Highway**

- a) The erection of any building or structure on a lot which does not front on an assumed public highway, as defined in the Municipal Act, shall not be permitted, except where such erection is for:
  - (i) the extension, enlargement, replacement or reconstruction of an *existing* building or structure, including a building or structure destroyed by natural causes, or fire. The approval of the Lake Simcoe Region Conservation Authority is a prerequisite to reconstruction on lands susceptible to flooding;
  - (ii) a building or structure accessory to an existing permitted use; and,
  - (iii) a building or structure on a lot in a registered plan of subdivision where there exists a valid subdivision agreement and where the streets are not yet assumed.
- b) Notwithstanding the foregoing provisions, the erection of a building for a use permitted by this Secondary Plan, or conversion of a seasonal residence to a permanent residence on a lot which fronts on a public highway, but which is not assumed, will be considered by the Town with regard to the following:
  - i) the nature and cost of public works required to bring the road up to an assumable standard;
  - ii) the existing land use on the road, including the number of vacant lots and seasonal residences;

- iii) the location of the subject lot in respect to the intersection of the subject road and an assumed public highway; and,
- iv) whether the road is planned for assumption in the foreseeable future.

Having reviewed these matters, the Town may, through amendment of the Zoning By-law, permit the proposed construction or conversion if satisfied that the assumption of the subject road is not a necessary prerequisite to permitting the said construction or conversion and providing there is compliance with all other policies of this Secondary Plan.

- c) No new buildings or structures, nor conversions will be permitted on private rights-of-way, except where such buildings and structures are accessory to *existing* buildings or structures, or are a replacement of an *existing* building or structure or are part of a development governed by a site plan agreement or plan of condominium.

#### **13.1.2.15 Site Re-Use**

- a) Where there is evidence that a site may be contaminated due to the previous use of the property, the Town shall require that a Soils Study in accordance with provincial guidelines for the decommissioning and remediation of contaminated sites be submitted along with an application for *development*.
- b) *Development* of any contaminated site shall not be permitted until the site is decommissioned or remediated to the satisfaction of the Town and any other applicable approval authority.

#### **13.1.2.16 School Policies**

- a) Existing and proposed elementary and secondary school site locations are shown symbolically on Schedule F1.
- b) The proposed school site locations may be modified or relocated within designations where schools are permitted by the respective School Boards in cooperation with the Town without Amendment to this Secondary Plan.
- c) Proposed school site locations shall be finalized at the time of approval of *Development Area Plans* by the York Catholic District School Board and the York Region District School Board in consultation with the Town, subject to the following:
  - (i) where appropriate, schools shall be linked to the broader greenlands system of Keswick;

- (ii) where appropriate, and subject to the approval of the Town of Georgina and/or Regional Municipality of York, lay-by lanes may be provided within the design of roads abutting school sites;
  - (iii) safe and convenient access routes shall be planned between the school and surrounding residential areas and in close proximity to existing and planned transit routes; and,
  - (iv) shared use facilities for joint schools and for joint school and recreation facilities shall be permitted. Shared facilities with another use will also be considered.
- d) Where an identified school site is not required by either School Board, the land which has been identified for school purposes may be used for other uses permitted within the underlying designation, without Amendment to this Secondary Plan.

### 13.1.3 LAND USE DESIGNATIONS AND POLICIES

#### 13.1.3.1 Neighbourhood Residential

##### 13.1.3.1.1 Policies for Neighbourhood Residential

- a) It is the intent of the Town to promote well-designed and attractive residential neighbourhoods throughout Keswick. Neighbourhoods will include an appropriate range and mix of housing types, parks and open space features and an array of community facilities. The Neighbourhood Residential designation will include provisions for the establishment of Neighbourhood Centres.
- b) Within the Neighbourhood Residential designation, the following uses are permitted:
  - (i) low density residential uses;
  - (ii) special needs housing, with the exception of *Halfway Houses* and other forms of special needs housing that accommodate more than 8 occupants (not including staff); and,
  - (iii) Neighbourhood Centres.
- c) In addition to the permitted uses, local commercial uses (including convenience stores and personal service shops) and nursing homes and other institutional/community uses in existence prior to the adoption of this Secondary Plan are also permitted within the Neighbourhood Residential designation.
- d) Residential development approved in site specific Official Plan Amendments, or in draft plans of subdivision approved by the Town or the Region prior to the adoption of this Secondary Plan are also permitted within the Neighbourhood Residential designation.
- e) A mix of low density housing types shall be distributed throughout the Neighbourhood Residential designation.
- f) Residential *development* shall be *compatible* with existing adjacent residential areas in terms of orientation, privacy, landscaping, shadow casting, and visual impact.
- g) All *development* within the Neighbourhood Residential designation shall be consistent with the Urban Design Guidelines attached to this Secondary Plan as Appendix A.

##### 13.1.3.1.2 Policies for Neighbourhood Centres

- a) It is the intent of the Town to identify locations for the establishment of Neighbourhood Centres where medium density forms of housing as well as convenience retail, institutional, community and open space facilities may be concentrated. The number and location of Neighbourhood Centres shall be identified through the preparation of *Development Area Plans*, and confirmed through the implementing Zoning By-law, or where lands are not within a Development Area, Neighbourhood Centres shall be determined during the plan of subdivision approval process.
- b) Neighbourhood Centres shall be centrally located in an area designated Neighbourhood Residential. Neighbourhood Centres are not specifically identified on the Schedules of this Secondary Plan. Generally, a Neighbourhood Centre shall:
  - (i) be located at an intersection, where at least one road is a collector or arterial; and,
  - (ii) be within a walking distance of 5 to 10 minutes for most of the residents of the neighbourhood; and,
  - (iii) be generally located within a walking distance of no more than 500 metres of a public transit stop.
- c) Within a Neighbourhood Centre, medium density residential of up to 60 units per net hectare is permitted. In addition to the residential uses permitted within a Neighbourhood Centre, at least one of the following additional land uses shall be required to be located within a Neighbourhood Centre:
  - (i) one local convenience retail store use up to 190 square metres of non-residential gross floor area per Neighbourhood Centre. Apartment units may be permitted above the ground floor at the rear or side of the local convenience store; and,
  - (ii) institutional and community uses which provide services to the neighbourhood, with the exception of *Halfway Houses* and other forms of special needs housing that accommodate more than 8 occupants (not including staff).
- d) Places of amusement, as defined in the Zoning By-law, and *drive-through facilities* shall not be permitted in any Neighbourhood Centre.
- e) The maximum height of any building within a Neighbourhood Centre shall be four storeys (or 12 metres, whichever is less).
- f) The mix of uses in a Neighbourhood Centre shall be *compatible* and sensitively

integrated with the surrounding residential uses in terms of building mass, height, setbacks, orientation, privacy, landscaping, shadow casting, accessibility and visual impact.

- g) Neighbourhood Centres shall, wherever possible, be linked to the broader greenlands system of Keswick.

### **13.1.3.2 Urban Centres**

#### **13.1.3.2.1 Policies for All Urban Centres**

- a) It is the intent of the Town to promote the appropriate development of the three Urban Centres located along The Queensway. These Urban Centres are key components of the community structure and will, over time, provide opportunities to create a distinct character for Keswick. The locations of the three Urban Centres are shown on Schedule F1.
- b) *Development* in Urban Centres shall be *compatible* and sensitively integrated with the surrounding land uses in terms of building mass, height, setbacks, orientation, privacy, landscaping, shadow casting, accessibility and visual impact.
- c) All new *development* within the Urban Centres shall be consistent with the Urban Design Guidelines attached to this Secondary Plan as Appendix A.
- d) Urban Centres shall develop as mixed use districts. The mix of uses can take the form of one or more mixed use buildings on a site or two or more different, single use buildings on a site. While single use developments are not encouraged, they may be considered where mixed use developments are not feasible.
- e) Higher density uses and taller buildings shall generally be located adjacent to arterial roads.
- f) Buildings shall be located as close to the streetline as possible in order to facilitate pedestrian access.
- g) Parking areas shall be located to the rear of, or at the sides of, the building. However, where this is not feasible Council may consider allowing parking within the front yard area.
- h) Retail and service commercial uses shall be the primary activity on the ground floor of mixed use buildings with residential or other commercial/office uses occupying upper storeys.
- i) Parking for residential and commercial uses shall be provided on-site. However, the

Town shall consider reduced parking standards within the Urban Centres based on shared parking, municipally supplied parking, and/or on-street parking.

- j) Development shall be discouraged on an individual lot basis. Preference will be given to more comprehensive proposals that include two or more lots.
- k) New vehicular access from The Queensway to individual sites shall be discouraged. Shared access shall be preferred.

**13.1.3.2.2 The Glenwoods Urban Centre**

- a) It is the intent of the Town that the Glenwoods Urban Centre shall function primarily as a retail/commercial area along with medium and high density residential development. All new *development* within the Glenwoods Urban Centre will be of high design quality, establishing and enhancing the character and image of Keswick.
- b) Within the Glenwoods Urban Centre, the following uses are permitted:
  - (i) medium and high density residential uses;
  - (ii) retail and service commercial uses;
  - (iii) business and professional offices;
  - (iv) automobile oriented commercial uses;
  - (v) institutional and community uses; and,
  - (vi) special needs housing.
- c) *Development* shall have a maximum height of six storeys (or 18 metres, whichever is less). A two storey minimum height for new *development* is required to maximize the efficient use of land. However, where this is not feasible, Council may consider one-storey developments.
- d) The maximum density of new *development* shall be a *Floor Area Ratio* of 2.0.

13.1.3.2.3            **The Maskinonge Urban Centre**

- a)        It is the intent of the Town that the primary function of the Maskinonge Urban Centre evolve as a tourist based, mixed use area focusing on the marinas and boating facilities of Lake Simcoe and the Maskinonge River. It is expected that this Urban Centre will consist of an array of smaller scale retail and service commercial uses, tourist/recreational uses, public facilities and higher density forms of housing. All new *development* within the Maskinonge Urban Centre shall be of high design quality, establishing and enhancing the character and image of Keswick.
  
- b)        Within the Maskinonge Urban Centre, the following uses are permitted:
  - (i)        low, medium and high density residential uses;
  - (ii)       retail and service commercial uses;
  - (iii)      marinas, and other tourist commercial uses;
  - (iv)      business and professional offices;
  - (v)       institutional and community uses;
  - (vi)      automobile oriented commercial uses such as mechanical garages and service stations, but not including automotive body shops; and,
  - (vii)     special needs housing.
  
- c)        *Waterfront development* shall take into consideration the environmental significance and sensitivity of the waterfront areas – the Lake Simcoe shoreline and the Maskinonge River shoreline – and enhance the natural waterfront environment in accordance with approval agency requirements including those of the Ministry of Natural Resources, the Conservation Authority, and York Region.
  
- d)        New *development* within the Maskinonge Urban Centre will need to consider the development constraints associated with the regional storm *flood plain* and the policies of the Conservation Authority. The Town will work with the Conservation Authority to establish an appropriate development strategy to ensure the ongoing health and viability of this important Urban Centre within the Keswick community.
  
- e)        *Development* of waterfront properties shall include land and/or other opportunities to provide public access to the shoreline.
  
- f)        *Development* may have a maximum height of eight storeys (or 24 metres, whichever is less) on key gateway sites, as defined by the Town through a Community



Improvement Plan, where compatibility issues can be mitigated. All other sites shall have a maximum height of six storeys (or 18 metres, whichever is less). A two-storey minimum height for new development is required to maximize the efficient use of the land. However, where this is not feasible, Council may consider one-storey developments.

- g) The maximum density of new *development* shall be a *Floor Area Ratio* of 3.0.
- h) *Development* adjacent to the Lake shall be oriented to provide views through, to, and along the water's edge.
- i) The Maskinonge Urban Centre shall be identified as a priority Community Improvement Area. The Town shall prepare a Community Improvement Plan to:
  - (i) establish a comprehensive Urban Centre Plan incorporating urban design factors such as: key gateway sites, and the distribution of height and density and the integration methods among surrounding uses and Urban Centre uses;
  - (ii) confirm the extent of the flood zone and development limits in cooperation with the Lake Simcoe Region Conservation Authority. Consideration may be given to the establishment of a Special Policy Area in order to facilitate appropriate development;
  - (iii) identify a range of public sector improvements to the streetscape and public *open space* facilities; and,
  - (iv) establish a comprehensive implementation strategy, including a financial incentives program to assist the private sector in achieving the appropriate evolution of this Urban Centre.
- j) Notwithstanding Section i) above, the lack of a Community Improvement Plan shall not preclude the Town from considering and approving *development* applications on the basis of the policies of this Secondary Plan, in consultation with other applicable approval agencies.
- k) *Drive-through facilities* shall not be permitted in the Maskinonge Urban Centre.

#### **13.1.3.2.4 The Uptown Keswick Urban Centre**

- a) It is the intent of this Secondary Plan to facilitate the evolution of the Uptown Keswick Urban Centre as a mixed use area consisting of an array of smaller scale retail and service commercial uses, public facilities and higher density forms of housing. All new *development* within the Uptown Keswick Urban Centre shall be of

high design quality, establishing and enhancing the character and image of Keswick.

- b) Within the Uptown Keswick Urban Centre, the following uses are permitted:
  - (i) low, medium and high density residential uses;
  - (ii) retail and service commercial uses, excluding motor vehicle sales and service uses;
  - (iii) business and professional offices;
  - (iv) institutional and community uses; and,
  - (v) special needs housing.
- c) *Development* shall have a maximum height of six storeys (or 18 metres, whichever is less). A two storey minimum height for new *development* is required to maximize the efficient use of land. However, where this is not feasible, Council may consider one-storey developments.
- d) The maximum density of new *development* shall be a *Floor Area Ratio* of 3.0.
- e) The Uptown Keswick Urban Centre shall be identified as a priority Community Improvement Area. The Town shall prepare a Community Improvement Plan to:
  - (i) establish a comprehensive Urban Centre Plan incorporating urban design factors such as the distribution of height and density and the integration methods among surrounding uses and Urban Centre uses;
  - (ii) identify a range of public sector improvements to the streetscape and public *open space* facilities; and,
  - (iii) establish a comprehensive implementation strategy, including a financial incentives program, to assist the private sector in achieving the appropriate evolution of this Urban Centre.
- f) Notwithstanding Section e) above, the lack of a Community Improvement Plan shall not preclude the Town from considering and approving *development* applications on the basis of the policies of this Secondary Plan, in consultation with other applicable approval agencies.
- g) *Drive-through facilities* shall not be permitted in the Uptown Keswick Urban Centre.

### **13.1.3.3 Urban Corridors**

**13.1.3.3.1 Policies for All Urban Corridors**

- a) It is the intent of the Town that transit supportive and higher density forms of *development* will be concentrated in the interstitial areas that link the three Urban Centres located along The Queensway Corridor. All new *development* within the Urban Corridors shall be of high design quality, supporting transit and enhancing the image of Keswick.
- b) *Development* within the Urban Corridors designations shall be sensitively integrated with the surrounding land uses in terms of building mass, height, setbacks, orientation, privacy, landscaping, shadow casting, accessibility and visual impact.
- c) The maximum building height shall be four storeys (or 12 metres, whichever is less).
- d) The density of *development* shall be limited to a *Floor Area Ratio* of 2.0.
- e) Buildings shall be located as close to the streetline as possible in order to facilitate pedestrian access.
- f) Front yard parking will generally not be permitted. Parking areas shall generally be located to the rear of, or at the sides of, the building.
- g) *Development* shall be discouraged on an individual lot basis. Preference will be given to more comprehensive proposals that include two or more lots.
- h) New vehicular access from The Queensway to individual sites shall be discouraged. Shared access shall be preferred.
- i) All *development* within the Urban Corridor designations shall be consistent with the Urban Design Guidelines attached to this Secondary Plan as Appendix A.

**13.1.3.3.2 Permitted Uses in Urban Corridor 1**

- a) Within the Urban Corridor 1 designation, the following uses are permitted:
  - (i) low and medium density residential uses;
  - (ii) institutional and community uses;
  - (iii) commercial uses as permitted by the zoning in effect at the adoption of this Plan; and,
  - (iv) special needs housing.

**13.1.3.3.3 Permitted Uses in Urban Corridor 2**

- a) Within the Urban Corridor 2 designation, the following uses are permitted:
  - (i) low and medium density residential uses;
  - (ii) retail and service commercial uses;
  - (iii) business and professional offices;
  - (iv) institutional and community uses; and,
  - (v) special needs housing.

**13.1.3.4 Tourist Commercial**

- a) Within the Tourist Commercial designation the following uses are permitted:
  - (i) restaurants, hotels, motels, marinas, souvenir stores, boat sales and rentals, bait and tackle stores, other marine equipment sales such as windsurfing goods, and other similar tourist oriented commercial uses;
  - (ii) medium density residential development only as part of comprehensive tourist commercial/residential *development*.; and,
  - (iii) single detached dwelling containing a bed-and-breakfast use.
- b) Development shall be *compatible* with adjacent residential areas in terms of building mass, height, setbacks, orientation, privacy, landscaping, accessibility and shadow casting. All required parking shall be provided on-site.
- c) The Town may consider the redevelopment of an *existing* tourist commercial designation as an exclusive medium density residential development by amendment to this Secondary Plan. In considering such an Amendment, the Town shall consider and/or require the following:
  - (i) compatibility with the character and built form of adjacent land uses;
  - (ii) consistency with the applicable Urban Design Guidelines, attached to this Secondary Plan as Appendix A;
  - (iii) the provision of public areas and public access to the waterfront where the site abuts the shore of Lake Simcoe or the Maskinonge River;

- (iv) the availability of capacity in the water supply and sewage treatment plants to serve the proposed residential component of the development;
- (v) the capability of trunk watermains and sewers to serve the proposed development; and,
- (vi) the ability of the adjacent road network to accommodate the increased traffic generated by the proposed development.

**13.1.3.5 Commercial/Employment**

- a) It is the intent of the Town to provide an array of employment and retail shopping opportunities to support the growing population of Keswick and the Town in general. To achieve this, it is an objective of the Town to develop the lands designated Commercial / Employment as an attractive place to shop and establish a business.
- b) Within the Commercial/Employment designation, the following uses are permitted:
  - (i) retail and service commercial uses;
  - (ii) business and professional offices;
  - (iii) institutional and community uses;
  - (iv) industrial mall complexes and prestige industrial uses including any manufacturing or industrial use which is contained within a wholly enclosed structure and which is not an obnoxious use, with accessory office and associated retail.
  - (v) public and private recreation/community complexes including movie theatres, bowling alleys, athletic clubs and athletic facilities;
  - (vi) building supply outlets;
  - (vii) hotels and motels; and,
  - (viii) auto service stations and automobile dealerships, only in a campus setting.
- c) A high standard of building design and landscape treatment will be required within the Commercial/Employment designation, particularly when such developments are adjacent to residential neighbourhoods or arterial roads. All development and redevelopment shall be consistent with the Urban Design Guidelines attached to this Secondary Plan as Appendix A. This policy will be implemented through the

requirements of the Zoning By-law and through site plan control.

- d) The maximum building height within the Commercial/Employment designation shall be four storeys or 15 metres, whichever is less. Notwithstanding the height limit, mixed use office/commercial buildings or stand-alone office buildings may be permitted to a maximum of six storeys, or 22 metres, whichever is less, subject to appropriate integration with adjacent land uses.
- e) The density of *development* shall be limited to a *Floor Area Ratio* of 1.5. Notwithstanding the density limit, mixed use office/commercial buildings or stand-alone office buildings may be permitted to a maximum *Floor Area Ratio* of 2.5.
- f) All commercial and employment generating developments are intended to include a physically cohesive group of businesses designed in an integrated fashion with common internal traffic circulation. As such, direct vehicular access to Woodbine Avenue shall be discouraged, while shared access points with internal lanes connecting adjacent properties will be required.
- g) Convenient access for pedestrians and integration with pedestrian and bicycle paths will be required.
- h) All *development* shall incorporate adequate buffering to ensure compatibility between the proposed use, or mix of uses, and any adjacent residential land uses. The buffering requirement may be met using a combination of the following:
  - (i) control of the location of loading areas;
  - (ii) control of the location of garbage collection/storage facilities;
  - (iii) regulation of lighting and signs so that they are averted or shielded from adjacent uses;
  - (iv) rooftop equipment shall be unobtrusive and screened from view;
  - (v) provision of adequate screening such as solid or perforated fencing, trellises or other appropriate structures; and,
  - (vi) provision of high quality landscape treatment such as decorative fencing, trees, shrubs, grassed areas and berming.
- i) All necessary parking, loading, garbage collection/storage and other required facilities shall be provided on-site. Garbage collection/storage facilities shall be located within a fully enclosed building.

- j) Associated storage, where permitted, shall not be visible from roadways. Storage shall be screened, buffered, and landscaped or enclosed or interior to the site, excepting automobile display associated with car dealerships.

**13.1.3.6 Institutional/Community**

- a) It is the intent of the Town to ensure that Keswick is well served by a full array of institutional and community uses. The Institutional/Community designation recognizes the major existing public institutional and community uses.
- b) Within the Institutional/Community designation, the following uses are permitted:
  - (i) community uses, such as recreation centres, libraries and daycare facilities;
  - (ii) places of worship;
  - (iii) special needs housing;
  - (iv) cemeteries;
  - (v) health care facilities, nursing homes, private schools and child care facilities;
  - (vi) elementary and secondary schools; and,
  - (vii) retail and commercial uses ancillary to the other uses permitted in this Section.
- c) *Development* within the Institutional/Community designation shall be *compatible* and sensitively integrated with the surrounding land uses in terms of building mass, height, setbacks, orientation, privacy, landscaping, shadow casting, accessibility and visual impact.
- d) The maximum building height shall be four storeys (or 12 metres, whichever is less).
- e) The density of *development* shall be limited to a *Floor Area Ratio* of 2.0.
- f) Ancillary retail and commercial uses, where permitted, shall be located on the ground floor in mixed use buildings.
- g) Uses located within the Institutional/Community designation shall generally be located within a walking distance of no more than 500 metres of a public transit stop.

### 13.1.3.7 The Greenlands System

#### 13.1.3.7.1 General Policies for the Greenlands System

- a) It is the intent of the Town to establish an interconnected system of parks and environmental features throughout Keswick. This Greenlands System will incorporate various forms of public and private parkland, the valley systems of the Maskinonge River and its tributaries, the Lake Simcoe shoreline and various other natural features, open spaces and storm water management facilities. The Greenlands System is identified on Schedule F1. Further details related to the various components of the Greenlands System are provided on Schedule F2.
- b) The Greenlands System designation on Schedule F1 recognizes the primary lands in public and private ownership that provide opportunities for passive and active recreation and conservation activities. Some of these lands provide educational, cultural and ecological functions in association with other Greenlands System components.
- c) The boundaries of the Greenlands System identified on Schedules F1 and F2 are approximate. Specific delineation or clarification of the boundaries shall be undertaken when applications for *development* are received and/or through the preparation of *Development Area Plans*, where required. Boundary determination shall be in consultation with the conservation authority and be consistent with the Regional Greenlands System policies of the Regional Official Plan.

#### 13.1.3.7.2 Policies for Public and Private Open Space and Parks

- a) It is the intent of the Town to ensure the provision of high quality and diverse passive and active recreational and open space opportunities for the present and future residents of Keswick, as well as tourists and visitors. The Town will endeavour to:
  - (i) provide active and passive recreation opportunities;
  - (ii) provide, whenever possible, more opportunities for public access to the Lake;
  - (iii) support the provision of new recreational facilities that are conveniently located for the residents of Keswick;
  - (iv) develop a system of open space/greenways that combines a hierarchy of parks, natural features, playing fields, schools, and road links;
  - (v) encourage development that optimizes the provision of open space and



- increases access to the open space system; and,
- (vi) consider the establishment of a Lake Simcoe shoreline trail using existing roadways and public rights-of-way as a starting point.
- b) The Private Open Space component of the Greenlands system is identified on Schedule F2 and is primarily comprised of smaller waterfront properties which are owned and maintained by private beach associations. These waterfront properties provide access to the water for those residents in the surrounding neighbourhood who are members of the particular beach association.
- c) Within the Private Open Space component of the Greenlands System designation, the following uses are permitted:
- (i) active and passive recreational activities;
  - (ii) conservation uses; and,
  - (iii) ancillary recreational facilities.
- d) The Public Open Space and Parks component of the Greenlands System is identified on Schedule F2, and shall provide for a wide range of recreational pursuits, suitable for the current and future residents of Keswick. The location and configuration of proposed Public Open Space and Parks shall be determined at the time of specific *development* applications or through the preparation or review of *Development Area Plans*. Changes to the location or configuration of proposed Public Open Space and Parks may be permitted, subject to the approval of the Town, without Amendment to this Secondary Plan. Where the boundary or location of a proposed Park or Open Space area is adjusted, the abutting land use designation shall apply, provided the intent of this Secondary Plan is maintained.
- e) Within the Public Open Space and Parks component of the Greenlands System designation, the following uses are permitted:
- (i) active and passive recreational activities;
  - (ii) conservation uses;
  - (iii) community centres, arenas and recreation facilities;
  - (iv) retail commercial uses ancillary to the primary recreational use;
  - (v) public golf courses;

- (vi) pedestrian and bicycling trails; and,
  - (vii) other *compatible* special purpose uses.
- f) Policies for Community Parks include:
- (i) community parks shall be provided at the rate of 1.25 hectares per one thousand people;
  - (ii) recreational equipment such as play equipment and sport facilities (soccer/football fields, baseball diamonds and basketball courts) shall be provided within community parks;
  - (iii) community parks may be combined with school sites;
  - (iv) community parks should have a minimum size of 4.0 hectares; and,
  - (v) community parks may be acquired in accordance with the Parkland Acquisition policies of this Secondary Plan.
- g) Policies for Neighbourhood Parks include:
- (i) neighbourhood parks should be provided at the rate of 1.0 hectare per one thousand people;
  - (ii) neighbourhood parks should be located within 10 minutes walking distance of the majority of residences within the neighbourhood it is serving;
  - (iii) neighbourhood parks should have a minimum size of 1.5 hectares;
  - (iv) each neighbourhood park should include as a minimum, an open free play area, and climbing structures for children ages 2 to 10;
  - (v) neighbourhood parks may form part of a Neighbourhood Centre or be combined with schools; and,
  - (vi) neighbourhood parks should be linked, wherever possible, with the broader Greenlands System.
- h) Policies for Waterfront Parks include:
- (i) Waterfront Parks shall be designed to provide access for residents and tourists to the waterfront;

- (ii) any new *development* or redevelopment on the lakeshore shall provide opportunity for increased public access to the lake; and,
  - (iii) where possible, the Town shall acquire lands or easements to provide increased public access to the lake for the residents of Keswick and tourists.
- i) Where buildings and structures are permitted, they shall be designed so that the size, scale, construction materials and signage are *compatible* with adjacent uses and that rooftop equipment, waste management and loading areas are screened from view from abutting roads and adjacent residential uses.
- j) Development within the Public and Private *Open Space* and Parks components of the Greenlands System shall be designed to minimize impact on the natural environment and minimize disruption to surrounding existing land uses, particularly residential uses. In addition, the following shall apply:
  - (i) *woodlands* in parks and mature trees shall be protected, maintained, or enhanced where possible; and,
  - (ii) the placing and removal of fill, and site grading is not permitted, except for necessary site grading associated with the development of parks, trail systems and storm water/erosion control facilities as approved by the Town or the Conservation Authority.

**13.1.3.7.3 Policies for Environmental Protection Areas**

- a) It is the intent of the Town to protect and enhance *significant* environmental features and the Keswick greenlands system in general by:
  - (i) ensuring that development occurs in an *environmentally sustainable* manner;
  - (ii) integrating environmental features such as hedgerows, tree stands, and watercourses into the design of new developments;
  - (iii) requiring the protection of any identified vulnerable or endangered species and their habitats in Keswick;
  - (iv) preserving, promoting and enhancing natural linkages and *wildlife habitat*, and,
  - (v) encouraging private land owners to develop and manage existing *woodlands*.

- b) Schedule F2 identifies those components of the Greenlands System that are identified for Environmental Protection. The policies of this Section have been created to conserve, enhance and encourage the restoration of the quality and integrity of the *ecosystems* and natural processes. Furthermore, the Town, through its Environmental Advisory Committee, shall consider the preparation of a natural heritage inventory and comprehensive environmental protection strategy for the Keswick community. In this regard, tools such as those listed in Appendix B attached to this Secondary Plan, may be considered for the implementation of an environmental protection strategy.
- c) Any lands containing a *significant* environmental feature, function or attribute not identified as Environmental Protection Area on Schedule F2 or within the Greenlands System designation on Schedule F1 that is identified through subsequent study, will be subject to the Environmental Protection policies of this Secondary Plan.
- d) The permitted uses on lands designated Greenlands System and identified as an Environmental Protection Area shall be:
  - (i) conservation;
  - (ii) *sustainable* resource uses such as the management of forests, wildlife and fisheries;
  - (iii) passive recreation uses in locations that are *environmentally sustainable* such as trails, walkways and bicycle paths; and,
  - (iv) nature interpretation or education centres in *environmentally sustainable* locations;
- e) *Development* proposals (other than proposals for conservation and erosion protection works, docks, boathouses, accessory structures and minor additions or extensions to *existing* structures), adjacent to, and within 50 metres of any identified environmental feature, shall be accompanied by an Environmental Impact Statement, prepared in accordance with the policies of the Secondary Plan, demonstrating that there will be no *negative impact* on the environmental feature or the ecological functions for which the area is identified. *Development* that would have a *negative impact* on the natural features or the ecological functions for which the area is identified shall not be permitted.
- f) Where lands designated Greenlands System and identified as an Environmental Protection Area on Schedule F2 are under private ownership, it shall not be construed as implying that such areas are free and open to the public or will be

purchased by the Town or other public agency. Further, these lands shall not necessarily be acceptable as part of the parkland dedication for public park purposes as provided for in the Planning Act.

- g) The removal, modification or destruction of any environmental feature, function or linkage within the Environmental Protection Area designation shall not provide the rationale for removal of these lands from the Environmental Protection Area designation.
- h) Minor modifications or refinements to the boundaries of the Environmental Protection Area designation may occur through an Environmental Impact Statement prepared in accordance with the policies of this Secondary Plan.
- i) Where an Environmental Impact Statement recommends that minor modifications can be made to the boundary, and the Town, in consultation with applicable agencies, approves that recommendation, then the boundary can be refined without Amendment to this Secondary Plan. Refinements to boundaries may also occur through submissions of supporting environmental information for review by the Town, in consultation with applicable agencies, without Amendment to this Secondary Plan.

#### **13.1.3.7.4 Shoreline/Valley Land Overlay Policies**

- a) The intent of the Shoreline/Valley Land overlay designation is to recognize that much of the *flood plain* and Lake Simcoe shoreline areas within Keswick have already been developed with residential and commercial land uses. Notwithstanding this historic development, the underlying environmental sensitivity and the flooding hazards of these areas remain. The concept of an overlay designation is to add an additional layer of environmental policy to the underlying land use designation that recognizes the existing land uses.
- b) Within the regional storm *flood plain* and along the Lake Simcoe shoreline, as identified by the Shoreline/Valley Land overlay designation, no new *development* shall be permitted that is susceptible to flood damage or flood risk or which will cause *adverse effects* to *existing* upstream or downstream land uses except for the following, in accordance with Conservation Authority development policies:
  - (i) flood or erosion control structures;
  - (ii) utilities or infrastructure which by their nature must traverse watercourses;
  - (iii) recreational facilities which are of a passive, non-structural nature that do not adversely affect the ability of flood waters to pass; and,

- (iv) *existing* development may remain and be replaced if the replacement building is protected by appropriate flood proofing measures.
- c) *Development* within the Shoreline/Valley Land overlay designation may be permitted on the basis of the underlying land use designation, subject to approval of the Town and the Conservation Authority and in consideration of the following policies:
  - (i) no *development* shall be permitted within 15 metres from the top of bank of the Maskinonge River or 15 metres from the annual high water mark of the Lake Simcoe shoreline, whichever is greater, except for boathouses, docks, accessory structures and conservation and erosion protection works; and,
  - (ii) *development* proposed on lands within 30 metres of the shoreline or a watercourse shall require that appropriate work permits be obtained from the relevant provincial and federal agencies prior to any building or construction taking place.

Notwithstanding the above policies, the Town may, in cooperation with the Conservation Authority, pursue Special Policy Area status under the Planning Act within the Maskinonge Urban Centre in order to facilitate appropriate development.

- d) In the review of *development* applications within the area subject to the Shoreline/Valley Land overlay designation, the Town shall consider, in consultation with the appropriate agencies, the restoration of watercourses and shorelines to their natural state. Restoration measures will include the use of native plants and materials and buffer strips, where appropriate.
- e) On all lands adjacent to the Lake Simcoe Shoreline and the Maskinonge River and its tributaries the Town, in consultation with the Ministry of Natural Resources, the Conservation Authority and the Department of Fisheries and Oceans, shall ensure that *development* proposals enhance or have no harmful impacts on fish or their habitat.
- f) *Development* proposals near the Maskinonge River shall be designed with stormwater management facilities in accordance with the policies of Section 13.1.6.
- g) If the removal of topsoil or grading is required to facilitate a *development* proposal in proximity to the Lake Simcoe Shoreline or the Maskinonge River, the owner may be required to submit a report prepared by a qualified professional outlining potential effects on stream sediment loading, slope stability and erosion and any required impact mitigation to the satisfaction of the Town and the Conservation Authority and any other approval authorities having jurisdiction.

- h) In addition to meeting basic engineering requirements, erosion control structures should be designed to enhance habitat value of the shoreline.
- i) The Town shall encourage the restoration of channelized creeks, and the use of natural vegetation and buffer strips along the shoreline and watercourses to improve habitat value.
- j) The Town, in cooperation with the Conservation Authority, shall consider the establishment of an information and education program for all landowners, including public land owners, who own property within the Shoreline/Valley Land Overlay designation to promote improved environmental stewardship including:
  - (i) the planting of indigenous plant species;
  - (ii) the use of environmentally sensitive fertilizers and pesticides; and,
  - (iii) any other programs that would assist in enhancing the environmental quality of the Maskinonge River and Lake Simcoe Shoreline.

#### **13.1.3.8 Development Areas Overlay Policies**

- a) It is the intent of the Town to manage new *development* in an appropriate and comprehensive manner. The *Development Areas* overlay designation, as shown on Schedule F1, identifies the major areas of undeveloped land within Keswick. This overlay designation provides the Town with a process for evaluating proposed *development* against the policies of this Secondary Plan, as well as against the Urban Design Guidelines attached to this Secondary Plan as Appendix A, in a comprehensive manner.
- b) The majority of new low density residential *development* will occur in the Development Areas. These Development Areas incorporate some or all of the elements of the community structure principles. Specifically, they will contain new neighbourhoods and Neighbourhood Centres which are essential components of this Secondary Plan. As not all areas of Keswick are the same, the Development Areas have unique policies including different development densities.
- c) Before development applications will be considered, comprehensive Development Area Plans shall be prepared by the proponent of the *development* to the satisfaction of the Town, in consultation with the Region of York and, where appropriate, the Conservation Authority, for the following Development Areas as shown on Schedule F1:
  - (i) *Development Area 1 – Queensway West*;

- (ii) *Development Area 2 – Queensway East;*
  - (iii) *Development Area 3 – Glenwoods; and,*
  - (iv) *Development Area 4 – South Keswick.*
- d) The Town may require that existing approved Development Area Plans be reviewed and revised, as necessary, especially following the 5 year review of this Secondary Plan. Should the Town deem it appropriate that a *Development Area Plan* be reviewed, the processing of development applications within that *Development Area* may be suspended until such time as the review is completed.
- e) Prior to the preparation of a Development Area Plan, the Town shall confirm with the proponent the detailed requirements of the Plan. Development Area Plans shall conform to the policies of this Secondary Plan and include the following:
- (i) a Land Use Plan illustrating:
    - all arterial, collector and local roads;
    - the size, shape and location of all school and park blocks;
    - the size, shape and location of all storm water management facilities;
    - the size, shape, location and proposed uses for all other non-residential blocks;
    - the location of proposed residential uses, by type and density;
    - the location of the various elements of a Neighbourhood Centre or Centres;
    - the location and integration with various elements of an Urban Corridor or Urban Centre, if applicable; and,
    - all natural features and linkages;
  - (ii) a Land Use Summary Table indicating:
    - the area and percentage of land dedicated to each land use type;
    - the number of dwelling units proposed by type; and,
    - the anticipated population and density in units per hectare;
  - (iii) a Landscape and Open Space Plan detailing open space features and linkages to the Greenland System, Urban Corridors, Urban Centres, Neighbourhood Centres and the Commercial/Employment Areas, where applicable;
  - (iv) any Development Area which includes a woodlot, hedgerow or trees shall be accompanied by a Tree Preservation Plan in accordance with the provisions set out in the Town of Georgina Development Design Criteria Document, as revised, and the policies of this Secondary Plan;



- (v) an Environmental Impact Statement;
  - (vi) a Traffic Impact Study including trip generation and site access including the number and spacing of connections to the boundary road network, the number of trips generated by the Development Area, their impact on the road network within the Town and any remedial work necessary to accommodate the anticipated traffic. The study should also address the right-of-way and lane requirements required to accommodate the generated traffic on the arterial and collector road system, and required geometric upgrades to intersections; and,
  - (vii) a Functional Servicing Plan identifying sanitary and storm sewer requirements, municipal water supply and distribution needs, storm water management plans, road patterns, general grading requirements and delineation of the boundaries of the Greenlands System. The servicing plans/storm water management plans must include lands beyond the boundary of the Development Areas and may need to be completed on a watershed or sub watershed basis. The Functional Servicing Plan will be subject to the approval of the Town and any agency having jurisdiction; and,
  - (viii) an Urban Design Guidelines Report.
- f) Each of the Development Areas have individual attributes and constraints that will need to be considered in the preparation of the required Development Area Plans, as follows:
- (i) Development Area 1 – Queensway West shall develop with low density residential land uses. When preparing the design for development of the area, regard shall be given to ensure that the proposed lots are compatible with adjacent lot sizes and patterns. The proposed lots on the perimeter of the development area which abut larger existing lots shall generally have wider frontages than proposed lots within the interior of the development area. Issues related to the nature and extent of the environmental feature bisecting the area will need to be considered. The maximum density in Queensway West shall be 11.0 units per *gross residential hectare*.
  - (ii) Development Area 2 – Queensway East will develop primarily with low density residential land uses. The maximum density in Queensway East shall be 11.0 units per *gross residential hectare*.
  - (iii) Development Area 3 – Glenwoods will need to refine the boundary of the environmental feature, and has road access issues. It is expected to be a

primarily residential area. The maximum density in Glenwoods shall be 12.5 units per *gross residential hectare*.

- (iv) Development Area 4 – South Keswick is to accommodate a range of housing types as well as a range of commercial and employment uses adjacent to Woodbine Avenue and The Queensway. The maximum average density in the South Keswick Development Area shall be 14.5 units per gross residential hectare with the following exceptions:
- Those lands within the Glenwoods Urban Centre shall not be considered part of the Development Area for the purposes of calculating density and shall be subject to the density policies of the Glenwoods Urban Centre designation and those within Sections 13.1.2.8 Medium Density Residential Development as well as 13.1.2.9 High Density Residential Development.
  - The maximum average density of 14.5 units per gross residential hectare may be increased to 16.6 units per gross hectare through the incorporation of medium density forms of housing. However, low density housing forms shall maintain a maximum density of 14.5 units per gross residential hectare.

#### 13.1.3.9 Site Specific Policies

- a) Notwithstanding the policies of the Tourist Commercial designation, on those lands described as Part Lot 17, Concession 2 (NG), and shown on Schedule F5, an exclusive medium density residential development shall not be permitted. However, the redevelopment of the *existing* tourist commercial site for low density single detached dwellings may be permitted without Amendment to this Secondary Plan.
- b) On those lands described as Blocks 53, 54 and 55, Plan 65M-3332 and Part of Lot 7, Concession 3 (NG), and shown on Schedule F5, a supermarket retail store or any other type of retail store, having as its primary purpose the sale of food and beverages (excluding alcoholic beverages), shall have a maximum floor area of 465 m<sup>2</sup>. Furthermore, the floor area devoted to the sale of food and beverages (excluding alcoholic beverages) in any other types of retail store shall not exceed 465m<sup>2</sup>.

Further, vehicular access to the subject lands from Woodbine Avenue shall be restricted to one access.

- c) In addition to the permitted uses of the Neighbourhood Residential designation, on those lands located within Development Area 4, being the South Keswick Development Area, as shown on Schedule F5, medium density residential uses are

also permitted.

- d) Notwithstanding Section 13.1.3.8 (c), the approval of the Glenwoods Development Area Plan shall not be a prerequisite to the consideration and approval of applications for development within the Commercial/Employment designated lands within the Glenwoods Development Area Overlay. However, the Town shall still require studies demonstrating that the development of these lands will be coordinated with surrounding lands, in terms of various elements, including but not limited to, future road connections and servicing infrastructure.
- e) Notwithstanding Sections 13.1.3.2.1(d) and (j) and 13.1.3.2.3(b) and (f), on those lands described as Part of Lot 9, Concession 3, being Block 312 on Draft Approved Plan of Subdivision 19T-91002, and shown on Schedule '5', only low and medium density residential uses and Special Needs Housing shall be permitted and the number of storeys per dwelling unit shall be limited to four.
- f) When preparing the design for development of those lands described as Part of Lot 7, Concession 3 (N.G.) also described as Block 114 on Plan 65M-3270, and shown on Schedule F5, regard shall be given to ensure that the proposed lots are compatible with adjacent lot sizes and patterns. The proposed lots abutting existing residential lots shall have a minimum lot frontage of 15 metres.
- g) On those lands described as Lots 1 and 2, Registered Plan 103, and shown on Schedule F5, an apartment building having a maximum of 7 dwelling units shall be permitted.

Amendment No. 113

- h) Notwithstanding Section 13.1.2.9 (a) and Section 13.1.3.2.4 (c), on those lands described as Part Lot 8, Lots 9, 10, 11 Registered Plan 225 and Parts 1, 2, 3, 65R-19679 and Part Lot 13, Concession 3 (NG), and shown on Schedule 'F5', an apartment building having a maximum of 97 dwelling units shall be permitted having no more than 2 bedrooms in each unit. Further, the maximum height of the apartment building to the top of the parapet of the sixth storey shall not exceed 18 metres and to the top of the architectural feature shall not exceed 28 metres.

Amendment No. 118

- i) Notwithstanding Section 13.1.2.7 (a), on those lands described as Lots 104, 105 and 106 and Part of Block C, Registered Plan 238, and shown on Schedule 'F5', in addition to uses permitted in the Neighbourhood Residential designation, a Medium Density Residential development having a maximum of 13 units and contained within 5 buildings with 2-4 units per building shall also be permitted. Further, the

maximum height of each building shall not exceed 2 storeys, and the residential density shall not exceed 23 units per net residential hectare.

Amendment No. 121

- j) Notwithstanding Section 13.1.3.5 (b), on those lands described as Part of Lot 9, Concession 3 (NG), Part 1, Reference Plan 65R-33362 and shown on Schedule 'F5', only the following uses shall be permitted within the lands designated 'Commercial / Employment':

- Business and profession offices
- Retail and service commercial uses, excluding a restaurant
- One residential unit within the expanded building.

Further, notwithstanding Section 13.1.3.7.4 (c) (i), an addition to the existing building, being approximately 7.3 m X 9.3 m (approximately 68 square metres) in area, connecting the existing building to the existing garage, shall be permitted within 15 metres of the top of the bank of the Maskinonge River provided it does not extend closer to the top of the bank than the existing buildings. Appropriate studies, as may be required, to support this addition, shall be provided at the time of site plan application.

Amendment No. 125

- k) On those lands described as Part Lot 15, Concession 3 (NG), and Part of the Former Road Allowance Between Concessions 2 and 3 (NG), being Parts 1 and 2, 65R-15088 and Part 1 65R-30415 and shown in Schedule 'F5', the following provisions apply:

- (i) Notwithstanding Sections 13.1.5 (e), 13.7.3.2 (c) (ii) and (iii), development of land by consent, such that the Subject Land as identified on Schedule 'F5' contains one existing dwelling on private services and accessory buildings and structures, and the Remainder Land also identified in Schedule 'F5' is vacant, shall be permitted.
- (ii) The Town may, at its sole discretion, consider and possibly permit, a residential density transfer, up to a maximum of ten (10) dwelling units from the Subject Land to the Remainder Land, which is to be developed in conjunction with the adjoining property to the east as shown on Schedule 'F5'.
- (iii) Development on the Remainder Land shall only proceed on municipal water and sewer services.

- (iv) As part of the installation of municipal sanitary sewer and water mains to service the subdivision on the Remainder Land, the developer shall at its expense install sewer and water service lateral connections to the property line of the Subject Land. The benefitting property owner shall be responsible for, and shall bear the cost of, installing servicing pipes from the property line to their property. This requirement shall be included as a condition of approval of the draft plan of subdivision.
- (v) A holding “H” provision by-law under the provisions of Section 36 of the *Planning Act* shall be utilized to implement items (i), (iii) and (iv) above. The terms under which Council may remove the Holding “H” provision shall be stipulated in the amending zoning by-law.
- (vi) The preparation of the Queensway West Development Area Plan as a prerequisite to subdivision approval on the Remainder Land and adjoining property to the east shall not be required provided these two parcels are developed comprehensively as one plan of subdivision.

Amendment No. 125

- l) On those lands described as Part of Lot 16, Concession 3 (NG), as shown in Schedule ‘F5’, the following shall apply:
  - (i) The preparation of the Queensway West Development Area Plan as a prerequisite to subdivision approval shall not be required provided the lands south of Old Homestead Road are development comprehensively as one plan of subdivision.

Amendment No. 128

- m) Notwithstanding Sections 13.1.2.7 and 13.1.3.8 f) (iv), on those lands described as Part of Lots 2 and 3, Concession 3 (NG), and shown on Schedule ‘F5’, semi-detached dwelling units are permitted as a medium density housing form, and a maximum residential density for the subject land shall not exceed 16.8 units per gross residential hectare.

Relating to Deferral Area 2

- n) Notwithstanding Section 13.1.3.8 (c), the approval of the Glenwoods Development Area Plan shall not be a prerequisite to the consideration and approval of applications for development on lands described as Part of Lot 6, Concession 3 (NG) and located west of Glenwoods Creek. However, the Town shall still require studies demonstrating that the development of these lands will be coordinated with

surrounding lands, in terms of various elements, including but not limited to, future road connections and servicing infrastructure.

Relating to Deferral Area 3

- o) On those lands described as Part Lot 16, concession 2 (NG) and shown on Schedule 'F5', a townhouse development having a maximum of 20 residential units shall be permitted.

Amendment No. 131

- p) Notwithstanding Section 13.1.3.3.2, the only permitted uses on the subject property are low, medium and high density residential uses with a maximum of 6 dwelling units. Furthermore, the maximum residential density for the subject property shall not exceed 86 units per net residential hectare.

#### 13.1.4 TRANSPORTATION POLICIES

##### 13.1.4.1 General

- a) It is the intent of the Town to encourage the development of a safe and integrated transportation system for the efficient movement of people, goods and services in Keswick that consists of provincial, regional and municipal roads, public transit services, water transportation on Lake Simcoe, cycling, snowmobiling and pedestrian facilities. The objectives of the Town related to transportation are to:
  - (i) develop an effective road system that accommodates traffic demand and does not contribute to traffic congestion;
  - (ii) create a road network that promotes walking and cycling trips by providing a modified grid pattern of streets that is sensitive to natural features, land use designations and trip demand;
  - (iii) ensure that the road system is designed to be safe for all users; and,
  - (iv) encourage a road system and land use pattern that supports public transit.
- b) A network of continuous and inter-connected streets shall be developed in order to help distribute traffic, minimize travel times and offer pedestrians, cyclists and drivers a choice of routes.
- c) Where feasible, existing east-west and north-south streets shall be extended into new residential neighbourhoods to provide continuity and integration.
- d) A modified grid network of arterial and major collector roads shall be developed at a maximum spacing of one kilometre between either two arterials or between an arterial and a collector road.

##### 13.1.4.2 Roads

###### 13.1.4.2.1 Policies for All Roads

- a) The Town, as a condition of *development*, may require lands for the purposes of road widening or extensions to be dedicated to the appropriate authority having jurisdiction. Additional lands in excess of the typical right-of-way widths may also be required to be conveyed for works related to, but not limited to, extensive cut/fill operations, intersection improvements, bridges, sight triangles, grade separations with a railway, and drainage, bikeway and buffering improvements. Where additional land is required for widening and extensions, such land shall be obtained in accordance with the provisions of the Planning Act.

- b) Any new road access must be designed in such a manner to accommodate public transit vehicles and such that no traffic hazard is created by reason of concealment of such access by a curve or grade. Access points should be limited, especially with respect to major roads. Comments from the appropriate engineering department in respect to *development* proposals will be sought and carefully considered. Approval will be granted only if the access is found to be adequate.
- c) It is intended, as traffic conditions warrant, that improvements such as road widenings, jog eliminations, regulation of turning movements, proper signing, installation of traffic signals, marking of traffic lanes and channelization will be undertaken. One key jog elimination has been identified on Schedule F3 at the intersection of Glenwoods Avenue and Woodbine Avenue. This jog elimination will be required to facilitate the proposed interchange at Glenwoods Avenue and Highway 404.
- d) Construction of new roads and bridges and the reconstruction of existing facilities will be undertaken in a manner to minimize the impact on *significant* natural and cultural features. Accordingly, when such construction or reconstruction is considered, The Town will consult with appropriate Regional and Provincial agencies.
- e) The precise location of new arterial, collector and local roads shall be established in conjunction with the preparation of *Development Area Plans* and *development* applications.
- f) The road network in Keswick is classified on Schedule F3 according to their ultimate function. The general function, design requirements and planned widths of the roads are set out as follows:

#### 13.1.4.2.2 Policies for Arterial Roads

- a) Arterial roads are designed to serve regional travel demands, with limited access to abutting properties. These roads are also divided into two types as follows:
  - (i) Major Arterial - These include major roads with right-of-way widths of between 36 and 45 metres; and,
  - (ii) Minor Arterial - These include roads of lesser significance with right-of-way widths up to 30 metres.
- b) Arterial roads are intended to carry moderate to high volumes of traffic at moderate speeds.



- c) Arterial roads are intended to provide access to adjacent land uses by means of intersections with collector and local streets.
- d) Limited direct access from individual development blocks may be permitted. In assessing applications for direct access, consideration shall be given to the size of the development block, the nature and magnitude of the uses being proposed, the resulting traffic, opportunities for other access arrangements and the volume of existing and future traffic using the arterial road. As the volume of traffic on the arterial road increases, the traffic carrying function shall take increasing priority over the access function.
- e) The precise right-of-way requirements for arterial roads shall be determined through the preparation of a detailed traffic impact and access study as part of the *Development Area Plan* and/or *Plan of Subdivision* application.
- f) Arterial roads shall incorporate design characteristics suitable for transit service.
- g) Consideration shall be given to minimizing the visual impact of arterial roads. Approaches may include the use of boulevard and/or median landscaping treatments, and the siting of buildings in proximity to the street line.
- h) Consideration shall be given to design features that facilitate pedestrian crossings of the roadway.

#### **13.1.4.2.3 Policies for Collector Roads**

- a) Collector roads are designed to serve the movement of medium volumes of traffic between arterial and local roads, with some degree of access control to abutting properties, with a right-of-way width of 23 to 26 metres.
- b) Collector roads are intended to collect traffic from the local roads and carry it to the arterial roads.
- c) Collector roads may provide limited access to adjacent uses. In assessing the location and number of access points, the need for access shall be balanced with the traffic carrying requirements of the roadway.
- d) Collector roads shall incorporate design characteristics suitable for transit service.
- e) The precise right-of-way requirements for Collector Roads shall be determined through the preparation of a detailed traffic impact and access study as part of the *Development Area Plan* and/or *Plan of Subdivision* application.

**13.1.4.2.4 Policies for Local Roads**

- a) Local roads are designed to serve residential neighbourhoods and other non-major traffic generating areas and provide access to abutting properties. Local roads shall have a right-of-way width of 20 to 23 metres. Reduced right-of-way widths for local roads may be permitted, subject to the approval of the Town. Consideration shall be given to the need for extra right-of-way or pavement for bicycle lanes where appropriate.

**13.1.4.2.5 Policies for Private Roads**

- a) Private roads serving a condominium or lease arrangement area may be permitted, but shall not be maintained by the Town. However, this Secondary Plan recognizes that such private roads must be adequate for traffic, including fire protection vehicles, and shall be designed to meet the Town's design standards and specifications.

**13.1.4.3 Transit Service**

- a) The Town shall work with the Province to maintain and enhance existing GO Bus transit services within Keswick.
- b) York Region Transit will continue to link the communities in the Town with other communities in the Region, and will provide internal service within each community.
- c) The Town shall support transit supportive community design measures, and in particular shall ensure that:
  - (i) arterial and collector roads are designed to accommodate transit facilities;
  - (ii) key transit routes, such as The Queensway and Woodbine Avenue, can accommodate intensified and transit supportive forms and densities of *development*;
  - (iii) that subdivisions are designed to permit effective pedestrian access to transit routes; and,
  - (iv) building siting and design and the provision of on-street parking considers, where possible, the provision of a standard 200 metre transit stop separation;
  - (v) residences, places of employment, secondary and elementary schools, shopping centres and public facilities in an urban area are generally located within a walking distance of no more than 500 metres of a public

transit stop.

- (vi) sidewalks are generally located on both sides of the streets that support transit services. Transit facilities (passenger standing areas and shelter pads) will be incorporated into public sidewalks and walkway connections to buildings; and,
- (vii) any new traffic calming measures proposed for existing or planned transit routes be designed and constructed in such a way that properly considers the negotiation of transit vehicles including, but not necessarily limited to, consideration of vehicle height, length and turning radii.

#### 13.1.4.4 Pedestrian and Bicycle Pathway System

- a) It is an objective of the Town to develop a multi-use pathway system that would connect the shoreline areas with other areas within the Greenlands System, where appropriate, and with linkages to other pathways or trails in the Region such as the Oak Ridges Moraine Trail and the Nokiidaa Trail.
- b) Schedule F3 identifies the major components of the existing and proposed off-road pathway system that shall be implemented over time.
- c) Multi-use pathway facilities will be encouraged both as a means of travel and for recreational purposes. Recreational pathways that can accommodate various users year-round such as pedestrians and cyclists will be encouraged, particularly those which re-use abandoned railway right-of-ways. To ensure safety, the development of the pathway system may require the separation of the various uses/users.
- d) Where new *development* is proposed, specific routes for pathways shall be established and the provision of a pathway system link shall be a condition of approval of *development*, where appropriate.
- e) Walking for both utilitarian and recreational purposes shall be encouraged through the provision of suitable pedestrian facilities. Pathways shall be provided through parks, public *open spaces* and other public areas. The sidewalks and off-road pathways shall be integrated into a continuous pedestrian system.
- f) The primary system for pedestrian movement shall be along sidewalks. The following criteria are established for sidewalks:
  - (i) all arterial and collector roads shall have sidewalks along both sides of the street;
  - (ii) all local roads shall have a sidewalk along at least one side of the street;

- (iii) sidewalks shall be a minimum of 1.5 metres (5 feet) wide, with consideration given to wider sidewalks in areas of more intensive pedestrian activity, such as near schools and in commercial areas;
  - (iv) sidewalks shall be kept free of potential obstacles such as newspaper boxes, bicycle racks, poles and parking metres. Where elements of street furniture are included within the public right-of-way, adequate sidewalk space shall be maintained free of obstructions; and,
  - (v) curb cuts shall be provided where the sidewalk intersects with the roadway, to facilitate persons with mobility devices, baby carriages and others who have difficulty mounting curbs.
- g) Bicycle movement shall generally be accommodated in the street right-of-way. Consideration shall be given to the inclusion of bicycle lanes in rights-of-way for new arterial and collector roads. On existing arterial and collector roads, the addition of facilities for bicycles shall be considered when such roads are reconstructed, or where it is physically and financially feasible to do so. The following general criteria shall be considered in establishing bicycle routes:
- (i) additional pavement width to include designated cycling lanes of 1.5 metres in width for each direction of travel, as part of the road cross-section or 3.0 metres in the boulevard, shall be provided in corridors of existing or potential high cycling usage;
  - (ii) cycling paths shall be provided through key recreational/open space corridors;
  - (iii) cycling paths may be combined with pedestrian paths through recreational areas, however the two user groups should be delineated or physically separated if possible, to avoid potential conflicts; and,
  - (iv) bicycle and pedestrian routes shall be integrated throughout Neighbourhood Residential areas to provide links to Neighbourhood Centres, Urban Centres, Urban Corridors and Commercial/Employment Lands, wherever possible.

#### **13.1.4.5 Parking**

- a) The Town shall require, as a condition of *development*, that adequate off-street parking and loading facilities be provided. However, notwithstanding the foregoing, the Town shall encourage the retention and expansion of on-street parking in areas where it will not interfere with the efficient movement of traffic.

- b) On-street parking may be permitted along arterial roads during off-peak hours when the road capacity is not required for traffic carrying purposes. Alternatively, a right-of-way permitting on-street parking may be provided throughout the day by means of properly designed on-street parking bays. On-street parking will not be permitted on Morton Avenue, Glenwoods Avenue, or Ravenshoe Road.
- c) On-street parking may be permitted along one side of collector roads, if the pavement width is sufficient, and if the traffic carrying function of the roadway is not adversely affected.
- d) On-street parking shall be accommodated along one or both sides of local roads. However, timing restrictions may be imposed on the on-street parking to facilitate snow removal and other maintenance functions and to discourage excessively long term parking.
- e) For residential *development*, required resident and visitor parking shall be provided on-site, where possible. Where site constraints preclude the provision of required parking on-site, consideration shall be given to alternative parking arrangements, including payment of cash in-lieu.
- f) In the interest of efficiency, consideration may be given to reductions in the parking requirements for mixed use *developments*, where the individual uses exhibit different peaking characteristics and where the opportunity exists to share parking facilities. However, the residential component of the parking requirement for a mixed use *development* shall be set aside exclusively for the residents' use and shall not be shared with other uses.
- g) All parking facilities of a communal nature, whether publicly or privately owned, shall be properly lit and maintained, to encourage and facilitate the safe use of these facilities.
- h) Parking will not be allowed to interfere with transit stops.

13.1.5 SANITARY SEWAGE AND WATER SUPPLY SERVICES

- a) It is the intent of the Town to provide a staged program for the improvement and extension of Town sanitary sewage and water supply services, in accordance with the provisions of this Secondary Plan and other relevant municipal, regional and provincial policies and regulations, and within the financial capabilities of the Town and/or Region and on the basis of a long-term capital budget program. The Region of York shall be notified of any allocation of water and sewer servicing capacity at draft approval of plans of subdivision.
- b) The following objectives shall be considered in all decisions related to water and sewer service infrastructure:
  - (i) phase development in Keswick in a manner that ensures that upgrades to the sewage and water treatment plants are completed in an efficient, timely, and cost effective manner;
  - (ii) ensure that water and sewer services are in place to serve the anticipated growth; and,
  - (iii) ensure the optimal use of existing servicing systems.
- c) Development shall be phased in accordance with a Functional Servicing Plan or Plans dealing with water, sewage and storm water management. The plans shall be prepared on a watershed or subwatershed basis in conjunction with *Development Area Plans* to provide for the continuous, orderly extension of services and to ensure the most efficient use of existing and proposed infrastructure. The plans shall be in accordance with the Region's capital works plans and prepared to the satisfaction of the Region.
- d) Notwithstanding the land uses permitted by any land use designation in this Secondary Plan, it is intended that no *development* will be permitted within 100 metres of the Sewage Treatment Plant, and that a minimum 150 metre separation distance shall be required between the Sewage Treatment Plant and the nearest dwelling unit.
- e) All new *development* will be serviced with water and sanitary sewer facilities. Only those lands within the Urban Service Area Boundary shall be serviced with municipal water and sewage services.
- f) Capacity allocation in the Sewage Treatment and Water Treatment Plants and the size of trunk sewers and watermains shall be calculated on the basis of the factors identified by the Region of York.

- g) .Town shall assign municipal water and sewer servicing allocation for *development* requiring site plan approval according to the following procedures:
  - (i) confirmation from the Town that servicing allocation is available to serve the *development*;
  - (ii) if allocation is available, the applicant shall submit a completed site plan application. Servicing allocation shall be set aside for a one year period from the date of the receipt of the application to allow the applicant to execute a site plan agreement with the Town;
  - (iii) if an agreement is not executed within the one year time frame, a report will be brought to Council recommending either the extension or revocation of the preliminary assignment of servicing allocation. The Town, at that time, may revoke the municipal servicing allocation in whole or in part; and/or,
  - (iv) if an agreement is executed within the one year time frame, the agreement shall stipulate that a building permit shall be obtained within six months of said execution date, otherwise the agreement is deemed to be null and void, unless further extension is given by the Town.
- h) The Town shall assign preliminary municipal water and sewer servicing allocation for draft plans of subdivision at the time of draft plan approval by the Town.
- i) If a Draft Plan of Subdivision is not registered within two years from the date of Draft Plan approval, or the Draft Plan has not proceeded to the satisfaction of the Town within the term of Draft Plan approval, the Town, at the time of considering extension of the Draft Plan approval, may revoke the preliminary assignment of municipal servicing allocation, in whole or in part. Prior to revoking allocation, the Town shall afford the developer an opportunity to address the Town on the matter.
- j) If approved infilling or redevelopment proposals have not proceeded within one year of Town approval, the Town may revoke municipal servicing allocation in whole or in part.
- k) The Town shall only approve *developments* that can be allocated municipal servicing capacity, in conformity with all applicable Town and Region of York policies.
- l) The Broadview Avenue/Highfield Crescent Subdivision, at the northern end of Keswick, is incorporated into the Urban Service Area despite the fact that it is currently privately serviced, and may remain on private services if desired by the residents.

13.1.6 STORM WATER MANAGEMENT FACILITIES

- a) It is the intent of the Town that storm water management facilities be integrated with the overall Greenlands System and that they are both functional and aesthetic components of community design. The Town shall have regard for the Urban Design Guidelines attached to this Secondary Plan as Appendix A.
- b) Storm water management systems are to control runoff to pre-development levels and maintain a natural hydrologic regime. In addition, Best Management Practices must be incorporated into storm water management plans to ensure water quality standards established by the approval authorities are met.
- c) Storm water management shall be carried out to the satisfaction of the Town, the Conservation Authority, and the Region of York on a watershed and/or sub-watershed basis. Sub-watershed boundaries are identified on Schedule F4.
- d) Best Management Practices shall be applied to meet or exceed Level 1 protection criteria (or equivalent) as outlined in the Ministry of Environment's "Storm Water Management Practices Planning and Design Manual, June 1994" or any update of that document. Where Level 1 protection cannot be met or exceeded, a compensation agreement shall be required to the satisfaction of the Conservation Authority, the Region and the Town.
- e) Prior to any major *development*, a storm water management and erosion and sediment control study will be required as part of the Functional Servicing Plan. This study will examine the suitability of the site, the water table conditions and surface drainage. In addition, *development* proposals must be accompanied by a drainage plan that indicates contours, elevations, and the proposed final grade. This drainage plan must be prepared to the specifications of, and be subject to, the approval of the Town.
- f) In the consideration of *development* adjacent or in close proximity to a Provincial Highway, the storm water management plan shall be reviewed and approved by the Ministry of Transportation.



### **13.1.7 IMPLEMENTATION**

#### **13.1.7.1 General**

- a) It is the intention of the Town to implement this Secondary Plan by utilizing the powers conferred upon it by the Planning Act, Municipal Act and any other statute or regulation that may be applicable. This Secondary Plan shall be implemented by means of the following measures and procedures.

##### **13.1.7.1.1 Phasing**

- a) Growth shall occur in a phased manner that ensures the provision of a full range of services to residents. Factors to be considered are:
  - (i) positive integration with the existing urban structure of Keswick resulting in a contiguous and compact urban structure and form;
  - (ii) the provision of adequate municipal services (water, sewer, storm water) to accommodate the proposed growth;
  - (iii) availability of transportation capacity on the existing road network and in particular Leslie Street and Woodbine Avenue between the southern boundary of the Secondary Plan area and Green Lane in East Gwillimbury; and,
  - (iv) the adequacy of social, recreational, educational facilities and other services to the community.

If one or more of these factors cannot be addressed satisfactorily, the processing of *development* applications may be deferred, or held in abeyance until an appropriate service level can be provided.

##### **13.1.7.1.2 Secondary Plan Review**

- a) This Secondary Plan shall undergo a review every five years. The purpose of the review will be to review the appropriateness of the Secondary Plan policies and to revise the policies and methods of implementation, where necessary.
- b) Factors affecting the policies of this Secondary Plan will be monitored, as deemed necessary, to evaluate the Secondary Plan's performance. Factors which may be monitored include the following:
  - (i) population and employment growth;

- (ii) development trends;
- (iii) rate of development;
- (iv) the balance between resident labour force and employment opportunities;
- (v) residential density and housing mix;
- (vi) sanitary sewage disposal, storm water drainage and water supply capacity utilization;
- (vii) road system capacity;
- (viii) *ecosystem* health; and,
- (ix) other factors affecting land use planning in Keswick.

This review will ensure that the goals and policies of this Secondary Plan remain realistic and will determine how well the policies are being implemented.

- c) As a result of this review and monitoring process, the Secondary Plan may be amended from time to time.

### **13.1.7.2 Municipal Tools**

#### **13.1.7.2.1 Community Improvement**

- a) The purpose of utilizing the Community Improvement legislation of the Planning Act in Keswick is to identify key municipal priorities for public realm enhancement in order to stimulate private sector reinvestment. As such, the Town shall, within Community Improvement Areas, provide for the maintenance, rehabilitation and revitalization of residential and commercial areas and to ensure the provision of the amenity, safety and environmental quality in these areas. The Community Improvement Areas within Keswick include the Maskinonge Urban Centre and the Uptown Keswick Urban Centre as identified on Schedule F1.
- b) Through the identification of Community Improvement Areas the Town will ensure the efficient use of existing municipal services and will maintain and upgrade public services and utilities.
- c) The following criteria shall be utilized when defining additional Community Improvement Areas within the community of Keswick:
  - (i) a substantial portion of the housing and other buildings are in need of

- maintenance and/or rehabilitation and/or redevelopment; or,
  - (ii) inadequacies in the sanitary sewer system, storm sewer system and/or system of watermains; or,
  - (iii) inadequate sidewalks, curbs and/or roads; or,
  - (iv) insufficient lighting; or,
  - (v) the presence of deficiencies in social and recreation facilities; or,
  - (vi) deficiencies unique to commercial areas including poor traffic circulation, lack of parking facilities or high commercial vacancy rate; or,
  - (vii) areas containing buildings of heritage significance.
- d) The Community Improvement Project Areas will be designated by by-law and Community Improvement Project Plans will be prepared and adopted by by-law after public meetings are held to obtain the comments of landowners and residents in the respective areas. The intent of the Community Improvement Plans will be to:
- (i) establish a clear vision for public and private sector improvements within the project area; and,
  - (ii) explore opportunities for the public sector to enhance the overall urban environment and to reduce the risks and costs of private sector *development* as stimuli for reinvestment.
- e) The implementation of community improvements may be achieved through any, or all of (but not limited to) the following methods:
- (i) participation in Provincial and Federal government community improvement programs and application for respective grants for the construction of community improvements, assisted housing, and for the restoration of heritage buildings. Community organizations will be encouraged to assist financially in such undertakings;
  - (ii) participation in Provincial and Federal government programs which provide assistance to private landowners for the maintenance, rehabilitation and redevelopment of their properties, and further, to advertise that such financial assistance is available;
  - (iii) continued enforcement of the comprehensive Zoning By-law, Property Standards By-law and Sign By-law;

- (iv) continued support of existing Business Improvement Areas and the encouragement of new BIA's in the remaining commercial centres in efforts to maintain strong and vital commercial areas;
  - (v) participation in the coordination of public and private redevelopment, rehabilitation and heritage projects by providing administrative and liaison assistance; and,
  - (vi) a by-law providing for cash-in-lieu of parking facilities where the provision of such facilities is not practical or is premature and the utilization of such monies for the creation/expansion of municipal parking lots.
- f) The phasing of each improvement should permit a logical sequence of events to occur without unnecessary hardship on area residents and the business community. Improvements which will most substantially increase the stability and aesthetic and environmental qualities of a Community Improvement Area shall be undertaken first. When appropriate, a substantial portion of the improvements in one project area shall be completed before a by-law is passed designating a second project area. Notwithstanding this, when a severe community facility deficiency is identified, a by-law may be passed designating a Community Improvement Project Area, allowing work to be undertaken.
- g) Prior to undertaking improvements, the Town shall be satisfied that it can reasonably finance and afford the Town's share of costs associated with the required work.

**13.1.7.2.2 Site Plan Control**

- a) All of the lands within the Keswick Secondary Plan Area boundary are designated as a Site Plan Control Area. All of the lands within the site plan control area may be subject to site plan control by-laws.
- b) The site plan control provisions of the Planning Act may be used with respect to all uses, or designations within the Secondary Plan, except that single detached dwellings shall not be subject to site plan control.
- c) In accordance with the Planning Act, the owner of land may be required to enter into a Site Plan Agreement and provide to the satisfaction of and at no expense to the Town, any or all of the requirements set out in the Planning Act.
- d) In accordance with the *Planning Act*, no development shall be undertaken within a site plan control area designated in accordance with subsection 13.1.7.2.2 a), unless exempt from site plan control under subsection 13.1.7.2.2 b), until the Town

has approved plans, drawings and any necessary coloured elevations, and cross-section views which display the massing and conceptual design of the proposed building, interior walkways and the relationship of the proposed building to adjacent buildings, streets and exterior areas to which members of the public have access, and any other technical aspects as reasonably required for approval. These plans, drawings and elevations shall address, among other matters:

- (i) matters relating to external building design details, including without limitation, the character, scale, appearance and design features of buildings and their sustainable design;
- (ii) sustainable and accessible design elements within, or adjacent to, an adjoining municipal right-of-way, including without limitation, trees, landscaping, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities; and,
- (iii) facilities designed to have regard for accessibility for persons with disabilities.

#### **13.1.7.2.3 Zoning By-law**

- a) Following the approval of this Secondary Plan, the implementing Zoning By-law will be reviewed to bring it into conformity with the policies of this Plan. Until such time as the Zoning By-law can be amended to bring it into conformity with this Plan or Amendments thereto, or repealed to allow a new by-law to be enacted, the present Zoning By-law shall remain in effect. However, any amendments shall be in conformity with this Plan.
- b) This Plan shall be implemented by the passage of a Zoning By-law or By-laws in compliance with the provisions of this Secondary Plan and pursuant to the Planning Act. The implementing By-law will also consider the following policy:
  - (i) no provision of this Secondary Plan shall be deemed to require the Town to zone all lands in the Town in order to permit immediate *development* of such lands for their designated uses. Therefore, the Town may zone lands to a development holding or other appropriate zoning category where there is insufficient information to determine specific zoning categories or where the *development* of such lands is considered to be premature or not in the public interest. Such lands shall be zoned in accordance with the provisions of this Secondary Plan at such time as there is sufficient information to determine specific zoning categories and the *development* of such lands is no longer considered to be premature or not in the public interest.

**13.1.7.2.4 Holding Provisions**

- a) The Town may zone lands to include a Holding symbol “H” as provided for in the Planning Act, in conjunction with a specific zoning category, in order to specify the permitted uses of such lands at such time as the Holding symbol is removed by amendment to the zoning by-law. The use of the lands zoned to include the Holding symbol with a specific zoning category may include existing uses and a limited range of uses *compatible* with the intended future use of the lands.

**13.1.7.2.5 Interim Control By-laws**

- a) Interim control by-laws may be passed pursuant to the Planning Act, where the Town has directed that a study be undertaken of the land use policies within a specific portion of the Town.

**13.1.7.2.6 Temporary Use By-laws**

- a) Pursuant to the provisions of the Planning Act, by-laws may be passed to permit the temporary use of lands, buildings or structures that may not conform to this Secondary Plan, provided that the following requirements are complied with:
- (i) the use is *compatible* with the surrounding land uses and activities;
  - (ii) adequate water supply and waste disposal activities are available to the satisfaction of the Town;
  - (iii) the temporary uses or activities do not result in a hazardous condition for either vehicular or pedestrian traffic and that the relevant parking area requirements are complied with;
  - (iv) there is a signed agreement between the applicant and the Town which addresses issues related to installation/removal and maintenance; and,
  - (v) the Town is satisfied that the nature of the use is temporary and that any buildings and structures are kept to a minimum and can easily be dismantled.

**13.1.7.2.7 Height and Density Bonus Provisions**

- a) Pursuant to the provisions of the Planning Act, a Zoning By-law may authorize increases in the height and density of residential development, otherwise permitted by the By-law that will be permitted in return for the provision of such facilities, services or other matters that are set out in the Zoning By-law. The Town's objectives in authorizing such increases in height or density are:

- (i) to encourage the provision of underground or in-building parking for attached housing or mixed use development;
- (ii) to encourage the preservation and conservation of buildings or structures of historical, cultural or architectural merit;
- (iii) to encourage the protection and enhancement of natural features, functions and attributes, and to encourage the provision of additional lands for green space purposes;
- (iv) to encourage the provision of parkland above and beyond that required through the provisions of this Secondary Plan and the Planning Act;
- (v) to encourage the provision of unique urban design features above and beyond the requirements of this Secondary Plan; and,
- (vi) to encourage the provision of the pathway system, day care, special needs housing, and other public or quasi-public facilities.

**13.1.7.2.8 Maintenance and Occupancy By-laws**

- a) By-Law 98-106(BU-1), as amended, prescribes the standards for the maintenance and occupancy of property within the Town.
- b) This By-Law is intended to establish minimum standards of maintenance and occupancy to conserve, sustain and protect existing and future development within the Town for the following:
  - (i) the physical condition of buildings and structures;
  - (ii) the physical condition of lands;
  - (iii) the adequacy of sanitation; and,
  - (iv) the suitability of buildings and structures for occupancy.

**13.1.7.2.9 Municipal Act By-Laws**

- a) By-laws governing uses such as waste disposal sites, salvage yards and signs will be enacted and periodically reviewed and considered to ensure that such uses are continuously regulated and controlled.

**13.1.7.2.10 Capital Works Program**

- a) The Town shall prepare a capital works program in conformity with the designations and policies of this Secondary Plan, in order to assess immediate and long-term requirements and plan major expenditures within the financial resources of the Town. The program will be reviewed annually during the budget process.

**13.1.7.2.11 Public Works Construction**

- a) The construction of public works within the Town will be carried out in accordance with the policies of this Secondary Plan.

**13.1.7.2.12 Development Charges**

- a) The Town shall review and update its Development Charges By-law in conformity with the policies of this Secondary Plan.

**13.1.7.2.13 Servicing Agreements**

- a) Prior to the approval of any *development* in the municipality, the Town may require the owner to enter into servicing and other agreements to ensure that the *development* can be adequately serviced and that an appropriate contribution has been secured toward the provision of community services.
- b) Prior to the registration of any *development*, where applicable, the owner shall have entered into a servicing agreement that will identify the capital expenditures associated with the servicing of the lands.

**13.1.7.3 Land Division**

**13.1.7.3.1 Plans of Subdivision/Condominium**

- a) As a general rule, most major land division in the Town shall take place by registered plan of subdivision. It shall be the policy of the Town to approve only those plans of subdivision that comply with the policies of this Secondary Plan. Before approving a plan of subdivision, the Town will ensure that the area to be subdivided can be provided with the necessary services and amenities and that the proposed *development* would not have an adverse financial impact on the Town. The Town will also consult with other relevant governments or agencies, and, in particular, with adjoining municipalities in respect to hamlets or other developments on their boundaries.
- b) With respect to *development* of lands that are located adjacent to Lake Simcoe and its tributaries, consideration will be given to opportunities to obtain and preserve



both private and public *open space*. *Development* shall not have an *adverse effect* on the environment.

- c) The Town may require, as a condition of final approval of a plan of subdivision, that a Community or Urban Design Report and complementary Architectural Design Guidelines be prepared.
- d) Pursuant to the provisions of the Planning Act, if a draft approved plan of subdivision is not registered within three years from the date of approval, the Town, upon reviewing the progress being made towards clearing draft conditions, may withdraw or modify its draft plan approval, or in the case where the Region is the approval authority, request the Region to withdraw or modify draft plan approval.

#### **13.1.7.3.2 Consents**

- a) Generally where no more than three lots are to be created, and where it is determined that a registered plan of subdivision is not required to ensure proper and orderly development, the land to be developed may be divided by consent of the Committee of Adjustment. In determining whether a proposed land division should require a plan of subdivision or a consent to sever, the following questions shall be examined:
  - (i) whether the extension of an existing public road, opening of an unopened road allowance or the creation of a new road is required; or
  - (ii) whether the extension or expansion of municipal services is required; or,
  - (iii) whether an agreement with appropriate conditions is required by the Town, Region or Province in respect of any part of the lands that would be defined as remaining lands in a consent application.

Where there is an affirmative answer to any of such questions, the proposed development should take place by plan of subdivision.

- b) Consents may be permitted for such reasons as the creation of a new lot, boundary adjustments, rights-of-way, easements, and to convey additional lands to an abutting lot, provided an undersized lot is not created.
- c) Applications for consents for all land use designations as shown on Schedule F1 will only be granted where:
  - (i) it is clearly not in the public interest that a plan of subdivision be registered;

- (ii) the lot can be adequately serviced by roads, municipal sanitary sewage disposal, municipal water supply, and storm drainage facilities;
  - (iii) no extension, improvement or assumption of municipal services is required;
  - (iv) the lot will have adequate frontage on an open and assumed public road, and access will not result in traffic hazards;
  - (v) the lot will not restrict the ultimate development of adjacent lands;
  - (vi) the size and shape of the lot conforms to the Zoning By-law, and is appropriate for the use proposed and is *compatible* with adjacent lots;
  - (vii) the consent complies with all relevant provisions of this Secondary Plan; and,
  - (viii) the area's natural features, attributes or ecological functions are not negatively affected.
- d) Special Provisions
- (i) In addition to the criteria for evaluating consents as outlined in part c) above, it is the policy of Council that on lands described as Lots 2 to 33, Registered Plan 480 inclusive, as shown on Schedule F5, the minimum lot frontage and area for residential lots created by consent shall be 30 metres and 1000 square metres respectively.

#### 13.1.7.4 Requirements for Applications/Approvals

##### 13.1.7.4.1 Development Review

- a) All *development* applications shall be subject to review in accordance with the policies of this section, and the other applicable policies of this Secondary Plan. In addition, the Town may require *development* to be subject to the site plan control provisions of the Planning Act.
- b) Amendments to this Secondary Plan prior to the 5-year review required by the Planning Act are discouraged. However, if amendments are considered, the following criteria and the pertinent policies of the Secondary Plan will provide a context for the review of the proposed amendment:
  - (i) the impact of the proposed change on the ability of the Town to comply

with the goals, objectives and intentions expressed in this Secondary Plan or on other municipal policies, programs or interests;

- (ii) the need for the proposed change;
- (iii) the effect of the proposed change on the need for Town and Regional services and facilities; and,
- (iv) the implications, if any, that the amendment may have for other policies and provisions of this Secondary Plan.

c) An amendment to this Secondary Plan is required to permit the establishment of uses other than those permitted in this Secondary Plan. In considering an amendment to either the schedules or policies of this Secondary Plan, regard shall be had to the following criteria that are in addition to those specified elsewhere in this Secondary Plan:

- (i) the need for the proposed use;
- (ii) the extent to which the existing areas in the proposed categories are developed, and the nature and adequacy of such existing development;
- (iii) the physical suitability of the land for such proposed use; and,
- (iv) the location of the areas under consideration with respect to the potential impact on:
  - the adequacy of the existing and the potential impact upon the roadway system in relation to the development of such proposed areas;
  - the convenience and accessibility of the site for vehicular, bicycle and pedestrian traffic and the traffic safety in relation thereto;
  - the adequacy of the water supply and sewage disposal facilities, and other municipal services in view of the policies contained in this Secondary Plan and in accordance with technical reports or recommendations which shall be requested from the developer and subject to the approval of the Town, the Region of York, and any other applicable approval authority;
  - the *compatibility* of such proposed uses with uses in the surrounding area;

- the potential effect of the proposed use on the financial position of the municipality; and,
- the effect of the proposed use on the population level and the social character of the community.

#### **13.1.7.4.2 Pre-Consultation and Submission Requirements**

##### **13.1.7.4.2.1 Pre-Consultation**

- a) Consultation with the Town prior to the submission of an application requiring a *Planning Act* approval is encouraged and shall be required for those applicants submitting applications for amendments to the Official Plan and/or Zoning By-law, or making applications for Plans of Subdivision or Condominium or Site Plan approval. The purpose of the pre-consultation meeting is to allow the applicant to discuss matters pertaining to the application with Municipal Staff and appropriate agencies. Through these discussions, Municipal Staff will have the opportunity, in consultation with the applicant, to outline the information and materials that the applicant will be required to submit concurrently with the application. The pre-consultation meeting shall be conducted prior to the submission of an application. The specific reports/studies that are required to be submitted together with the application will be identified at the pre-consultation meeting.
- b) For Official Plan amendments, Zoning By-law amendments, draft plans of Subdivision, draft plans of Condominium, Site Plans and Consents, the *Planning Act* permits the Town to require any other information and material that it considers it may need to assess an application. An application is only considered complete in accordance with the *Planning Act* if all of the information and material requested has been submitted, in addition to the required fees. In this regard, in addition to the prescribed information required by the *Planning Act*, additional information, mapping, drawings, reports and technical studies may be required to support any application to assist in understanding, evaluating and making recommendations on the application, and to ensure that sufficient information in an appropriate format can be made available to the commenting agencies and the public, and to the Council and its delegated approval authorities. Detailed information requirements for Official Plan amendments, Zoning By-law amendments, draft plans of Subdivision or Condominium and Site Plan applications will be determined through the pre-consultation process.
- c) The required supporting information and materials shall be determined by the Town in consultation with York Region, the Lake Simcoe Region Conservation Authority, other appropriate agencies and the proponent prior to the submission of the application as part of the pre-consultation process.

- d) At the pre-consultation meeting, the Town will identify the submission requirements relevant and necessary to the processing of each application:
- (i) prior to submission and acceptance of development applications, as items necessary for the application to be considered complete; and,
  - (ii) during the processing of applications in cases where such information and materials cannot reasonably be provided at the time of initial submission.

**13.1.7.4.2.2 Submission Requirements**

- a) In order to properly evaluate a proposal, the following information and material may be required to be submitted as part of any application for an Official Plan amendment, Zoning By-law amendment, draft plan of Subdivision or draft plan of Condominium or Consent approval, and furthermore, may be requested for applications for Site Plan approval, as determined through the pre-consultation meeting process. All applications noted must be accompanied by all other information and materials listed below except where some of these requirements have been scoped or waived through the pre-consultation meeting process. The final list of required information and material will be determined through the pre-consultation meeting process.

Environmental Considerations:

- Earth Science Heritage Evaluation
- Environmental Impact Statement
- Erosion Hazard Assessment
- Fish Habitat Assessment
- Greenbelt Plan Conformity
- Hydrological Evaluation
- Hydrogeological Evaluation
- Lake Simcoe Protection Plan Conformity
- Natural Heritage Evaluation
- Source Water Protection Plan
- Tree Compensation Plan
- Tree Inventory and Preservation Study/Arborist Report
- Vegetation Protection, Enhancement and Restoration Plans
- Watercourse/Shoreline Protection, Enhancement and Restoration Plans
- Watershed / Subwatershed Study
- Woodland Preservation and Management Plan

Transportation Considerations:

- On-Street Parking Analysis
- Parking Supply Study and Design Analysis
- Pedestrian and Bicycle Pathway Plan
- Traffic Impact Study
- Transit Facilities Plan
- Transportation Demand Management Analysis

- Transportation Study

Engineering Considerations:

- Approved Top-of-Bank Demarcation Mapping
- Coastal Engineering Analysis
- Communal Servicing Study
- Composite Utility Distribution Plan
- Detailed Service Plan
- Erosion and Sediment Control Plan
- Floodplain Study
- Functional Servicing Report
- Geotechnical/Soils Report
- Grading and Drainage Plan
- Hydrological Evaluation
- Hydrogeological Evaluation
- Master Drainage Plan
- Servicing Options Report
- Septic System Design Report
- Settlement Capability Study
- Slope Stability and Erosion Control Plan
- Stormwater Management Plan
- Survey Plan, indicating all existing vegetation, landform features, buildings, structures and contours
- Well Impact Study
- Water Budget and Conservation Plan

Financial Considerations:

- Financial Impact Analysis
- Municipal Financial Impact Assessment
- Regional Impact Analysis (applications for retail spaces greater than 30,000 square metres of gross leasable area)
- Rental Housing Study
- Retail Market Impact Study

Cultural / Heritage Considerations:

- Archaeological Assessment
- Built Heritage Resource Assessment / Impact Study
- Cultural Heritage Resource Assessment / Impact Study
- Heritage Restoration Plan

Planning Considerations:

- Development Area Plan/Amendment
- Land Needs Justification and Impact Analysis Report
- Planning Policy Analysis
- Planning Rationale Report
- Surrounding Land Use Compatibility Analysis
- Sustainability Evaluation

Nuisance and Hazard Considerations:

- Air Emissions Study
- Dust Impact Study
- Noise Study
- Phase 1 Environmental Site Assessment
- Phase 2 Environmental Site Assessment
- Site Remediation Plan
- Soil Capacity Study
- Vibration Study

Agricultural and Aggregate Considerations:

- Aggregate Extraction Area Report
- Aggregate Resource Analysis
- Aggregate Restoration/Rehabilitation Plan
- Agricultural Assessment
- Agricultural Impact Study
- Minimum Distance Separation Analysis
- Nutrient Management Plan

Design Considerations:

- Architectural Design Guidelines
- Elevation Plans
- Energy Management Plan
- Exterior Building Colour Sample Board
- Landscape and Open Space Plan
- Lighting Plan
- On-Site Traffic Management and Control Plan
- Parking Management Plan
- Park Concept Plan
- Pedestrian Circulation Plan
- Scenic Vistas and Views Impact Analysis
- Signage Study
- Site Plan
- Streetscaping Plan
- Sun / Shadow Analysis
- Urban Design Guidelines
- Waterfront Access Plan

- b) The Town reserves the right to request additional information or materials during the application review process, if circumstances necessitate the need for such information as part of the decision making process. These additional requirements, however, do not affect the original deemed “complete application” date.
- c) The number and the scope of reports and technical studies required for the submission of a complete application should be appropriate and in keeping with the scope and complexity of the application. For applications that may be considered

straight forward or minor in nature, limited additional information may be required. The final list of additional information will be determined in consultation with the applicant during the pre-consultation meeting. The determination regarding specific scoping of reports and studies to be submitted by an applicant will also be identified at the pre-consultation meeting.

- d) All information and material must be submitted in both electronic format and hard copy format in accordance with Town standards or specifications, so that it can be more easily made available for review. All required reports and technical studies shall be prepared by qualified professionals retained by and at the expense of the proponent. The Town will review all reports and studies and may also require a review by an appropriate public agency or a peer review by a qualified professional consultant retained by the Town at the proponent's expense.

#### **13.1.7.4.2.3 Complete Application**

- a) Pursuant to the *Planning Act*, until the Town has received the prescribed fee and the other information and materials as identified through the pre-consultation meeting(s), and has deemed the application complete in accordance with the *Act*, the Town may refuse to accept or further consider the application and the appeal periods do not commence.
- b) For the purpose of deeming an application for Official Plan amendment, Zoning By-law amendment, draft plan of subdivision, draft plan of condominium or consent complete under the *Planning Act*, the following will be required:
  - (i) a completed application form;
  - (ii) the prescribed current application fee(s);
  - (iii) any information or materials prescribed by statute;
  - (iv) at least one pre-consultation meeting to determine the required information and materials; and,
  - (v) the requisite other information and materials required to be provided with the initial submission as determined through the pre-consultation meeting(s).
- c) If the planning applications are for a proposal substantially different from what was considered and agreed to in the pre-consultation meeting, the Town can make the following determination:
  - (i) Return the application and accompanying material indicating why it is not considered to be a complete application and recommend that another pre-consultation meeting be held; or,
  - (ii) Accept the application as complete.



**13.1.7.4.3 Environmental Impact Statements**

- a) Where the preparation of an Environmental Impact Statement is required, the report shall be prepared to the satisfaction of the Town in consultation with the relevant agencies. The Town may determine that a peer review should be conducted of the Environmental Impact Statement. The Town shall select and retain a qualified environmental consultant, at the expense of the proponent, to conduct the peer review.
- b) All Environmental Impact Statements shall be prepared by experts qualified in the fields of ecology, biology, hydrology, hydrogeology and/or environmental planning and shall be prepared in accordance with a work plan that has been approved by the Town in consultation with the relevant agencies. The work plan shall identify the boundaries of the area to be studied and may include lands beyond the limit of the lands proposed for development. The objective of the Statement is to identify and assess the potential impacts of a specific development proposal on the environmental features, functions and linkages of the potentially affected areas and to ensure that the proposal complies with the policies and intent of this Secondary Plan.
- c) Prior to the preparation of an Environmental Impact Statement, the applicant is encouraged to consult with the Town and/or Conservation Authority to define the scope of the required Environmental Impact Statement.
- d) Components of an Environmental Impact Statement shall generally include, but are not necessarily limited to, the following:
  - (i) a detailed description of the site including the natural heritage features, functions and the linkages between features;
  - (ii) a characterization of the existing adjacent natural heritage features and functions;
  - (iii) a detailed description of the proposed development or land use activity;
  - (iv) an assessment of the expected direct, indirect and cumulative impacts of development on the functions, attributes and linkages for which the area was identified;
  - (v) an evaluation of the extent to which development can be accommodated within or adjacent to the natural heritage feature without *negative impact* to the natural heritage feature;

- (vi) recommendations to avoid or mitigate impacts and identification of opportunities for restoration and/or enhancement;
  - (vii) establishing specific boundaries and buffers to protect the natural heritage features;
  - (viii) a strategy for implementing the recommended mitigation measures; and,
  - (ix) an evaluation of the need for a construction and post-construction monitoring plan to measure the potential effect on the natural heritage features.
- e) For *development* proposed on *adjacent lands or lands in close proximity to significant* portions of the habitat of endangered, threatened or vulnerable species and *significant wildlife habitat*, the Ministry of Natural Resources shall be contacted to determine what additional requirements must be addressed in the Environmental Impact Statement.
- f) Applications for *development*, other than decks, accessory structures, minor additions to existing residential dwellings and conservation and erosion protection works within 30 metres of the shoreline of Lake Simcoe, shall be accompanied by an Environmental Impact Statement that demonstrates in addition to the other requirements of this Secondary Plan that:
- (i) it will not result in an increase in nutrient loading to the Lake;
  - (ii) it will not result in a *significant* reduction in surface or groundwater flow characteristics in the lake;
  - (iii) it will not adversely affect the stability of the Lake Simcoe shoreline;
  - (iv) it will result in no net loss of productive capacity for *fish habitat*;
  - (v) storm water flows discharged to the lake will not adversely affect the lake ecosystem;
  - (vi) a net gain of productive capacity for *fish habitat* is achieved wherever possible.
- g) Applications for *development*, other than decks, accessory structures, minor additions to existing residential dwellings and conservation and erosion protection works within 30 metres of a watercourse, shall be accompanied by an Environmental Impact Statement that demonstrates in addition to the other requirements of this Secondary Plan that:

- (i) the quality and quantity of groundwater base flow and surface water are protected;
- (ii) groundwater recharge and discharge areas or headwaters will not be *significantly* impacted;
- (iii) where the removal of topsoil or grading is required, stream sediment loading shall be minimized, slope stability will be maintained and erosion will be minimized;
- (iv) there is no net loss of productive capacity for *fish habitat*; and,
- (v) a net gain of productive capacity is achieved wherever possible.

#### **13.1.7.4.4 Peer Reviews**

- a) The Town may deem it desirable to have independent, qualified professionals conduct a Peer Review of technical studies in support of development applications that have been completed by the proponents. Peer reviews may be required for any of the studies identified in this Secondary Plan.
- b) In accordance with the Town's Policy for Peer Reviews, the peer review consultants are to review the technical studies having regard to relevant Town, Regional and Provincial policies and guidelines, and provide recommendations to the Town regarding the acceptability of the methodology or approach used in the study, the completeness, and accuracy of the conclusions and findings of the study.
- c) The cost of the peer review will be the responsibility of the proponent for the subject development application.

#### **13.1.7.4.5 Developers Group Agreements**

- a) Prior to the final approval of any large scale development involving a number of landowners, the Town may require that landowners with applications for development enter into an agreement or agreements to address the sharing of the common costs of development.

### **13.1.7.5 Land Securement**

#### **13.1.7.5.1 Land Dedication, Acquisition and Securement**

- a) The Town shall consider the acquisition, at no or minimal cost, of the lands along the Lake Simcoe waterfront, and lands which form part of the Greenlands System.

A wide range of mechanisms would be used to achieve this objective including acquisition in accordance with the Planning Act, negotiation as a condition of development approval, development bonusing, property tax exemptions for non-usable land areas, easements registered on title, land exchanges, donations, gifts, bequests and lease agreements.

- b) In order to preserve and restore the forest resources, the Town will actively participate in Region of York initiatives, such as the “Greening of York Strategy”. In addition, the long term securement of forested land by various Land Trusts, the Nature Conservancy of Canada or other agencies such as the Lake Simcoe Region Conservation Authority will be encouraged and supported.
- c) The Town shall generally acquire other lands required to implement the policies of this Secondary Plan in accordance with the provisions of the Planning Act, the Municipal Act, the Development Charges Act or any other statute.
- d) In the event of the donation of natural features lands to the Town, Region or an environmental group, the provision of an environmental easement across some or all of the lands, or the creation of a stewardship agreement shall be encouraged. Where such lands have been donated to the Town or other public agency, they shall be maintained in accordance with the policies of this Secondary Plan.

#### **13.1.7.5.2 Parkland Acquisition**

- a) Land required for public park or recreational uses in accordance with this Secondary Plan may be generally acquired through dedication to the Town in accordance with the provisions of the Planning Act, as follows:
  - (i) as a condition of development or redevelopment for residential purposes at a rate of 5 percent of the lands proposed for development or at a rate of 1 hectare for every 300 residential units, whichever is greater. However, within any one subdivision only one of the standards shall be applied, not a combination of both standards;
  - (ii) as a condition of development or redevelopment for industrial or commercial purposes at a rate of 2 percent of the land proposed for development; and,
  - (iii) as a condition of development or redevelopment for any other use at a rate of 5 percent of the land proposed for development.
- b) The Town may require, in lieu of the conveyance of parkland, cash payment of money equal to the value of the land to be conveyed in accordance with the provisions of the Planning Act.

- c) The Town shall use the lands conveyed to the Town under the provisions of the Planning Act for public park, recreational uses, or open space, but may convey such lands at any time.
- d) All monies received under the cash-in-lieu provisions of the Planning Act shall be used for the sole purpose of public park, recreational uses, or open space within the Secondary Plan area, in accordance with the Planning Act.
- e) The Town shall endeavour to encourage other agencies and groups to make land and facilities available for the general use of all residents.
- f) The Town may also acquire lands which are of particular value either because of their physical character or because their location provides a link with other portions of the open space system.
- g) Parkland acquisition may include any of the following:
  - (i) purchase, lease, property dedication;
  - (ii) dedication through development;
  - (iii) shared use agreement; and/or,
  - (iv) property exchange.
- h) All lands dedicated to the Town shall be conveyed in a physical condition satisfactory to the Town.
- i) The Town shall not accept lands designated for flood control or hazard land as park dedication.

**13.1.7.6 Existing Non-Conforming Uses, Buildings and Structures**

- a) It is the intent of this Secondary Plan that legally *existing* uses, buildings and structures that do not conform with the land use designations or provisions of this Secondary Plan shall, in the long term, be brought into conformity with the provisions of this Secondary Plan. However, this Secondary Plan is not intended necessarily to prevent the continuation, extension or enlargement of uses, buildings and structures that do not comply with the designations or provisions of this Secondary Plan.

After deeming it unfeasible to acquire a non-conforming subject property so as to bring it into compliance with this Secondary Plan through a change in land use or

redevelopment, the Town may, at its discretion, zone lands to permit the continuation, extension, or enlargement of legally *existing* non-conforming uses, buildings and structures and/or zone lands to permit accessory, complementary or similar uses, buildings and structures to legally *existing* non-conforming uses, buildings and structures, provided that it is satisfied that the zoning shall:

- (i) have no adverse affect on the present or future uses of the surrounding lands;
- (ii) apply to a use that has frontage on a public road that has been assumed by the municipality and is fully maintained year round; and,
- (iii) not detrimentally affect the implementation of the policies of this Secondary Plan and that the general intent and purpose of this Secondary Plan is maintained.

#### **13.1.7.7 Public Involvement**

##### **13.1.7.7.1 Committee of Adjustment**

- a) The Committee of Adjustment shall be guided by the intent and purpose of this Secondary Plan and implementing Zoning By-law in making decisions on applications pursuant to the Planning Act.
- b) A minor variance, or an extension or enlargement of a legal non-conforming use shall not aggravate any problem created by the existence of the use, especially in regard to the policies of this Secondary Plan and the requirements of the Zoning By-law.

##### **13.1.7.7.2 Keswick Secondary Plan Implementation Committee**

- a) The Town will establish a Keswick Secondary Plan Implementation Committee to assist in the preparation of Community Improvement Plans for the Uptown Keswick and Maskinonge Urban Centres. The Committee is intended to be a source of independent advice and expertise from the local community. The Town will appoint members of the Committee based on their expertise, to assist Town staff and the Town on urban design and development issues.
- b) Prior to the appointment of the Keswick Secondary Plan Implementation Committee, the Town will approve a Terms of Reference for the Committee that will identify the expertise sought, the mandate of the Committee, the term of the appointment and the Committee's reporting policies and procedures.

##### **13.1.7.7.3 Georgina Heritage Committee**

- a) The Town shall continue to maintain a citizens' heritage advisory committee known as the Georgina Heritage Committee pursuant to the Ontario Heritage Act, to advise and assist the Town on all heritage matters that affect the Town.
- b) The responsibilities of the Georgina Heritage Committee include:
  - (i) recommending properties worthy of designation under Parts IV and V of the Ontario Heritage Act;
  - (ii) preparing and maintaining a list of properties, features and areas worthy of monitoring for conservation;
  - (iii) encouraging and facilitating the retention of documentation that is of architectural and historical significance to the Town of Georgina;
  - (iv) establishing guidelines for the conservation of heritage resources including individual structures, heritage conservation districts and features of natural heritage;
  - (v) reviewing planning documents, *development* applications, building permits and sign permits as they pertain to identified heritage resources; and,
  - (vi) reviewing municipal, provincial and federal heritage legislation.

**13.1.7.7.4 Public Consultation**

- a) Council, or a Committee of Council delegated with the appropriate authority, shall, when considering a proposed Secondary Plan Amendment, Zoning By-law or Zoning By-law Amendment, ensure that adequate information and an opportunity to comment are made available to the public with respect to the proposal by holding one or more public meetings.
- b) Notification to the residents of public meetings held by the Council/Committee of Council shall be done in accordance with the procedures detailed in the Planning Act.

### **13.1.8 INTERPRETATION**

#### **13.1.8.1 Land Use Boundaries and Roads**

- a) It is intended that the boundaries of land use designations on Schedule F1 be considered as approximate and exact only where bounded by roads, railways, rivers or streams or other similar geographical demarcations. It is also intended that the location of proposed roads, as indicated on Schedule F2, be considered as approximate and not exact.
- b) Amendments to the Secondary Plan will not be required to permit minor adjustments to such approximate land use boundaries or to such approximate location of roads, provided that the general intent of the Secondary Plan is preserved. Such minor deviations will not be reflected in Schedules F1 and F2.

#### **13.1.8.2 Stated Measurements and Quantities**

- a) It is intended that all figures and quantities herein shall be considered as approximate only and not exact. Amendments to the Secondary Plan will not be required to permit a minor deviation from any of the proposed figures.

#### **13.1.8.3 Legislation**

- a) Where this Secondary Plan makes reference to an Act of the Legislature or an Ontario Regulation, such reference shall include its successor upon amendment or replacement.

#### **13.1.8.4 Definitions**

- a) For the purposes of this Secondary Plan, the following definitions shall apply:

*Aided Succession* - means a managed change from one vegetation type to another (e.g., planting trees).

*Adjacent Lands or Lands in Close Proximity* - means those lands subject to a *development* proposal, where the natural functions, attributes or linkages of the identified lands can reasonably be expected to be impacted by the development activities.

*Adverse Effects* - means one or more of the following:

- impairment of the quality of the natural environment for any use that can be made of it;



- injury or damage to property or plant and animal life;
- harm or material discomfort to any person;
- an adverse effect on the health of any person;
- impairment of the safety of any person;
- rendering any property or plant or animal life unfit for use by humans;
- loss of enjoyment of normal use of property;
- interference with normal conduct of business.

*Built Heritage Resources* - means one or more buildings, structures, monuments, installations, or remains associated with architectural, cultural, social, political, economic or military history, and identified as being important to a community.

*Compatible* – means development that may not necessarily be the same or similar to the existing buildings or uses in the vicinity, but, nonetheless, enhances the established community and shall be able to coexist with existing buildings and uses in the vicinity without causing any adverse impacts on surrounding properties.

*Cultural Heritage Resources* - means archaeological remains or prehistoric and historic habitation areas, containing archaeological potential, cemeteries and burials, buildings and structural remains of historical and architectural value, and human-made villages or landscapes of historic interest.

*Development* - means the creation of a new lot, change in land use designation or in the permitted uses; or the construction, erection, placement or replacement of one or more buildings or structures on land; or the making of an addition or alteration to a building or structure that increases the horizontal size of the ground floor area of the structure by more than 50% or the usability thereof, where any such activity above requires an approval under the Planning Act or an exception to a Tree By-law approved in accordance with the Forestry Act and/or the Municipal Act.

*Development Areas* - means those areas identified in this Plan on Schedule F1 where the majority of future residential, and neighbourhood centre uses will be established.

*Drive-through Facility* – means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to persons remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility

may be in combination with other uses such as, laundry shop, dry cleaning shop, dry cleaner's distributing station, branch of a bank or financial institution, restaurant, retail store, automobile service station, or take-out restaurant. Despite the above, a drive-through facility does not include a car washing establishment, automobile service station or a gas bar.

*Ecosystem* - means an ecological system that is composed of air, land, water and living organisms including humans and the interactions between them.

*Ecosystem Approach* - means an approach to planning that is intended to ensure that: balanced decisions are made taking into consideration environmental, health, economic and social implications; that all components of the *ecosystem* are considered as a whole; and that decisions focus on the inter-relationship among the elements.

*Environmentally Sustainable* - means activities that meet present needs without having net adverse impacts on the quality of air, water and land, thus ensuring the long-term viability of *ecosystems* is maintained.

*Existing* - means legally existing as of the date of the adoption of this Secondary Plan and which has continued to exist to present.

*Fish Habitat* - means those parts of the environment on which fish depend, directly or indirectly, in order to carry out their life processes, including spawning grounds and nursery, rearing, food supply and migration areas.

*Flood Plain* - means the area, usually low lands adjoining a watercourse, which has been or may be subject to flooding hazards.

*Floor Area Ratio* – is an index that, when multiplied by the net land area of a lot, indicates the maximum permissible gross floor area for all buildings on the lot. It is the quotient of the building floor area divided by the net site area. For the purposes of this definition, the net land area of a lot means the total area of a lot, less any land required for road widening purposes.

*Gross Leasable Floor Area* - means the total floor area occupied by a commercial facility for its exclusive use, including basements, mezzanines, upper storey areas and integral storage areas but not including public or common areas such as halls, corridors, stairways, elevators or machine or equipment rooms.

*Gross Residential Land* - means an area of residential land which includes road allowances and land for other uses accessory to the basic residential uses. The land for accessory uses would include land for places of worship, neighbourhood parks and playgrounds, schools and local commercial uses. Areas of open space

required for environmental protection (valley land, below top-of-bank, *significant* woodlot), storm water management facilities and land for major institutional uses such as a hospital or cemetery shall not be considered as Gross Residential Land.

*Gross Residential Hectare* – means that the residential density is calculated on the basis of the Gross Residential Land area.

*Group Home* – means a residence licensed or funded under a federal or provincial statute for the accommodation of three to eight persons, exclusive of staff, living under supervision in a single housekeeping unit and who, by reason of their emotional, mental, social or physical condition, require a group living arrangement for their well being, but does not include a Halfway House.

*Halfway House* – means a facility funded, licensed, approved, or supervised by the Province of Ontario as a detention or correctional facility under any general or special Act and Amendments or replacements thereto, for the accommodation of 3 or more residents, exclusive of staff.

*Homes for Special Care* – means housing for adults over 18 with a psychiatric diagnosis who require supervision and ongoing support with activities of daily living. Homes for Special Care are residential settings which are licensed by the Ministry of Health and Long Term Care.

*Home Occupation* - means an occupation conducted for gain or profit as an accessory use within a dwelling as permitted herein. A clinic, day nursery, nursing home, tea room, and an animal hospital are deemed not to be Home Occupation uses.

*Lodging House* – means a nursing home or any other house or other building or portion thereof in which four or more persons are harboured, received or lodged for hire, but does not include a residential unit or a hotel, nursing home for the young or aged, or institution which is licensed, approved or supervised under any other general or special Act.

*Negative Impact* - means:

- in regard to fish habitat, the harmful alteration, disruption or destruction of fish habitat, except where it has been authorized under the Fisheries Act, using the guiding principle of no net loss of productive capacity; or,
- in regard to other Natural Heritage Features and Areas, the loss of the natural features or ecological functions for which an area is identified.

*Net Residential Land* - means an area of residential use which excludes road

allowances and land used for other uses necessary to the basic residential use such as churches, neighbourhood parks and playgrounds, schools, local commercial, etc.

*Net Residential Hectare* – means that the residential density is calculated on the basis of the *Net Residential Land* area.

*Open Space* - means all publicly owned lands which are accessible for passive or active leisure opportunities which include the following elements: parks, walkways, bike paths, trails, hazard lands, natural areas, conservation authority lands and school areas.

*Reforestation* - means an act of replanting or restoring trees on an area that once supported a forest.

*Significant* – means:

- in regard to *woodlands*, encompasses all old growth forest (more than 100 years of age) and mid- to late-successional forest (60 to 100 years of age) that is greater than 4 hectares in size;
- in regard to other features and areas that are ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or natural heritage system;
- in regard to other matters, important in terms of amount, content, representation or effect.

*Stacking Lane* – means an on-site queuing land for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings or sign.

*Sustainable* - means activities that meet present needs without compromising the ability of future generations to meet their own needs.

*Sustainable Resource Uses* - means activities that meet present needs and are based on an *ecosystem approach* that minimizes the disruption of natural resources while ensuring the long term health of the natural, social and economic systems.

*Wildlife Habitat* - means areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are

important to migratory or non-migratory species.

*Woodlands* - means treed areas that provide environmental and economic benefits such as erosion prevention, water retention, provision of habitat, recreation and the *sustainable* harvest of woodland products. Woodlands include treed areas, woodlots or forested areas and vary in their level of significance.

#### **13.1.8.5 General**

- a) It is the general intent of this Secondary Plan that an amendment shall only be required when a principle or policy is added to, deleted from, or significantly altered in the text or on the schedules. Technical or housekeeping amendments to this Plan can be undertaken without amendment such as, but not necessarily limited to, the following:
- (i) to change the numbers of sections or the order of sections in the Secondary Plan, without adding or deleting sections;
  - (ii) to consolidate previously approved Secondary Plan amendments in a new document without altering any approved policies or maps;
  - (iii) to correct grammatical or typographical errors which do not affect the intent or purpose of policies, regulations or maps;
  - (iv) to reword policies or re-illustrate maps for the purposes of clarity that would serve to aid understanding, without affecting the intent or purpose of the policies, regulations or maps;
  - (v) to translate measurements into different units of measure;
  - (vi) to change reference to legislation or to changes where such legislation has changed;
  - (vii) to add base information to maps to show existing and approved infrastructure; and,
  - (viii) to alter language or punctuation to obtain a uniform mode of expression throughout the Plan.