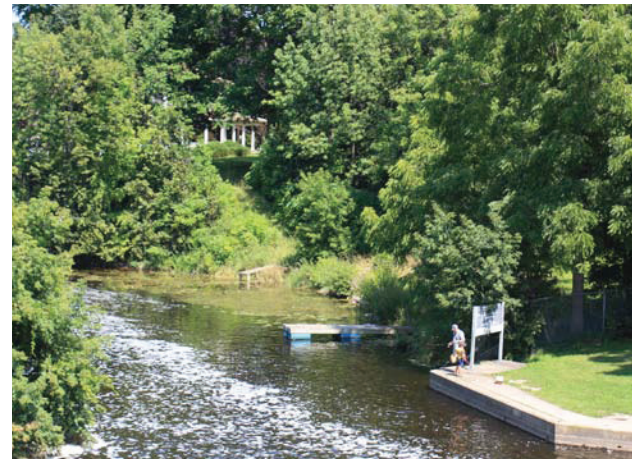


Town of Georgina



# SUTTON / JACKSON'S POINT SECONDARY PLAN



**AS APPROVED BY THE OMB**  
July 17, 2013

## **EXPLANATORY NOTE**

The Sutton/Jackson's Point Secondary Plan, Amendment No. 111 to the Official Plan for the Town of Georgina, was adopted by Council on June 30, 2010.

The Secondary Plan was approved with modifications by the Regional Municipality of York on March 24, 2013.

On July 17, 2013, the Ontario Municipal Board approved the Sutton/Jackson's Point Secondary Plan with modifications, save and except with respect to the Plan's application to two site specific properties, which remained under appeal.

The two remaining appellants subsequently withdrew their appeals, and by letter dated December 1, 2014, the Ontario Municipal Board has advised that there are no outstanding appeals and objections to the Secondary Plan. As a result, the Sutton/Jackson's Point Secondary Plan is in full force and effect.

### **INCLUDED IN THIS CONSOLIDATION:**

- OPA # 111 York Region modifications
- OPA # 116 July 4, 2012
- OPA # 111 OMB appeal decision July 17, 2013
- OPA # 115 March 18, 2016
- OPA # 123 October 2, 2013
- OPA # 129 November 23, 2016 (Plan renumbered 9.2 to 13.2)

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## **SCHEDULES**

- A** Schematic Community Structure
- B** Land Use Plan
- C** Roads Plan
- D** Trails Plan
- E** Special Provisions

<b>APPENDIX I:</b>	Map 1	Key Natural Heritage Features
	Map 2	Key Hydrologic Features
	Map 3	Aggregate Resources

<b>APPENDIX II:</b>	Urban & Architectural Design Guidelines
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<b>APPENDIX III:</b>	Sutton/Jackson's Point Servicing Allocation Assignment Program: Residential Development Submission Instructions; Submission Checklist; Application Form
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## **SECTION 13.2 - THE SUTTON/JACKSON'S POINT SECONDARY PLAN**

### **13.2.1 THE BASIS OF THE SECONDARY PLAN**

#### **13.2.1.1 Purpose**

- a) Schedules 'A', 'B', 'C', 'D' and 'E' identify the Sutton/Jackson's Point Secondary Plan Area, which encompasses approximately 2550 hectares (6300 ac.). Located within the north-central portion of the Secondary Plan Area is Sutton and Jackson's Point, which combined represents the second largest urban community in the Town of Georgina.
- b) The purpose of this Secondary Plan is to provide a detailed land use plan and policy framework to guide future growth and development within the Secondary Plan Area. This Plan is a long-term policy document for managing land use and growth. The planning horizon is approximately 20 years, to the year 2031, to match the time horizons of the Growth Plan for the Greater Golden Horseshoe, and the York Region Official Plan.
- c) Land use and development in Sutton/Jackson's Point shall be subject to the principles, growth management provisions and policies of this Secondary Plan, along with Schedules 'A', 'B', 'C', 'D' and 'E', and the attached Appendix I: Maps 1-3; Appendix II: Urban & Architectural Design Guidelines; and Appendix III: Sutton Servicing Allocation Assignment Program.
- d) Words that are *italicized* are subject to the definitions set out in Section 13.2.10.6.

#### **13.2.1.2 Background**

Despite their proximity, the communities of Sutton and Jackson's Point have distinct beginnings. Like many early settlements in Ontario, industry was the driving force behind Sutton's origin. The name originally given to the village was Bouchier Mills, after Captain William Bouchier and his brother James. As early as 1819, the brothers built a dam on the Black River to run a saw mill and later a woolen mill. The settlement gradually grew with the addition of a gristmill and a general store. Soon the village added a post office (the first in Georgina) and a schoolhouse, which also

served as a house of worship until 1858 and as a Town Hall until the mid-1850's. In 1864, after more growth, the name of the village changed from Bouchier Mills to Sutton.

Jackson's Point on the other hand, has naval origins. The area was named after John Mills Jackson, who settled the land and first used it as a wharf facility for schooners traveling Lake Simcoe. In the mid to late 1800's, transportation to the area improved with the use of steamers and railroads. This attracted summer visitors who came to enjoy the lake front and Ontario's first "cottage country" was born.

Today, Sutton/Jackson's Point remains a relatively small community primarily consisting of a number of distinct stable residential neighbourhoods, a variety of seasonal/tourist related uses, and two historic commercial core areas connected by a mixed-use corridor that is evolving along Dalton Road.

Sutton/Jackson's Point has a rich cultural heritage and strong sense of community. It is an attractive place to live, and pressure for new development is increasing due to its "small town" character, lakeside location, recreational/cultural amenities, and its proximity to major urban centres to the south.

### **13.2.1.3 Vision**

It is projected that future growth in Sutton/Jackson's Point will be modest over the next 20 years, with an additional 8,390 people expected to be living in the Secondary Plan Area by 2031. While this may not appear to be a significant increase in comparison to the growth planned for many other communities in York Region, it does represent a more than doubling of its present (December, 2009) estimated population of 6,760.

As the community has experienced little growth over the past 20 years, some residents are concerned about what effect increased levels of growth will have on the quality of life and "small-town" atmosphere they presently enjoy. At the same time, the community recognizes it has several challenges moving forward, such as strengthening its commercial core areas and bringing existing privately serviced homes that are close to the Lake onto full municipal services.

Proper planning and management of future growth must seek to ensure that ongoing change results in positive physical, social, economic and environmental benefits to the community. In this



regard, this Plan will promote a more sustainable development pattern that focuses on greater intensification in built-up areas in order to utilize existing infrastructure and resources more efficiently, and to minimize the consumption of greenfield lands. This Plan will also aim to address other needs and challenges facing the community, such as providing a greater range of housing opportunities, and strengthening the local economy.

***The long-term vision guiding this Plan is to develop Sutton/Jackson's Point into a healthy, vibrant and sustainable community that provides a range of places and opportunities to live, work, and recreate, in a manner that protects the natural environment and respects the community's rich cultural heritage.***

#### 13.2.1.4 Principles

In order to achieve the long-term vision, this Plan is based on the following principles:

**Principle 1:** To grow and develop in a manner that protects and restores Lake Simcoe, the Black River and the natural environment, and promotes the creation of a comprehensive and linked greenlands system.

**Principle 2:** To support the Town's Socio-Economic Strategy through the development of partnerships and facilities which strive to recognize and celebrate the importance of Lake Simcoe and its watershed to our ecosystem and the social and economic well being of our community.

**Principle 3:** To promote and strengthen a community structure that includes two local centres and two urban corridors that are the focus of intensification and new development which provides a range of housing, businesses and services in a manner that respects the community's cultural heritage and history.

**Principle 4:** To create well designed, attractive and sustainable residential neighbourhoods within the designated greenfield growth areas that are integrated within the existing community in a logical, compatible, efficient and cost-effective manner.

**Principle 5:** To develop a well-connected, multi-modal, active transportation system that promotes walking, cycling and transit usage, as well as providing an efficient road network for motor vehicles.



**Principle 6:** To promote “green” development and buildings that are architecturally attractive, accessible, energy efficient and include an array of sustainable design features.

**Principle 7:** To protect people and property within the Secondary Plan Area, from natural hazards including flooding, erosion and unstable soils.

#### **13.2.1.5 Community Structure**

- a) Schedule 'A' - Schematic Community Structure, identifies in a general sense, the following primary components of the planned community structure of this Plan:
  - (i) Environmental Protection Area;
  - (ii) Centres;
  - (iii) Corridors;
  - (iv) Stable Neighbourhoods;
  - (v) New Neighbourhoods; and,
  - (vi) Redevelopment Opportunity Areas.

These structural elements form the basis of the land use designations and policies of this Plan.

#### **13.2.1.6 Growth Management**

- a) Schedule 'A' - Schematic Community Structure, also contains three boundaries that will play significant roles in managing growth within the Secondary Plan Area to the year 2031. They include:
  - (i) **The Secondary Plan Boundary** - this line, established in the previous Sutton Secondary Plan in 1997, identifies the limits of the area that is subject to the specific policies, schedules and appendices of this Plan. This Secondary Plan Area is also designated as a “Towns and Villages Settlement Area” within the York Region Official Plan and the Province’s Greenbelt Plan, and certain policies of these upper-

tier planning documents also apply to the Secondary Plan Area.

- (ii) **The Urban Service Boundary** - this line, also established in the previous Sutton Secondary Plan in 1997, identifies the lands that are, or may be connected to full municipal water and sanitary sewage services. Lands that are outside of this boundary cannot connect to full municipal services, unless expressly permitted by this Plan. The location of this line in this Plan has not changed from where it was in the previous Sutton Secondary Plan (1997).
  - (iii) **The Built Boundary** - this line, established by the Province under the Growth Plan for the Greater Golden Horseshoe, 2006, identifies the primary areas of existing development or *built-up area* as of June 16, 2006. New development within this line is regarded as *intensification* while development outside of this line, but within the Urban Service Boundary, is considered to be *greenfield development*.
- b) Within the Sutton/Jackson's Point Secondary Plan Area, the estimated December, 2009 population is approximately 6,760 persons. This estimated population includes the following:
- (i) A serviced population (connected to municipal water and sewer or water only) of approximately 5,175 persons. This number includes approximately 700 persons in the north-west portion of the Secondary Plan Area serviced by the Keswick Sewage Treatment Plant;
  - (ii) A privately serviced population (homes on individual well and septic system) of approximately 870 persons located within the Urban Service Boundary;
  - (iii) Approximately 415 persons within the Sutton-By-The-Lake retirement community serviced by a communal water system and private septic systems; and,
  - (iv) Approximately 300 persons living outside of the Urban Service Boundary, located predominantly in the rural/agricultural area.

### 13.2.1.6.1 Population Growth

- a) The anticipated total serviced population (municipal sewer and water) comprised of existing residents and new population from approved/proposed development as of the date of the adoption of this Plan, is approximately 9,675 persons. This number is comprised as follows:
  - (i) An existing fully serviced population (connected to municipal water and sewer) of approximately 4,880 persons;
  - (ii) Approximately 295 existing residents that have municipal water service that are to be connected to the sewage treatment system;
  - (iii) Approximately 870 existing residents currently on private services that are to be connected to full services;
  - (iv) Approximately 3,310 persons from approved /proposed development that has been assigned sewage treatment capacity under a Development Charge Credit Agreement with York Region; and,
  - (v) Approximately 320 persons from small-scale infill developments for which allocation has been set aside.
- b) By the year 2031, the municipally serviced population within the Secondary Plan Area is projected to increase to approximately 14,200. An expanded Sutton Sewage Treatment Plant will service 13,500 persons, with the other 700 persons serviced by the Keswick Sewage Treatment Plant. With the rural/agricultural population expected to remain constant at about 300 persons, and with 650 persons residing in Sutton-By-The-Lake, the total population within the Secondary Plan Area is projected to be approximately 15,150 persons by the year 2031.

Based on this growth projection, there is a need to accommodate approximately 4,525 potential new residents within the Urban Service Boundary by the year 2031.

- c) The projected new population growth within the Urban Service Boundary shall be accommodated by a combination of new *greenfield development* and through *intensification*

within the Built-Boundary. It is the intent of this Plan to allocate new growth within the Urban Service Boundary, as follows:

- (i) 70 to 75 percent of new growth, being approximately 3,170 to 3,395 persons, is to be accommodated within the designated greenfield area, which are development lands within the Urban Service Boundary, but outside of the Built Boundary; and,
  - (ii) 25 to 30 percent of new growth, being approximately 1,130 to 1,355 persons, is to be accommodated through intensification, which is development and/or redevelopment on lands both within the Urban Service Boundary and inside the Built Boundary.
- d) It is the intent of this Plan that growth shall occur in an orderly and phased manner and primary factors to consider in this regard include:
  - (i) The integration of new development within the planned community structure of Sutton/Jackson's Point, resulting in a more contiguous, connected and compact urban form;
  - (ii) The provision of adequate municipal services (water, sewer, stormwater) to accommodate the proposed growth in a cost efficient manner; and the ability of new growth to facilitate the provision of municipal services to existing privately serviced areas within the Urban Service Boundary;
  - (iii) The provision of appropriate transportation facilities, and the availability of adequate capacity on the existing road network and, in particular, in the vicinity of the Dalton Road, Baseline Road and High Street intersection complex;
  - (iv) The provision and adequacy of social services, recreational facilities and other community services; and,
  - (v) If one or more of these factors cannot be addressed satisfactorily, the processing and/or approval of development applications may be held in abeyance,

or deferred, until an appropriate service level or facilities can be provided.

#### **13.2.1.6.2 Employment Growth**

- a) According to the York Region 2009 employment survey, the Sutton/Jackson's Point community experienced a 19% increase in employment between 1998 and 2009, or a 1.6% increase on an annual average basis. As of mid-year 2009, approximately 180 businesses in Sutton/Jackson's Point employed over 1,700 persons (excluding farm and home-based businesses). The local economy is heavily service-orientated, with service-producing sectors responsible for 98.9% of employment. Personal services accounted for 34.0% of the community's employment in 2009, followed by retail trade.

Over the next 20 years, the local economy and number of jobs is expected to grow because of an increasing population. By 2031, if the planned population growth takes place, the creation of an additional 1,850 jobs is projected. It is anticipated that the majority of these new jobs will continue to come from the service-producing sectors, primarily from stores and other businesses/services located within the community's centres and corridors. Other forms of employment growth such as jobs in the industrial and/or major office sectors, are not anticipated within this planning horizon, or until a highly accessible business park is planned within the Sutton/Jackson's Point community.

- b) The general location of the proposed route of the Highway 404 extension through the southerly portion of the Secondary Plan Area is shown in this Plan. However, the extension of Highway 404 northwards into the Town of Georgina is not included within the 2006 Provincial Growth Plan. As such, the construction of this highway to Sutton/Jackson's Point is not anticipated within the time horizon of this Plan. However, this infrastructure has 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 long-term potential in mind, subsequent reviews of this Secondary Plan should consider the Regional allocation of employment projections - both in terms of the amount and the type of employment - to the Sutton/Jackson's Point Secondary Plan Area to accommodate additional employment opportunities.

## **13.2.2 PROMOTING A SUSTAINABLE NATURAL ENVIRONMENT**

### **13.2.2.1 The Greenlands System**

The Sutton/Jackson's Point Secondary Plan Area is rich in natural features, from the shoreline of Lake Simcoe through the Black River valley, to the extensive wetlands and woodlands. These areas are the habitat of a wide variety of plant and animal species and play an important role in the local and regional ecology and native biodiversity.

The York Region Official Plan requires lower tier municipalities to establish a local greenlands system that includes policies and mapping that protects and complements the Regional Greenlands System. As part of the local greenlands system, *key natural heritage features* and *key hydrologic features* are to be identified and protected. A strong, interconnected greenlands system provides many environmental benefits, as well as opportunities for recreation; and contributes to overall health and a high quality of life for residents and visitors.

The Greenlands System of this Secondary Plan is comprised of the lands designated Environmental Protection Area on Schedule 'B' and is largely comprised of core conservation areas or lands that contain *key natural heritage features* and *key hydrologic features*. The system also includes other lands that serve as linkages and corridors, that are either existing or to be established through restoration. The *key natural heritage features* and *key hydrologic features* that form the basis of the Greenlands System are shown in Appendix I: Maps 1 and 2 and are based on available information and data as of the date of the adoption of this Plan.

### **13.2.2.2 Environmental Protection Area Designation**

This designation and associated policies are designed to identify, protect and enhance the environmental features and functions that will form a strong and permanent greenlands system.

#### **Permitted Uses**

The permitted uses on lands designated Environmental Protection Area shall be:

- (i) forest, fish and wildlife management;

- (ii) stewardship, conservation, restoration and remediation undertakings;
- (iii) flood or erosion control projects, but only if the projects have been demonstrated to be necessary and in the public interest after all other alternatives have been considered;
- (iv) *infrastructure* and roads, but only if the need for the project has been demonstrated through an Environmental Assessment or other similar environmental approval or planning approval and there is no reasonable alternative;
- (v) low intensity recreational uses that require very little terrain or vegetation modification and few, if any, buildings or structures, including but not limited to:
  - non-motorized trail use;
  - natural heritage education and appreciation; and,
  - passive park use on public and institutional land.
- (vi) retrofits of *existing stormwater management works* (i.e. improving the provision of stormwater services to existing development in the watershed where no feasible alternative exists) but not new *stormwater management works*;
- (vii) an *existing* single detached dwelling and accessory uses, buildings and structures thereto;
- (viii) home occupations in an existing single detached dwelling or as permitted by 13.2.2.2 (f);
- (ix) existing non-conforming uses, buildings and structures in accordance with Section 13.2.9.8; and,
- (x) mineral aggregate extraction operations in accordance with Section 13.2.2.4.

### **Policies**

- a) *Key natural heritage features and key hydrologic features* including their associated minimum buffer areas, are designated as Environmental Protection Area on Schedule 'B'. The boundaries and extent of the Environmental Protection Area designation shown on Schedule 'B' and the



features identified in Appendix I - Maps 1 – 2, are approximate. Minor refinements to these boundaries may occur through an Environmental Impact Statement or Natural Heritage Evaluation that demonstrates the appropriateness of the refinements to the satisfaction of the Town, in consultation with relevant agencies. Such minor refinements will not require an amendment to this Plan.

- b) Where the boundary to the Environmental Protection Area designation is refined, the abutting land use designation or designations shall apply, provided the designation change will not result in *development* or *site alteration* that will have *adverse effects* on any *key natural heritage features* or *key hydrologic features* and their functions.
- c) *Development* or *site alteration* is not permitted within the Environmental Protection Area designation, except in relation to the permitted uses and policies specified in this Section. Notwithstanding the policies above, *development* and *site alteration* shall not be permitted within *wetlands* and *habitat of endangered species, threatened species, and species of special concern*.
- d) The removal or destruction of a *key natural heritage feature* or *key hydrologic feature* by unauthorized *development* or *site alteration* is prohibited. Such removal or destruction will not provide the rationale for the removal of these lands from the Environmental Protection Area designation. Restoration, to the satisfaction of the Town in consultation with the Lake Simcoe Region Conservation Authority, will be required for these lands.
- e) Notwithstanding the policies above, one new single detached dwelling and accessory uses, buildings and structures thereto, may be permitted on an *existing* vacant lot of record, subject to obtaining any necessary planning approvals and an Environmental Impact Statement that demonstrates to the satisfaction of the Town, in consultation with relevant agencies, that the proposed dwelling will not result in any *adverse effects* on any *key natural heritage features* or *key hydrologic features* or their functions. Notwithstanding, a new single detached dwelling shall not be permitted within *wetlands*, the *habitat of endangered, threatened or special concern species* or *environmentally significant areas*.

- f) *Infrastructure* and road design and construction shall be sensitive to the features and functions within the Environmental Protection Area designation, and include content sensitive design and innovative technologies to minimize impacts and enhance the greenland system.
- g) Where lands within the Environmental Protection Area designation are held in private ownership, nothing in this Plan requires that these lands be free and available for public use. Similarly, Town Council is not obligated to purchase and/or obtain lands identified as part of the Environmental Protection Area designation.

### 13.2.2.3 General Environmental Protection Policies

While the Environmental Protection Area designation and policies will protect an extensive Greenlands System, it is recognized that certain lands outside of the Environmental Protection Area designation may contain environmental features worthy of protection. It is also recognized that certain lands outside of the Environmental Protection Area designation are intended for development, and policies are required to ensure that such development provides the necessary separation and buffers or *vegetation protection zone* from *key natural heritage features* and *key hydrologic features*.

Unless specified otherwise, the following policies apply to all lands within the Secondary Plan Area.

#### Policies

- a) *Development* or *site alteration* on lands outside of the Environmental Protection Area designation containing *key natural features* or *key hydrologic features* identified through subsequent study, will be subject to the Environmental Protection Area designation permitted uses and policies.
- b) The minimum *vegetation protection zone* for all *key natural heritage features* and *key hydrologic features* is the area within 10 metres, of the key feature of features, or larger if determined appropriate by an Environmental Impact Statement required by policy 13.2.2.3 c).

On existing lots of record a reduced *vegetation protection zone* may be determined through an Environmental Impact

Statement where appropriate, and subject to approval from the Town and other relevant agencies.

- c) An application for *development* or *site alteration* within 120 metres of the Environmental Protection Area designation, or a *key natural heritage feature* or *key hydrologic feature* identified in Appendix 1, shall be accompanied by an Environmental Impact Statement meeting the following requirements:
- (i) The applicant shall consult with the Town, Lake Simcoe Region Conservation Authority, and any other relevant agency to determine the terms of reference for an Environmental Impact Statement.
  - (ii) Demonstrate that the *development* or *site alteration* applied for will have no *adverse effects* on the *key natural heritage feature*, *key hydrologic feature*, Lake Simcoe and its associated *vegetation protection zone*, or on the related *ecological functions*;
  - (iii) Identify planning, design and construction practices that will maintain and, where feasible, improve or restore the health, diversity and size of the *key natural heritage feature* or *key hydrologic feature* and its *connectivity* with other *key natural heritage features* or *key hydrologic features* as well as *connectivity* and linkages to natural heritage systems identified in Provincial Plans or by municipalities, the Lake Simcoe Region Conservation Authority, Ministry of Natural Resources or other jurisdictions having authority;
  - (iv) Demonstrate how *connectivity* within and between *key natural heritage features* and *key hydrologic features* will be maintained and, where possible, improved or restored before, during and after construction to allow for the effective dispersal and movement of plants and animals;
  - (v) Determine if the minimum *vegetation protection zone* is sufficient to protect the *ecological functions* of the feature and the area being evaluated, in particular where this feature or area is adjacent to a coldwater stream, headwaters, freshwater estuaries, steep slope or is acting as or has been identified as a wildlife

corridor to ensure that the area will continue to effectively act and function as a wildlife corridor;

- (vi) Determine if the minimum *vegetation protection zone* is sufficient to protect areas adjacent to existing features that would be appropriate for restoration or renaturalization to enhance the ecological functioning of that feature, such as lands that provide for rounding out or filling of gaps in *woodlands*; and
  - (vii) If the minimum *vegetation protection zone* is not sufficient to protect the function of the feature or protect opportunities for feature enhancement, specify the dimensions of the required *vegetation protection zone*.
- d) Notwithstanding Section 13.2.2.3 c), where an application for *development or site alteration* is of a minor nature, the Town in consultation with any relevant agency, may waive the requirement to conduct an Environmental Impact Statement or scope down the study requirements.
  - e) Where, through an application for *development or site alteration*, a buffer or *vegetation protection zone* is required to be established as a result of the application of the policies in this Plan, the buffer or *vegetation protection zone* shall be composed of native, non-cultivar, non-invasive species, and maintained as *natural self-sustaining vegetation*.
  - f) If natural self-sustaining vegetation is removed along the Lake Simcoe shoreline from a key natural heritage feature, a key hydrologic feature or from any related vegetation protection zone, as a result of any development or site alteration permitted under the policies of the Lake Simcoe Protection Plan, the natural self sustaining vegetation shall be re-established to the extent feasible following completion of that activity.
  - g) In the review of *development or site alteration* applications on *adjacent lands* to the *Lake Simcoe shoreline* and its tributaries, the Town shall consider, in consultation with the appropriate agencies, the restoration of watercourses and shorelines to their natural state. In this regard, an application for *development or site alteration* shall, where applicable:

- (i) Increase or improve *fish habitat* in streams, lakes and *wetlands*, and any adjacent *riparian areas*;
  - (ii) Include landscaping and habitat restoration that increase the ability of native plants and animals to use *valleylands* or *riparian areas* as *wildlife habitat* and movement corridors;
  - (iii) Seek to avoid, minimize and/or mitigate impacts associated with the quality and quantity of urban run-off into receiving streams, lakes and *wetlands*; and,
  - (iv) Notwithstanding 13.2.2.3 b), an application for *development* or *site alteration* shall, establish or increase the extent and width of a *vegetation protection zone* adjacent to Lake Simcoe to a minimum of 30 metres where feasible.
- h) Structures shall only be permitted in a *vegetation protection zone* along the *Lake Simcoe shoreline* if:
  - (i) There is no alternative but to place the structure in this area and the area occupied by such structure is minimized;
  - (ii) The ecological function of the vegetation zone is maintained; and,
  - (iii) Pervious materials and designs are used to the extent feasible.
- i) *Development* and *site alteration* is not permitted within fish habitat except in accordance with federal and provincial requirements and approvals.
- j) Where *development* and *site alteration* is proposed within an area regulated by the Lake Simcoe Region Conservation Authority, the owner or proponent is required to obtain all necessary approvals and/or permits from the Conservation Authority.
- k) Any *development* proposal on land which contains *trees* shall be required to undertake a Tree Preservation Plan prepared by a qualified professional, which shall inventory and assess the present conditions of the trees on the site and shall make recommendations on tree preservation with

the objective of maximizing the number of trees that can be conserved on site. Where an application for development is of a minor nature, the Town may waive the requirement to conduct a Tree Preservation Plan or scope down the study requirements.

- l) In the case of *development* applications that result in a net loss of *trees*, the developer shall compensate this loss on the development site or in another suitable location as determined by the Town. In determining appropriate compensation, consideration should be given to the significance and value of the ecological function by the *trees* that are lost.
- m) The Town agrees to implement an Urban Forest Management Plan which will be developed in partnership with York Region.
- n) The Town will incorporate significant groundwater recharge areas into the Secondary Plan together with policies to protect, improve or restore the quality and quantity of groundwater in these areas and the function of the recharge areas in accordance with guidance from the Ministry of Environment, Ministry of Natural Resources, and Lake Simcoe Region Conservation Authority.

In this regard, a significant groundwater recharge area is an area identified:

- (i) As a significant groundwater recharge area by any public body for the purposes of implementing the Provincial Policy Statement;
- (ii) As a significant groundwater recharge area in the assessment report required under the Clean Water Act, 2006; or
- (iii) By the Lake Simcoe Region Conservation Authority in partnership with the Ministry of the Environment and Ministry of Natural Resources as an ecologically significant groundwater recharge area in accordance with the guidelines developed under policies of the Lake Simcoe Protection Plan.

Furthermore, an application for *major development* within a significant groundwater recharge area shall be accompanied

by an environmental impact study that demonstrates that the quality and quantity of groundwater in these areas and the function of the recharge areas will be protected, improved or restored.

- o) An application to establish or expand a *major recreational use* shall be accompanied by a recreation water use plan that demonstrates:
  - (i) Water use for maintenance or snow-making or both are kept to a minimum;
  - (ii) Grassed, watered and manicured areas are limited to sports fields surfaces, golf fairways, tees and greens, and landscaped areas around buildings and structures; grass mixtures that require minimal watering and upkeep will be used for sports fields and golf fairways where applicable;
  - (iii) Crossings of intermittent and permanent streams are kept to a minimum;
  - (iv) Water-conserving technologies (such as low-flow toilets and shower heads) are used in clubhouses and restaurants where applicable;
  - (v) Water-conserving technologies (such as timed irrigation systems designed to reduce evaporation losses, and recycling of water from under greens) are used in the irrigation and watering of sports field surfaces, golf fairways, tees and greens, and landscaped areas around buildings and structures, where applicable;
  - (vi) Other water conservation technologies (such as rainwater harvesting or reuse of stormwater) will be used to reduce water use; and
  - (vii) Stormwater treatment facilities are used to capture and treat runoff from areas with impervious surfaces.
- p) *Development* shall be directed away from *sensitive surface water features* and *sensitive groundwater features*.
- q) Any proposal for *development* with significant known or potential air emission levels near sensitive uses such as



schools, daycares and seniors' facilities shall be accompanied by Health, environmental and cumulative air impact studies that assess the impact on human health.

#### **13.2.2.4 Aggregate Resources Policies**

- a) Lands identified as Mineral Aggregate Resource Area in Appendix I: Map 3 have been identified as having potential for mineral extraction. Notwithstanding the land use designations on Schedule 'B' of this Plan, where deemed appropriate by the Province, Council's consideration of new public works and/or private development proposals within these areas shall be preceded by a geological assessment of a proposed development site's mineral aggregate resources to establish the precise quality, quantity and extent of any mineral deposits.

Where geological investigation reveals a high potential for mineral aggregate extraction, the identified resource shall be removed prior to the occurrence of development, without the need for an amendment to this Plan, subject to Provincial licensing of the aggregate operation.

- b) If the mineral aggregate potential of an identified site has been exhausted, or shown to be insignificant, development may proceed in accordance with the land use designations delineated on Schedule 'B'.
- c) Mineral aggregate extraction may, subject to the approval of the Province, be undertaken as a component of the general development process, whereby the aggregate is predominantly utilized in the construction of onsite services and/or is provided to the municipality for similar use in other parts of the Town.
- d) The following policies shall apply in the differing circumstances:
  - (i) Wayside Pits and Quarries and Portable Asphalt Plants:

Council recognizes the need for wayside pits and quarries, and temporary, portable asphalt plants to provide sand, gravel and other mineral aggregates for road construction and maintenance and other municipal projects. As such, it is a policy of this Plan

to permit wayside pits and quarries to locate in all land use designations delineated on Schedule 'B', with the exception of the Environmental Protection Area designation, without the need for an amendment to this Plan and/or Zoning By-law.

(ii) General Development:

The establishment of a new commercial pit or quarry and/or the expansion of an existing pit or quarry shall require an amendment to this Official Plan and to the Zoning By-law, and further, shall not be permitted in the following *key natural heritage features* and *key hydrologic features*:

- *wetlands*;
- *habitat of endangered species, threatened species and special concern species*; and
- *woodlands* unless the woodland is occupied by young plantation or early successional habitat (as defined by the Ministry of Natural Resources).

An application for a new commercial pit or quarry and/or the expansion of an existing pit or quarry may only be permitted in *key natural heritage features*, *key hydrologic feature* or its related *vegetation protection zone*, other than a feature listed above, where the application demonstrates the following:

- the health, diversity and size of these key natural heritage features will be maintained or restored and, to the extent possible, improved to promote a net gain of ecological health; and,
- any permitted extraction of mineral aggregate that occurs in a feature will be completed, and the area will be rehabilitated, as early as possible in the life of the operation.

Where mineral aggregates are to be extracted, as part of the development process for the same site, such extraction shall be permitted without the need for an amendment to this Plan and/or Zoning By-law.

The uses permitted shall be limited to the preparation of a site for mineral aggregate extraction, the extraction and storage of mineral aggregates and the rehabilitation of a site after mineral aggregate extraction or as extraction progressively occurs. In addition, ancillary uses to mineral aggregate extraction such as very limited screening and washing may be permitted.

(iii) Development Criteria - Applications to amend the Official Plan and/or Zoning By-law to permit a new commercial pit or quarry or the expansion of an existing commercial pit or quarry shall be accompanied by the following:

- A site plan prepared in accordance with the provisions of the Aggregate Resources Act and Ontario Regulations as may be amended from time to time;
- A report prepared by a geologist indicating the estimated or approximate pattern, quality and quantity of the resource;
- A transportation report which shall indicate the anticipated number of truck movements, anticipated truck routes and the daily time period during which trucks will be traveling on municipal roads;
- Reports prepared by a professional engineer, biologist or other qualified professional indicating the impact of the proposed operation on the environment, including air and water pollution, noise, changes in the water table, changes in surface drainage both on and off the site and the effectiveness of the proposed ameliorative measures;
- Where necessary, a Certificate of Approval from the Province in accordance with Section 8 of the Environmental Protection Act;
- Reports prepared by a professional engineer, biologist or other qualified professional

demonstrating how the connectivity between *key natural heritage features* and *key hydrologic features* will be maintained before, during and after the extraction of mineral aggregates; and,

- Reports prepared by a professional engineer, biologist or other qualified professional demonstrating how the operator could immediately replace or restore any habitat that would be lost from the site with equivalent habitat on another part of the site or adjacent lands.

- (iv) Implementation - Pits and quarries shall be zoned in a separate category in the implementing zoning by-law.

### **13.2.2.5 Hazard Lands**

Natural Hazard areas (such as floodplains, areas subject to erosion, unstable soils and wetlands) that have been delineated by the Lake Simcoe Region Conservation Authority (LSRCA) are included within the regulation limits identified under Ontario Regulation 179/06. With the exception of the Lake Simcoe shoreline, these areas are generally included in the Environmental Protection Area Designation on Schedules A and B.

#### **13.2.2.5.1 Flooding and Erosion Hazards - River and Stream Systems**

Lands prone to erosion, slope instability and riverine flooding are generally included in the Environmental Protection Area Designation in Schedule 'B'. The LSRCA uses the Hurricane Hazel storm as the regulatory flood standard for riverine systems in the secondary plan area. The one-zone concept for floodplain management is applied across the Lake Simcoe watershed. The precise location of hazardous areas will be established, to the satisfaction of the Town and the Lake Simcoe Region Conservation Authority when considering development applications.

#### **Policies**

- a) Development shall be directed away from *hazardous lands* adjacent to rivers and streams.
- b) New development will generally be prohibited in areas that are subject to flooding.

- c) For *existing* lots of record development may be permitted subject to the following:
  - (i) that the building site be subject to less than one (1) metre of flooding and less than one metre per second of flow velocity in a regulatory storm event;
  - (ii) that the building site have safe access to lands located above the regulatory flood elevation; and
  - (iii) that development occur in accordance with the Watershed Development Policies of the Lake Simcoe Region Conservation Authority, as amended from time to time.
- d) Erosion areas may be determined by technical evaluation and study through the planning and the development applications, the cost of which will be borne by the developer.
- e) The determination of the erosion hazard limit will be based on the combined influence of the:
  - toe Erosion allowance;
  - stable slope allowance;
  - erosion access allowance; and
  - flooding hazard limit or meanderbelt allowance, and will be guided by the Natural Hazards Technical Guides prepared by the Ministry of Natural Resources.
- f) A topographic survey prepared by an Ontario Land Surveyor (OLS) and a floodplain impact analysis prepared by a Professional Engineer may be required for any development proposed within the floodplain.

#### **13.2.2.5.2 Flooding, Erosion and Dynamic Beach Hazards - Lake Simcoe Shoreline**

Shoreline flooding for Lake Simcoe is based on the 1:100 year wind setup/wave up-rush. The precise location of erosion / dynamic beach hazard areas will be established, to the satisfaction of the

Town and the Lake Simcoe Region Conservation Authority when considering development applications.

### **Policies**

- a) Development shall be directed away from *hazardous lands* adjacent to the *Lake Simcoe shoreline*.
- b) New development and/or redevelopment proposed along the *Lake Simcoe shoreline*, may require the preparation of a coastal engineering study by a coastal engineer. The coastal engineering study must identify the coastal processes associated with the Lake such as wave uprush, wind setup, dynamic beaches, erosion, and high lake levels. Where development is permitted, the study must outline the proposed mitigative measures to address shoreline hazards. The study must be prepared to the satisfaction of the municipality and the Lake Simcoe Region Conservation Authority.
- c) The determination of the hazard limit along the Lake Simcoe shoreline will be guided by the Natural Hazards Technical Guides prepared by the Ministry of Natural Resources.

#### **13.2.2.5.3 Hazardous Lands and Sites**

### **Policies**

- a) Development shall be generally directed away from *hazardous lands* and *hazardous sites* such as areas of unstable slopes and unstable soils. Furthermore, development shall not be permitted to locate in *hazardous lands* and *hazardous sites* where the use is:
  - (i) an institutional use associated with hospitals, nursing homes, pre-school, school nurseries, day care and schools, where there is a threat to the safe evacuation of the sick, the elderly, persons with disabilities or the young during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion;
  - (ii) an essential emergency service such as that provided by fire, police and ambulance stations and electrical substations, which would be impaired during an emergency as a result of flooding, the failure of

floodproofing measures and/or protection works, and/or erosion; and

- (iii) uses associated with the disposal, manufacture, treatment or storage of hazardous substances.
- b) A geotechnical/soils report shall be required prior to any development within or adjacent to *hazardous sites*. This report shall be prepared to the satisfaction of the Town and Conservation Authority.
- c) A 6-metre erosion access allowance shall be provided beyond the delineated hazard area.

#### **13.2.2.6 Lake Simcoe Shoreline Management Strategy**

Under the Lake Simcoe Protection Plan, the Province in collaboration with the Lake Simcoe Region Conservation Authority, municipalities and other groups/agencies, are required to develop a shoreline management strategy that, for various reaches of the shoreline, identifies ecological values, best management practices, standards, guidelines and priority areas for restoration, securement and acquisition.

##### **Policies**

- a) Upon completion of the shoreline management strategy, this Secondary Plan shall be reviewed and, amended as necessary, to ensure consistency with the recommendations of the strategy.

#### **13.2.2.7 Lake Simcoe Subwatershed Evaluations**

Under the Lake Simcoe Protection Plan, the Lake Simcoe Region Conservation Authority in partnership with municipalities and in collaboration with the Province, will develop and complete subwatershed evaluations for priority subwatersheds.

##### **Policies**

- a) Upon completion of the subwatershed evaluations, this Secondary Plan shall be reviewed and amended, as necessary, to ensure consistency with the recommendations of the subwatershed evaluations.



### 13.2.3 BUILDING A HEALTHY, VIBRANT AND SUSTAINABLE COMMUNITY

#### 13.2.3.1 Sustainable Design/Green Building

Built form plays a major role in creating a healthy, vibrant and sustainable community. This Section provides policies that promote green building technologies, renewable and alternative energy sources and other sustainable design options for development.

Unless specified otherwise, the following policies apply to all lands within the Secondary Plan Area.

#### Policies

- a) In order to reduce energy consumption, development proposals that include energy efficient building design and practices in building renovations and redevelopments, such as passive solar energy gain, increased building insulation, green roofs, R-2000 Standard performance, Energy Star® rated appliances and mechanicals, alternative energy systems, and conformity with LEED® (Leadership in Energy and Environmental Design - Canada) standards® (or equivalent alternative) shall be encouraged.
- b) The following green building policies are consistent with the policies of the York Region Official Plan. As part of the approval of *development* applications, the Town shall:
  - (i) Require that all new buildings achieve 10% greater water efficiency than the Ontario Building Code (as amended to O.Reg. 315/11, January 1, 2012) and to encourage that all new buildings achieve 20% greater water efficiency than the Ontario Building Code (as amended to O.Reg. 315/11, January 1, 2012).
  - (ii) Encourage the following energy efficiency standards for new buildings:
    - grade related (3 storeys or less) residential buildings achieve performance level that is equal to a rating of 83 or more when evaluated in accordance with Natural Resources Canada's EnerGuide for New Houses: Administrative and Technical Procedures;

- mid and high-rise residential (4 storeys and greater) and non-residential buildings be designed to achieve 40% greater efficiency than the Model National Energy Code for Buildings, 1997; and,
  - industrial buildings be designed to achieve 25% greater energy efficiency than the Model National Energy Code for Buildings, 1997.
- (iii) Encourage that new buildings be designed and certified to LEED® Silver, Gold or Platinum standards, and to consider complementary incentive programs to achieve the successful implementation of LEED® buildings in Sutton/Jackson's Point.
- c) As part of the approval of *development* applications, the Town shall require the installation of rainwater harvesting and re-circulation/reuse systems on all new residential buildings for outdoor irrigation and outdoor water use.
- d) The Town shall encourage plans and building designs that maximize solar gains and that buildings be constructed in a manner that facilitates future solar installations (i.e. solar ready).
- e) The Town shall encourage the retrofitting of existing buildings to the standards noted in 13.2.3.1 b (iii) and 13.2.3.1 b (iv).
- f) Where feasible, development plans and building designs shall provide opportunities for south facing windows and building orientation to maximize potential for passive and active solar energy.
- g) The Town shall encourage all new buildings to include on-site *renewable* or *alternative energy systems* which produce 25% of building energy use. Where on-site *renewable* or *alternative energy systems* are not feasible, consideration of purchasing grid-source renewable energy is encouraged.
- h) The Town shall encourage the use of water efficient, drought resistant landscaping by requesting the proponents of *development* to:
- (i) Provide a minimum of 6 inches of topsoil;

- (ii) Install drought resistant sod;
  - (iii) Provide landscape features that minimize the demand for water and synthetic chemicals by utilizing native and drought resistant species; and,
  - (iv) Install permeable driveway and parking lot surfaces.
- i) The Town shall encourage local heat island effects mitigation by requesting the proponents of *development* to:
  - (i) Incorporate green and/or white roofs into building design;
  - (ii) Locate trees or other plantings to provide shading for a least 50% of sidewalks, patios, and driveways within 15 metres of the home; and,
  - (iii) Install light-coloured paving materials including white concrete, grey concrete, open pavers and any material with a solar reflectance index of at least 29.
- j) The Town shall encourage all new development to reduce construction waste and to divert construction waste from landfill.
- k) Require the provision of three stream waste collection capability in new multi-unit residential buildings and encourage retrofits in existing multi-unit residential buildings.

### **13.2.3.2 Urban Design and Architectural Control**

Excellence in community design is essential in creating a vibrant and attractive community for its residents, businesses and visitors. The policies of this Section promote high-quality urban design and architecture throughout the community.

Unless specified otherwise, the following policies shall apply to all lands within the Secondary Plan Area.

#### **Policies**

- a) To achieve excellent community design, new development shall incorporate 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 accessibility, comfort, enjoyment and personal safety;
  - (ii) Provides an integrated mix of uses, activities and experiences, including the provision of social and health facilities, arts, culture and recreation facilities;
  - (iii) Is designed to fit its context by considering the mix of uses, building massing, height, scale, architectural style and details of existing and/or historical, adjacent buildings and structures; and,
  - (iv) Establishes appropriate relationships between built and natural environments, which ensure that natural systems and significant aspects of the natural and cultural landscape are protected and enhanced.
- b) Urban & Architectural Design Guidelines are attached to this Secondary Plan as Appendix 'II'. These Guidelines provide design principles for both the public and private realms, and they indicate the Town's expectations with respect to the character, quality and form of development in the community. *Development* proposals shall implement and be consistent with the Urban & Architectural Design Guidelines and, in addition, the following general site development criteria shall be 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, wherever possible;
  - (iii) Land use compatibility between non-residential and residential buildings shall be achieved, in part, through appropriate siting, design and landscape treatment;
  - (iv) High quality landscape treatment shall be provided;
  - (v) The use of permeable paving is encouraged for use on sidewalks, driveways and parking areas;

- (vi) Building form and siting shall minimize the impacts of noise, wind and shadows and shall enhance views of landmark buildings, parks and open space;
- (vii) Loading areas, 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;
- (viii) Rooftop equipment shall be unobtrusive and architecturally incorporated into the design of the building and/or screened from view;
- (ix) No open storage is permitted except as permitted under the Zoning Bylaw. 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;
- (x) Common vehicular access and internal circulation including service lanes connecting abutting properties shall be provided wherever possible; and,
- (xi) The proper siting and design of buildings at prominent or highly visible locations, such as 4-way or T-intersections and the creation of significant views along the street line, across open spaces or towards focal points, shall be provided.

### **13.2.3.3 Heritage Conservation and Archaeological Preservation**

The protection of heritage resources contributes to a sense of community by providing continuity between the past and the present and the future. Through an understanding of, and measures to protect its heritage, the Town can incorporate the past into planning for the future. Heritage planning is a joint responsibility between the Provincial government and the Town. The Georgina Heritage Committee has been established to advise Council on matters pertaining to heritage conservation.

The policies of this Section are intended to identify, protect and conserve cultural heritage and archaeological resources within the community.

Unless specified otherwise, the following policies apply to all lands within the Secondary Plan Area.

## Policies

- a) Council recognizes the importance of *cultural heritage resources* within Sutton/Jackson's Point. Therefore, Council will work with the Georgina Heritage Committee, the Georgina Island First Nation and the community in general, to identify and conserve significant *cultural heritage resources* and shall, whenever possible, incorporate these resources into new development plans. In addition, all new *development* will be planned in a manner which preserves and enhances the context in which *cultural heritage resources* are situated.
- b) Council recognizes the role of the Georgina Heritage Committee to advise and assist Council on matters of heritage conservation. Pursuant to the Ontario Heritage Act and in consultation with the Georgina Heritage Committee, Council may, by by-law:
  - (i) Designate properties to be of historic and architectural value or interest; and,
  - (ii) Define any areas within the Town to be examined and designated as a Heritage Conservation District.
- c) The policies of this Plan direct the Town to consider the designations of all or some of the lands and buildings within the 'High Street Historic Centre' designation as a Heritage Conservation District, in accordance with the Ontario Heritage Act.
- d) The Town will recognize the research and information contained within the document entitled 'High Street, Sutton, Ontario - Preliminary Evaluation as a Heritage Conservation District under Part V of the Ontario Heritage Act - November 2007' prepared by Su Murdoch Historical Consulting, when considering a Heritage Conservation District for lands and buildings within the 'High Street Historic Centre' designation, in accordance with the Ontario Heritage Act.
- e) It shall be the policy of the Town that individual properties may be considered for designation pursuant to the provisions of the Ontario Heritage Act if they exhibit or contain one or more of the following:

- (i) The property has design value or physical value because it:
  - is a rare, unique, representative or early example of a style, type, expression, material or construction method;
  - displays a high degree of craftsmanship or artistic merit; or
  - demonstrates a high degree of technical or scientific achievement.
- (ii) The property has historical value or associative value because it:
  - has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community;
  - yields, or has the potential to yield, information that contributes to an understanding of a community or culture; or,
  - demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
- (iii) The property has contextual value because it:
  - is important in defining, maintaining or supporting the character of an area;
  - is physically, functionally, visually or historically linked to its surroundings; or,
  - is a landmark.
- f) It shall be the policy of the Town that designated properties will be kept on a register. In addition to designated properties, the register may include properties the Town believes to be of cultural heritage value or interest, but are not designated.
- g) The Town shall give consideration to the effects of municipal public works or similar municipal undertakings 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.

- h) Applications for development of a Heritage Site, having known *cultural heritage resources* or adjacent to a site having known *cultural heritage resources*, will require a Heritage Impact Statement to demonstrate how the heritage values, attributes and integrity of the protected heritage property are to be conserved and how any impacts may be mitigated. This Heritage Impact Statement shall be prepared to the satisfaction of the Town and other appropriate authorities having jurisdiction.
- i) When reviewing applications for zoning amendments, site plan approval, demolition, minor variance, or the provision of utilities affecting lands/properties adjacent to a designated *cultural heritage resource*, the Town will ensure that the proposal is appropriate by:
  - (i) Respecting the massing, cladding materials, profile and character of adjacent heritage buildings;
  - (ii) Having regard and approximating the width of nearby heritage buildings when constructing new buildings facing the street;
  - (iii) Approximating the established setback pattern on the street;
  - (iv) Orienting the building to the street in a similar fashion to existing heritage buildings;
  - (v) Ensuring that parking facilities are compatibly integrated into heritage areas by locating them to the rear of the property; and,
  - (vi) Requiring local utility companies to place metering equipment, transformer boxes, power lines, conduit equipment boxes, and other utility equipment and devices in discrete locations that do not detract from the visual character or architectural integrity of the heritage resource.

- j) An owner of a designated heritage property must receive consent in writing from the Town to demolish or remove a designated building or structure.
- k) Where an owner of a designated heritage property applies for consent to demolish, the Town will require a Heritage Impact Statement that demonstrates rehabilitation of the property is not viable, proposed plans for the property, and/or that the reasons for designation on the property no longer meet the designation criteria in Section 13.2.3.3 (e). This Heritage Impact Statement shall be provided by the owner/applicant and prepared by a qualified heritage professional to the satisfaction of the Town and other appropriate authorities having jurisdiction.
- l) Where an owner of a property included in the register, but not designated, applies for demolition, the Town will require a Heritage Impact Statement that demonstrates rehabilitation of the property is not viable and what the proposed plans for the property are. This Heritage Impact Statement shall be provided by the owner/applicant and prepared by a qualified heritage professional to the satisfaction of the Town and other appropriate authorities having jurisdiction.
- m) The character of an individual historically designated property shall be maintained or enhanced through the careful consideration of plans for additions, alterations, renovation and restoration. It is the intent of the Town to conserve and enhance *cultural heritage resources* in situ, wherever possible. The proposed relocation, removal or demolition of designated structures, and the development of new structures on a designated property shall be subject to the provisions of the Ontario Heritage Act.
- n) Where a designated heritage property is approved for demolition or significant alteration, the property shall be documented for archival purposes at the expense of the applicant prior to demolition or alteration, in accordance with accepted heritage recording guidelines.
- o) 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/or by providing assistance through a trust fund or other means considered appropriate, in exchange for heritage resource conservation.

- p) Owners of designated heritage properties are encouraged to seek any available government grants or loans for eligible heritage conservation works.
- q) The Town may seek the acquisition of easements on properties of architectural or historical significance in order to assure the preservation of these properties.

#### **13.2.3.3.1 Additional Policies for Archaeological Sites**

- a) Archaeological sites are distributed in a variety of settings across the landscape, being locations or places that are associated with past human activities, endeavours, or events that are of cultural heritage value or interest. These sites may occur on or below the modern land surface or below the surface of a water body.
- b) An archaeological artifact is any object, material or substance that is made, modified, used, deposited or affected by human action and is of cultural heritage value or interest. Archaeological fieldwork is any activity carried out on, above or under land or water for the purpose of obtaining and documenting data, recovering artifacts and remains or altering an archaeological site and includes monitoring, assessing, exploring, surveying, recovering and excavating.
- c) 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 in areas considered to have archaeological potential prior to development approval in accordance with Ministry of Culture Guidelines and Heritage Act Regulations.
- d) A Stage 1 Archaeological Assessment shall be prepared prior to submission of an application for a draft plan of subdivision or condominium or site plan approval, and may be required for other applications where substantial site alteration is contemplated. Where the Stage 1 Assessment identifies areas of archaeological potential, a further Stage 2 Archaeological Assessment and fieldwork by a licensed archaeologist shall be provided at the time of submission of an application for plan of subdivision or site plan approval. If

archaeological resources are identified in the assessment, the application shall include a conservation plan to conserve any archaeological resources identified for protection.

*Development and site alteration* shall only be permitted on lands containing archaeological resources or areas of archaeological potential as determined through a Stage 1 or Stage 2 Archaeological Assessment, if the significant archaeological resources will be conserved by removal and documentation, or by preservation on site. Where significant archaeological resources must be preserved on site, only *development and site alteration*, which maintains the heritage integrity of the site, are permitted.

- e) All Archaeological Assessments must be reviewed and a compliance letter issued by the Ministry of Culture. A copy of the Assessment and the compliance letter will be provided to the Town by the licensed archaeologist who completed the Assessment. The Town will maintain copies of all Archaeological Assessments and compliance letters for information purposes.
- f) Upon receiving information that lands proposed for development may include archaeological resources or constitute an area of archaeological potential, Council will not take any action to approve the development, and the owner of such land will be requested to have studies carried out by qualified persons to:
  - (i) Assess the property;
  - (ii) Assess the impact of the proposed development;
  - (iii) Indicate methods to mitigate any negative impact of the proposed development on any archaeological resources, including methods of recovery and preservation;
  - (iv) Comply with current Ministry of Culture standards and guidelines for consulting archaeologists; and,
  - (v) Provide a compliance letter issued by the Province for any completed archaeological study.
- g) The Town intends to cooperate with the Provincial government to designate archaeological sites in accordance

with the Ontario Heritage Act. The Town may consider setting up a register of cultural heritage resources, which may include available archaeological site data and locations, and relevant mapping from the provincial archaeological database of the Ministry of Culture, under the provisions of a municipal-provincial data sharing agreement. These site data and locations will be maintained for the purpose of heritage conservation planning and development review. The mapping database will be updated regularly when appropriate, as new archaeological sites are identified.

- h) Where burial sites are encountered during any excavation or other action, the provisions of the Cemeteries Act and its regulations will apply. Where First Nations burials are discovered, consultation will occur with the nearest First Nation and the Nation with the closest cultural affiliation, if that can be determined.
- i) A contingency plan will be prepared, with the advice of a licensed archaeologist and the Ministry of Culture and adopted by by-law, for emergency situations to protect archaeological resources that are accidentally discovered or are under imminent threat(s).
- j) It is the policy of the Town to keep confidential the existence and location of archaeological sites to protect against vandalism, disturbance, and the inappropriate removal of resources.

#### **13.2.3.4 Public Parks and Open Space Policies**

An important aspect of building a healthy and vibrant community is the provision of a range of passive and active public parks and open space areas. The largest municipal park within the Secondary Plan Area is De La Salle Park which is designated as Major Public Parks/Open Space on Schedule 'B' and is subject to Section 13.2.3.5. Throughout the community, there are other existing or proposed Town owned parks and open space areas. These areas have not specifically been designated, but are identified on Schedule 'D' for information purposes. The policies of this Section are intended to provide an integrated system of municipally owned Neighbourhood Parks and Community Parks and other publicly accessible open space areas, trails and pathways within the community.

Unless specified otherwise, the following policies apply to all lands within the Secondary Plan Area.

### **General Policies**

- a) Public parks and open space, including Neighbourhood Parks and Community Parks, along with associated active and passive recreational facilities including, but not limited to, community centres, pools, arenas, baseball diamonds, soccer, football and other sports fields, picnic areas, pedestrian and cycling trails, other compatible special purpose uses or events and accessory uses, buildings and structures, are permitted in all land use designations, with the exception of the Environmental Protection Area designation where the permitted uses are set out in Section 13.2.2.2.
- b) New public parks shall be provided to the Town through parkland dedication as part of the development approvals process, in accordance with the provisions of the Planning Act and Section 13.2.9.6.2, and/or through other means, such as:
  - i) Encouraging other levels of government and agencies to provide lands to the Town, such as surplus school sites, at minimal cost;
  - ii) Negotiation through the servicing allocation assignment program and/or development approvals process;
  - iii) Development bonusing under Section 37 of the Planning Act; and,
  - iv) Donations, gifts and bequests.
- c) A park system hierarchy has been established consisting of Neighbourhood Parks and Community Parks. The precise distribution and location of such parks will be determined in the consideration of *development* applications in accordance with the policies of this Plan and other municipal initiatives such as the Town's Leisure Services Master Plan.
- d) Lands dedicated for parks shall be in a location and condition acceptable to the Town. The Town shall endeavour to ensure that the majority of residences in a built

up area shall be served by a Neighbourhood or Community Park within an 800 metre radius.

- e) Wherever feasible, lands protected for environmental reasons shall be incorporated into the parks and open space system for leisure uses and compatible, passive recreational functions. Such environmentally protected lands shall not be included as part of the parkland dedication requirements of the Planning Act.
- f) The Town shall endeavour to obtain and/or provide, wherever possible and financially feasible, more public access to the Lake Simcoe shoreline and the Black River.
- g) Parks that are in proximity to residential uses shall be designed so as to minimize any potential negative impacts on the residential uses.
- h) Public and private utilities and infrastructure, except hydro plants, will be permitted in public parks and open space if the need for the project has been demonstrated and there is no reasonable alternative.

#### **13.2.3.4.1 Additional Policies for Neighbourhood Parks**

- a) Neighbourhood Parks are intended to serve local neighbourhoods within the community and should be provided at a rate of 1.0 hectare per 1,000 persons, and shall:
  - (i) Generally be centrally located and within 10 minutes walking distance of the majority of residents within the neighbourhood it is serving;
  - (ii) Not be less than 0.5 hectares, and preferably 1.5 hectares, in size, except where smaller parkettes, open space or village greens are approved by the Town;
  - (iii) Be designed for passive and active recreational facilities such as playground equipment and the recreational needs of the neighbourhood residential area(s) as determined through more detailed planning by the Town.

- (iv) Where deemed appropriate by the Town, be integrated with other community facilities such as schools;
- (v) Have frontage on a local and/or collector road, with a minimum 60 metres of continuous frontage; and,
- (vi) Where appropriate and feasible, be connected and/or integrated with the broader Greenlands System and Trails Plan shown on Schedule D.

#### **13.2.3.4.2 Additional Policies for Community Parks**

- a) Community Parks are intended to serve an individual community or series of neighbourhoods and should be provided at a rate of 1.25 hectares per 1,000 persons, and shall:
  - (i) Be located in appropriate and acceptable locations as determined by the Town to best serve the residents of the community;
  - (ii) Be normally more than 4 hectares in size;
  - (iii) Be designed to provide both indoor and outdoor recreational activities for all age groups, including organized sporting activities. Community parks may also contain illuminated major sports fields, larger recreation complexes consisting of arenas or pools or other facilities as determined through more detailed planning by the Town;
  - (iv) Where deemed appropriate by the Town, be integrated with other community facilities such as schools;
  - (v) Have frontage on an arterial and/or collector road with a minimum 140 metres of continuous frontage;
  - (vi) Provide adequate parking for the uses contained within the park; and,
  - (vii) Where appropriate and feasible, be connected and/or integrated with the broader Greenlands Systems and the Trails Plan shown on Schedule 'D'.



### **13.2.3.5 Major Public Parks/Open Space Designation**

This designation applies to major parks and open space areas that are intended to serve a larger Town-wide function as unique destination areas drawing residents from across the Town and visitors from outside the municipality. The largest municipal park in the Secondary Plan Area is De La Salle, which is a waterfront park that provides significant waterfront access and amenities. It is intended that these areas be promoted, enhanced and expanded where possible.

#### **Permitted Uses**

The permitted uses on lands designated Major Public Parks/Open Space shall be:

- (i) all uses as set out in section 13.2.3.4 a) and waterfront related recreational uses and facilities; and,
- (ii) existing non-conforming uses, buildings and structures in accordance with Section 13.2.9.8.

#### **Policies**

- a) The scale, mass and design of all buildings and structures shall be encouraged to be compatible and in harmony with adjacent land uses.
- b) Wherever feasible, environmental features shall be protected and/or be sensitively integrated within the park and/or open space area.
- c) The extension and/or expansion of an existing Major Public Park/Open Space designation may be permitted without an amendment to this Plan.

### **13.2.3.6 Major Recreation Area Designation**

The Major Recreation Area designation recognizes two existing golf course uses within the Secondary Plan Area. It is the intent of this Plan to recognize these golf courses, one of which is associated with a significant tourist resort operation, as important components of the community, and to provide policies that would strengthen and enhance these commercial recreation uses.

## Permitted Uses

The permitted uses on lands designated Major Recreation Area shall be:

- (i) golf courses along with buildings, structures and uses accessory to the golf course use and/or uses permitted by the Zoning By-law as of the date this Plan was adopted; and,
- (ii) existing non-conforming uses, buildings and structures in accordance with Section 13.2.9.8; and,
- (iii) public and private utilities and infrastructure, except for hydro plants.

## Policies

- a) All new development, and/or additions to existing development, that is permitted by this Plan shall be compatible with adjacent land uses and buildings with respect to building mass, height, setbacks, orientation, privacy, landscaping, shadow casting and visual impact.
- b) New development, and/or additions to existing development, that is permitted by this Plan and is related to and directly supports the ongoing operation of these golf course facilities shall be considered by the Town through the Zoning By-law and/or site plan approval processes.
- c) The Town may consider other *compatible* recreational and/or tourist commercial type uses, subject to a Land Needs Analysis and other studies as determined through the pre-consultation process and shall only be considered through an Official Plan Amendment and Zoning By-law Amendment.
- d) In consideration of an Official Plan Amendment required under Subsection c) above, the Town shall consider the following:
  - (i) The need for the proposed use and compliance with the principles, urban structure and growth management sections and other policies of this Plan;
  - (ii) Compatibility with the character and built form of adjacent land uses;

- (iii) The provision of public areas and public access to the waterfront where the site abuts the shore of Lake Simcoe or the Black River;
- (iv) The availability of capacity in the water supply and sewage treatment plants to serve the proposed development;
- (v) The capability of trunk watermain and sewers to serve the proposed development;
- (vi) The ability of the adjacent road network to accommodate the increased traffic generated by the proposed development;
- (vii) The protection and enhancement of the natural and cultural heritage features and functions; and,
- (viii) All development shall be consistent with the Urban & Architectural Design Guidelines attached to this Secondary Plan as Appendix II.

#### 13.2.3.7 Institutional/Community Area Designation

It is the intent of this Plan that the Sutton/Jackson's Point Secondary Plan Area be well served by a full array of institutional and community uses.

##### **Permitted Uses**

The permitted uses on lands designated Institutional/Community Area shall be:

- (i) *institutional*, cultural and recreational uses and facilities;
- (ii) *special needs housing* in accordance with Section 13.2.4.7, including housing for seniors;
- (iii) elementary, secondary, and post-secondary schools;
- (iv) Town and Region owned and operated buildings, facilities and uses;
- (v) public and private utilities and *infrastructure*, except for hydro plants;

- (vi) fire stations, ambulance bases, police stations and similar emergency service uses;
- (vii) parks, open space, natural areas, conservation uses, pedestrian and bicycle routes and transit facilities;
- (viii) retail and commercial uses that are ancillary to any permitted uses;
- (ix) buildings, structures and uses that are accessory to any permitted uses; and,
- (x) existing non-conforming uses, buildings and structures in accordance with Section 13.2.9.8.

### **Policies**

- a) The Town reserves the right, through the implementing Zoning By-law, to further refine the list of permitted land uses to ensure that new development is appropriate in the context of the adjacent and surrounding community.
- b) Development within the Institutional/Community Area designation shall be *compatible* and sensitively integrated with the surrounding land uses in terms of building mass, height, setbacks, orientation, privacy, landscaping, shadow casting and visual impact.
- c) The maximum building height shall be four storeys (or 14 metres, whichever is less).
- d) The density of development shall be limited to a *Floor Area Ratio* of 2.0.
- e) Ancillary retail and commercial uses, where permitted, shall be located on the ground floor in mixed use buildings.
- f) All development within the Institutional/Community Area designation shall be subject to Site Plan Control. The Town may utilize the provisions of Site Plan Control to the maximum extent permitted by the Planning Act, including, without limitation, the control of building materials, colour and architectural detail.

- g) All development shall be consistent with the Urban and Architectural Design Guidelines attached to this Secondary Plan as Appendix II.

#### **13.2.3.7.1 Additional Policies for Schools**

- a) In addition to all of the policies for the Institutional/Community Area designation, the following policies shall apply to existing or planned elementary and secondary school sites:
  - (i) Elementary and secondary school site locations are identified symbolically on Schedule B as either Existing Schools or Proposed Schools;
  - (ii) The proposed site locations and configurations identified in Schedule B, may be modified or relocated by the respective school boards in cooperation with the Town, without amendment to this Secondary Plan;
  - (iii) Proposed school site locations shall be finalized by the York Catholic District School Board and the York Region District School Board in consultation with the Town, subject to the following:
    - where deemed appropriate by the Town, schools shall be located on sites adjacent to proposed municipal parks, and linked to the broader Greenlands System where deemed appropriate;
    - where appropriate, and subject to the approval of the Town and/or Regional Municipality of York, lay-by lanes may be provided within the design of roads abutting school sites;
    - safe and convenient access routes shall be planned between the school and surrounding residential areas; and,
    - shared use facilities for joint schools and for joint school and recreation facilities shall be permitted. Shared facilities with another uses may also be considered.
  - (iv) Where an identified school site is not required by either Board, the land which has been identified for

school purposes may be used for other uses permitted within the Institutional/Community Area designation, without the need for an amendment to the Secondary Plan.

#### **13.2.3.7.2 Post Secondary Educational Facilities**

- a) The Town will pursue the partnerships required to establish a post secondary educational facility and alternative forms of learning facilities within the community of Sutton/Jackson's Point. In particular, the Town will encourage those facilities which are focused on the Plan's principles which recognize the need to preserve and enhance the natural environment, celebrate the location of Georgina in proximity to one of Canada's largest freshwater lakes, and which are respectful of the Town's cultural heritage and history
- b) Post secondary educational facilities and other forms of learning facilities may be considered as a permitted use within any of the following designations identified on Schedule B:
  - (i) Redevelopment Opportunity Area;
  - (ii) High Street Centre Extension;
  - (iii) Dalton Road North Corridor;
  - (iv) Dalton Road South Corridor; and,
  - (v) Tourist Commercial Area.
- c) By way of an amendment to this Plan, dependent upon the site selected and the scale of the proposed development, a Campus Master Plan may be required to support the proposal.
- d) Campus Master Plan may include the following:
  - (i) a detailed road, block and land use plan that identifies the conceptual layout of the area;
  - (ii) a comprehensive streetscape, open space and trails plan that identifies the function, design and treatment of all the road types/trails and the location of all public sidewalks. This component of the Master Plan will

also include a detailed layout and description of the proposed parks, trails, parkettes and storm water management facilities, including preliminary design schemes for each;

- (iii) urban design and architectural control guidelines;
- (iv) any required Environmental Impact Study; and,
- (v) any other study considered appropriate by the Town to ensure that the requirements for a complete application have been met, and that the facility is designed and developed comprehensively.

#### 13.2.4 PROVIDING A RANGE AND MIX OF HOUSING

An appropriate range and mix of housing types and densities are required to meet the needs of current and future residents. In addition to the more conventional housing types such as single detached dwellings, the provision of an appropriate range of housing includes higher density forms and units geared to seniors, as well as emergency shelters, affordable housing and special needs housing. By providing a range and mix of housing types, the diverse range of housing needs can be met and it enables people to live in the community as they progress through the stages of life. The policies of this section are intended to facilitate the provision of a broad range and mix of housing opportunities in appropriate locations in the community.

Unless specified otherwise, the policies of this Section apply to all lands within the Secondary Plan Area.

##### 13.2.4.1 General Policies

- a) The Town shall endeavour to ensure an adequate supply of housing in Sutton/Jackson's Point by:
  - (i) Maintaining a minimum 10 year supply of land designated for residential development through intensification and in designated greenfield areas; and,
  - (ii) Maintaining a minimum 3-7 year supply of registered and draft approved plans of subdivision, condominium plans and/or site plans, subject to the availability of sewage and water capacity and other necessary services/infrastructure.
- b) That the amount and distribution of new housing shall be consistent with the community structure, principles and growth management provisions and other policies set out in this Plan.
- c) That all residential *major development* shall provide, where feasible and appropriate:
  - (i) 25% of the proposed housing units to be *affordable*;
  - (ii) A mix and range of housing types, lot sizes, unit sizes, functions and tenures within each level of affordability,



to provide opportunity for all household types, including larger families, seniors and residents with special needs; and,

- (iii) Locations and sites for social housing developments.
- d) Working with the Region, the private sector and other stakeholders, the Town shall consider innovative financial arrangements and/or other tools or mechanisms to encourage and support the development and maintenance of non-profit and *affordable* housing and housing designed for seniors, such as:
  - (i) Height and density bonuses;
  - (ii) Community Improvement Plans;
  - (iii) Grants in lieu of Development Charges; and,
  - (iv) Allowing more modest amenities, standards, materials, minimal details and flexibility within units.
- e) The construction of new rental housing units with a full mix and range of unit sizes, including family-sized and smaller units, is encouraged and supported in appropriate locations.
- f) The reduction of rental housing by demolition and conversion to condominium or non-residential use is discouraged and shall not be permitted if such demolition or conversion would result in a rental vacancy rate of less than 3% in the Town.
- g) That changes to this Plan or the Zoning By-law that would have the effect of reducing the density of a site in areas that have been approved for medium or high density development, unless the need is determined through a comprehensive review, shall be prohibited.
- h) The Town will, in consultation with York Region, prepare a strategy to implement *affordable* housing within Sutton/Jackson's Point, in order to help achieve the target of 25% of new housing units across the Region be *affordable*, and distributed within each local municipality.

#### 13.2.4.2 Low Density Residential Uses

- a) Low density residential uses include ground-orientated housing units, such as single detached, semi-detached and townhouses that may be developed to a residential density ranging between 12 and 25 units per *net residential hectare*.
- b) New low density residential development may be permitted on a property or site provided such lands are within a designation that permits low density residential development.
- c) The appropriate mix of units, lot sizes and specific density within the range set out in Subsection a) for a property or site, shall be determined at the time of the consideration of draft plans of subdivision and other *development* applications, in order to ensure compatibility and proper integration with surrounding land uses.
- d) In certain areas or sites, a density approaching 25 units per net residential hectare would not be appropriate if such development results in inadequate on-street parking, incompatibility with neighbouring uses or other planning related problems.
- e) Within the Stable Residential Area designation, careful consideration shall be given to ensure that the density of *development* and, in particular, the frontage and size of any new lots to be created, shall maintain the character of the existing streetscape and surrounding neighbourhood.

#### 13.2.4.3 Medium Density Residential Uses

- a) Medium density residential uses include all forms of dwellings containing three or more dwelling units such as triplex and four-plex buildings, multi-unit live/work buildings, street and block townhouses, mixed use residential and low-rise apartments. Medium density residential development shall generally be equal to or less than four storeys (or 13 metres, whichever is less) in height and having a density between 25 and 45 units per *net residential hectare*.
- b) New medium density residential development may be permitted subject to the following conditions:
  - (i) The property or site is within a designation that permits medium density residential development;

- (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 parking and other 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.

#### **13.2.4.4 High Density Residential Uses**

- a) High density residential uses include all forms of multiple residential dwelling unit buildings having a density between 45 and 60 units per *net residential hectare*. High density residential development shall generally not exceed 6 storeys or 21 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 property or site is within a designation that permits high density residential development;
  - (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 parking and other 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.

#### 13.2.4.5 Accessory Apartments

- a) 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.
  - <sup>1</sup>(vii) *The maximum size of the accessory unit is limited to the lesser of 65 gross square metres (700 square feet)*

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<sup>1</sup> Section 13.2.4.5 (vii) to (xiii) should have been deleted by OPA # 116. A further amendment will be required to now delete same.

*of residential floor area or a maximum of 40 percent of the residential floor area, in order to ensure the unit is ancillary to the main dwelling;*

- (viii) For the purpose of this policy 'residential floor area' means the total floor area of a dwelling unit including a maximum of 25 percent of the basement area, provided that such area is finished to the required minimum standards of the Ontario Building Code for the proposed use of such area. A cellar or part of the dwelling used for an accessory use shall be excluded from the calculation of residential floor area.*
- (ix) A minimum of one parking space shall be provided for the accessory unit;*
- (x) The creation of an accessory unit shall maintain conformity with the Zoning By-law;*
- (xi) The creation of an accessory apartment will be subject to applicable Fire Code standards, in addition to a building permit, which will ensure that all apartments conform to the Ontario Building Code, municipal property standards and other relevant requirements;*
- (xii) Minor variations to the minimum lot area and maximum size policies required in (iv) and (vii) above may be permitted provided the intent of this Secondary Plan is maintained; and,*
- (xiii) The creation of an accessory apartment unit shall not be permitted within a natural hazard area (such as floodplains, erosion hazards, areas of unstable soils and/or steep slopes)."*

#### **13.2.4.6 Garden Suites**

- a) A *garden suite* may be permitted on a temporary basis on a lot that is occupied by a single detached dwelling, subject to an amendment to the Zoning By-law and in accordance with the following provisions:
  - (i) The lot is located within a land use designation that permits a garden suite;

- (ii) Not more than one garden suite may be permitted on a lot containing an existing single detached dwelling that has frontage on an assumed public road;
- (iii) The garden suite shall be designed as a portable unit that is subordinate in size and scale to that of the principal dwelling on the lot;
- (iv) Municipal water and sewer allocation is available to service the garden suite or, in areas not to be serviced by municipal sewer and water supply, that the garden suite can be adequately serviced by a private on-site septic system and private potable water supply;
- (v) The lot shall be of adequate size and shape to accommodate the garden suite so as to not create compatibility problems with surrounding properties. In this regard, the following shall be taken into consideration when considering an amendment for a proposed garden suite:
  - garden suites shall be located in the rear yard and provide adequate setbacks from the lot lines. On larger lots, in the Rural/Agricultural area for example, consideration may be given to siting garden suites in the side yards of a lot;
  - adequate amenity area exists for both the principal dwelling and garden suite; and,
  - the provision of a minimum of one parking space shall be provided for the garden suite.
- (vi) All the requirements of the Ontario Building Code and other relevant Municipal and Provincial regulations can be satisfied.
- (vii) As a condition to the passing of a by-law authorizing the temporary use of a garden suite, Council may require the owner of the suite and/or subject property to enter into an agreement with the municipality dealing with such matters related to the temporary use of the garden suite, including:

- the installation, maintenance and removal of the garden suite;
- the period of occupancy of the garden suite by any of the persons named in the agreement which shall not exceed 10 years from the day of the passing of the by-law; and,
- the monetary or other form of security that Council may require for actual or potential costs to the municipality related to the garden suite.

Furthermore as permitted under the Planning Act, Council may by by-law grant further periods of not more than three years during which the temporary use is authorized; and,

- (viii) A garden suite shall not be permitted within a natural hazard area (such as floodplains, erosion hazards, areas of unstable soils and/or steep slopes).

#### **13.2.4.7 Special Needs Housing**

- a) *Group homes, lodging houses, homes for special care and other forms of special needs housing that is not a Halfway House and accommodates 8 or less occupants (not including staff) shall be permitted in all designations that permit special needs housing, subject to the provisions of the Zoning By-law and in accordance with the following criteria:*
- (i) No *special needs housing* of this scale shall be permitted within 100 metres of another property containing any other *special needs housing*;
  - (ii) The Ontario Building Code, as well as all applicable health and safety requirements, can be satisfied;
  - (iii) 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;
  - (iv) Municipal property maintenance standards and all other relevant municipal regulations and standards shall apply to the *special needs housing*; and,

- (v) *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 in all designations that permit *special needs housing* with the exception of those land use designations that expressly prohibit said uses, subject to the provisions of the Zoning By-law and the satisfaction of the following criteria:
  - (i) No *special needs housing* of this scale shall be permitted within 400 metres of another property containing any other *special needs housing*;
  - (ii) The site is adjacent to and has direct access to an arterial or collector road;
  - (iii) The site is located with convenient access to community services and facilities;
  - (iv) The lot size and configuration is sufficient to accommodate the building, required parking, green space and amenity areas;
  - (v) The Ontario Building Code, as well as all applicable health and safety requirements, can be satisfied;
  - (vi) 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;
  - (vii) Municipal property maintenance standards and all other relevant municipal regulations and standards shall apply to the *special needs housing*;
  - (viii) A minimum of 2 on-site parking spaces or 1 on-site parking space per staff member on duty, whichever is greater, shall be required for *special needs housing*; and,



- (ix) *Special needs housing* operators shall obtain a license in accordance with the requirements of the applicable authority.

#### **13.2.4.8 Home Occupations**

- a) Home Occupations may be permitted in single detached and semi-detached 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 change of use building permit has been obtained from the Town to operate a home occupation.

#### **13.2.4.9 Housing for Seniors**

- a) The Town shall encourage and support, where appropriate, private, public and non-profit housing developments designed to provide a variety of housing options for seniors including small ownership dwellings, higher density condominium dwellings, building with rental units, as well as developments that facilitate "aging in place", while recognizing the Town's inability to establish occupancy age restrictions.

### **13.2.5 DEVELOPING DESIRABLE RESIDENTIAL NEIGHBOURHOODS**

Sutton/Jackson's Point contains a number of older, distinct residential neighbourhoods that have been designated Stable Residential Area on Schedule 'B'. This Plan recognizes the importance of protecting and enhancing these stable residential neighbourhoods.

Lands designated New Residential Area are intended to accommodate the majority of new housing that is required in the community over the next 20 years. These areas provide opportunities for the creation of new neighbourhoods largely comprised of ground-related housing and other compatible uses that provide for the day-to-day needs of residents.

#### **13.2.5.1 Stable Residential Area Designation**

##### **Purpose**

This designation serves to recognize, protect and enhance existing stable residential neighbourhoods. The policies are intended to prohibit incompatible land uses and built-forms, while supporting an appropriate mix of housing and local community uses and facilities.

##### **Permitted Uses**

The permitted uses within the Stable Residential Area designation shall be:

- (i) low density residential uses in accordance with Section 13.2.4.2, and *existing* medium density residential uses;
- (ii) garden suites in accordance with Section 13.2.4.6;
- (iii) bed and breakfast establishments;
- (iv) local commercial uses such as convenience retail stores and personal service shops;
- (v) *special needs housing*, with the exception of *halfway houses* and other forms of *special needs housing* that accommodates more than 8 occupants/residents (not including staff), in accordance with Section 13.2.4.7;
- (vi) Town or Region owned or operated buildings, facilities and uses;

- (vii) elementary and secondary schools;
- (viii) public and private utilities and *infrastructure*, except for hydro plants;
- (ix) fire stations, ambulance bases, police stations and similar emergency service uses;
- (x) parks, open space, natural areas, conservation uses, pedestrian and bicycle routes and transit facilities;
- (xi) home occupations;
- (xii) buildings, structures and uses that are accessory to any permitted use; and,
- (xiii) existing non-conforming uses, buildings and structures in accordance with Section 13.2.9.8.

### **Policies**

- a) *Development* and *site alteration* abutting existing residential development shall be sympathetic to the form and character of the existing development and shall be *compatible* with regard to building scale and urban design.
- b) Through the implementing Zoning By-law, the range and density of permitted uses may be refined or restricted on a particular site or location to ensure that new development or site alteration is appropriate and *compatible* with adjacent uses and buildings.
- c) New local commercial uses such as convenience retail stores and personal service shops, as permitted, shall be subject to site plan control and the following development criteria:
  - (i) The site shall be located at the intersection of two streets;
  - (ii) The individual local commercial use shall not exceed 75 square metres of *gross leasable floor area*;
  - (iii) There shall be no more than 2 individual local commercial uses located on a single lot; and,

- (iv) On site parking, if required, shall not be permitted in any front or exterior side yard.
- d) Through the implementing Zoning By-law and/or through site plan control, specific measures including, but not limited to, increased building setbacks, landscaping and fencing, may be required in order to ensure that new development is appropriate in the context of the adjacent uses and surrounding neighbourhood.
- e) All development within the Stable Residential Area designation may be subject to Site Plan Control. The Town may utilize all of the provisions of Site Plan Control permitted by the Planning Act, including, without limitation, the control of building materials, colour and architectural detail.
- f) All development shall be consistent with the Urban & Architectural Design Guidelines attached to this Secondary Plan as Appendix II.
- g) Applications for *development* shall provide the following information/materials:
  - (i) A Land Use Plan that articulates the conceptual layout of the proposed development, including:
    - the size, shape, location and proposed uses for any non-residential blocks;
    - the location of proposed residential uses, by type;
    - all collector and local roads;
    - the size, shape and location of all park blocks;
    - the size, shape and location of all storm water management facilities; 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;
  - the anticipated population and employment generation;
  - the net density of residential development.
- (iii) A report that indicates how the proposed development contributes to the provision of *affordable* housing and implements the sustainable community design and green building policies of Sections 13.2.4.1 and 13.2.3.1;
- (iv) If required by the Town, the preparation of site specific urban design and architectural control guidelines that are consistent with or exceed the requirements of the Urban & Architectural Design Guidelines attached to this Secondary Plan as Appendix II. Additional guidelines, if required, will articulate building height, massing and form, building setbacks, the arrangement of buildings on lots and the treatment of on-site parking. In addition, the urban and architectural control guidelines will identify the location and design treatment of landmark architectural features, and architectural design requirements for all buildings, including landscape elements;
- (v) An Environmental Impact Statement as required by the policies of this Plan, and if the lands to be developed contains a woodlot, hedgerow or *trees*, the Environmental Impact Statement shall be accompanied by a Tree Preservation Plan;
- (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 proposed development, its impact on the road network and any road works necessary to accommodate the anticipated traffic, shall be completed by the proponent. 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, as well as provide an on-street parking plan;

- (vii) A Functional Servicing Plan identifying sanitary and storm sewer requirements, municipal water supply and distribution needs, storm water management plans, road layout and sidewalk plan, general grading requirements and delineation of the boundaries of the Greenlands System. The Functional Servicing Plan may also have to include lands beyond the boundary of the proposed development and may need to be completed on a watershed or sub-watershed basis if so required by the Town; and,
- (viii) Any other information/materials/studies as determined through the Town pre-consultation process pursuant to Sections 13.2.9.5.2, 13.2.9.5.3 and 13.2.9.5.4.

#### **13.2.5.1.1 Special Provisions**

- a) Notwithstanding Section 13.2.5.1 - Permitted Uses, land described as Lot 113, Judges Plan 602 and shown as Item 4 on Schedule 'E' - Special Provisions, may be used for a 20 unit apartment building and chronic care facility.
- b) Notwithstanding Section 13.2.5.1 - Permitted Uses, on land described as Part of Lot 31, Plan 267 and shown as Item 14 on Schedule 'E' - Special Provisions, the only permitted uses shall be a women's shelter having a maximum of 30 beds, a single family dwelling which may include an accessory apartment, a home occupation and/or a bed and breakfast residence, and accessory buildings, structures and uses to any permitted uses.

For the purposes of this Section, a women's shelter means:

*"A building and premises operated for the purposes of providing secure temporary living accommodation to abused women, with or without children. Staff are available in the residence to provide supervision, counselling and other assistance, as required, on a 24 - hour basis."*

- c) Notwithstanding Section 13.2.5.1 - Permitted Uses, on land described as Part of Lot 1, Plan 247 and shown as Item 15 on Schedule 'E' - Special Provisions, the only permitted uses shall be a single family dwelling which may include an

accessory apartment, a home occupation and/or a bed and breakfast residence, a building containing 4 dwelling units, women's shelter office space with a maximum of 3 dwelling units and accessory buildings, structures and uses to any permitted uses.

### 13.2.5.2 New Residential Area Designation

This designation applies to the lands where the majority of new residential development is planned to take place. Some of these New Residential Area designated lands have already received planning approvals and are subject to certain site specific policy provisions contained in this Plan. The policies of this Section are intended to promote well designed and attractive new residential neighbourhoods.

#### Permitted Uses

The permitted uses within the New Residential Area designation shall be:

- (i) low density residential uses in accordance with Section 13.2.4.2;
- (ii) garden suites in accordance with Section 13.2.4.6;
- (iii) bed and breakfast establishments;
- (iv) local commercial uses such as convenience retail stores and personal service shops;
- (v) *special needs housing*, with the exception of *halfway houses* and other forms of *special needs housing* that accommodates more than 8 occupants/residents (not including staff), in accordance with Section 13.2.4.7;
- (vi) Town or Region owned or operated buildings, facilities and uses;
- (vii) *institutional*, cultural and recreational uses and facilities;
- (viii) public and private utilities and *infrastructure*, except for hydro plants;
- (ix) parks, open space, natural areas, conservation uses, pedestrians and bicycle routes and transit facilities;



- (x) home occupations;
- (xi) fire stations, ambulance bases, police stations and similar emergency service uses;
- (xii) elementary and secondary schools;
- (xiii) buildings, structures and uses that are accessory to any permitted use; and,
- (xiv) existing non-conforming uses, buildings and structures in accordance with Section 13.2.9.8.

### **Policies**

- a) Applications for *development* shall provide the following information/materials:
  - (i) A Land Use Plan that articulates the conceptual layout of the proposed development, including:
    - the size, shape, location and proposed uses for any non-residential blocks;
    - the location of proposed residential uses, by type;
    - all collector and local roads;
    - the size, shape and location of all park blocks;
    - the size, shape and location of all storm water management facilities; 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;
    - the anticipated population and employment generation;

- the net density of residential development.
- (iii) A report that indicates how the proposed development contributes to the provision of *affordable* housing and implements the sustainable community design and green building policies of Sections 13.2.4.1 and 13.2.3.1;
- (iv) If required by the Town, the preparation of site specific urban design and architectural control guidelines that are consistent with or exceed the requirements of the Urban & Architectural Design Guidelines attached to this Secondary Plan as Appendix II. Additional guidelines, if required, will articulate building height, massing and form, building setbacks, the arrangement of buildings on lots and the treatment of on-site parking. In addition, the urban and architectural control guidelines will identify the location and design treatment of landmark architectural features, and architectural design requirements for all buildings, including landscape elements;
- (v) An Environmental Impact Statement as required by policies of this Plan, and if the lands to be developed contains a woodlot, hedgerow or *trees*, the Environmental Impact Statement shall be accompanied by a Tree Preservation Plan;
- (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 proposed development, its impact on the road network and any road works necessary to accommodate the anticipated traffic, shall be completed by the proponent. 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, as well as provide an on-street parking plan;
- (vii) A Functional Servicing Plan identifying sanitary and storm sewer requirements, municipal water supply

and distribution needs, storm water management plans, road layout and sidewalk plan, general grading requirements and delineation of the boundaries of the Greenlands System. The Functional Servicing Plan may also have to include lands beyond the boundary of the proposed development and may need to be completed on a watershed or sub-watershed basis if so required by the Town; and,

- (viii) Any other information/materials/studies as determined through the Town pre-consultation process pursuant to Sections 13.2.9.5.2, 13.2.9.5.3 and 13.2.9.5.4.
- b) Except in situations where environmental features or existing uses or development patterns prevent through streets, the use of cul-de-sacs and crescents should be minimized when designing the internal local road network.
- c) Rear or back lotting of dwelling units onto arterial and/or collector roads shall not be permitted, and lots having direct frontage onto arterial and/or collector roads shall be discouraged and minimized.
- d) Townhouses should be appropriately integrated within a neighbourhood including clustering them around public open space areas and parks/community facilities, and should not be sited in groupings of more than 8 units to a block. In order to provide adequate on-site parking, wherever possible sidewalks should not be located on the side of the road containing townhouses or lots with dwellings having less than a 2 car garage and/or having a single wide driveway.
- e) New development abutting existing residential development shall be sensitively integrated with the existing development and shall be *compatible* with regard to use, scale and urban design.
- f) New local commercial uses such as convenience retail stores and personal service shops, as permitted, shall be subject to site plan control and the following development criteria:
  - (i) The site shall be located at the intersection of two streets;

- (ii) The individual local commercial use shall not exceed 75 square metres of *gross leasable floor area*;
  - (iii) There shall be no more than 2 individual local commercial uses located on a single lot; and,
  - (iv) On site parking, if required, shall not be permitted in any front or exterior side yard.
- g) All development within the New Residential Area designation may be subject to Site Plan Control. The Town may utilize the provisions of Site Plan Control to the maximum extent permitted by the Planning Act, including, without limitation, the control of building materials, colour and architectural detail.

#### **13.2.5.2.1 Special Provisions**

- a) On land described as Part of Lot 13, Concession 7 (G) and shown as Item 1 on Schedule 'E' Special Provisions and notwithstanding Section 13.2.5.2 - Permitted Uses and Section 13.2.4.2, a total of 121 dwelling units, consisting of single family detached, semi-detached and a maximum of 71 street townhouse dwellings shall be permitted. The maximum number of units within one building shall be four.
- b) On land described as Part of Lots 21, 22 and 23, Concession 7 (NG) and shown as Item 2 on Schedule E – Special Provisions (hereinafter the “Subject Land”), the development of these lands shall be in accordance with the policies of this Plan and the provisions listed below:
  - (i) Notwithstanding Section 13.2.4.2 a), the maximum number of dwelling units shall be 725 based on a density of 24.2 units per net residential hectare. Should the net residential area be reduced, the total number of dwelling units shall be reduced proportionately in accordance with the above noted density factor. Further, the maximum percentage of townhouse dwellings units relative to the total number of residential dwelling units permitted on the Subject Land (excluding accessory apartments), shall be 20%.
  - (ii) Notwithstanding 13.2.5.2.1 b) i), the draft approval of more than 614 dwelling units shall only be permitted at such time as:

- (A) the Town has confirmed in writing to York Region that the total population within the Sutton Water Pollution Control Plant (WPCP) service area, including any units in excess of 614 units, will not exceed the build-out serviced population maximum of 13,500 persons or York Region has confirmed that a build-out serviced population beyond the maximum of 13,500 persons does not contravene the conditions of the Environmental Compliance Approval (ECA) or any other permit to be issued by the Ministry of Environment for the proposed future WPCP expansion; and,
  - (B) the Region has confirmed through flow monitoring that water conservation measures referred to in Section 13.2.3.1 b)(i) and/or other inflow and infiltration reduction programs have resulted in the adequate reduction of sewage flow to ensure that the projected ultimate flow to the WPCP will not exceed the permitted capacity. Flow monitoring will be done by York Region at such time as the flow to the WPCP is sufficient for meaningful flow projection as determined by York Region.
- (iii) Notwithstanding Section 13.2.4.2 c), in order to complement the existing Catering Road streetscape which consists of a mix of lot frontages and sizes, lots on the Subject Land abutting Catering Road shall vary in lot frontage and size, but shall have a minimum lot frontage of 20 metres. Further, such lots shall not have direct access to Catering Road, but shall only have lot access from an internal road to the rear of the lots.
  - (iv) Where an internal road serving the Subject Land intersects with an external road, Catering Road and/or McCowan Road (7<sup>th</sup> Concession), improvements to the external road, necessary to accommodate additional traffic originating from this development shall be provided in a manner that is satisfactory to the Town of Georgina. In the case of Catering Road, the extent of the external road construction will be across the full frontage of the Subject Land north to

the intersection with Dalton Road and will include a partial re-alignment to the east on the curve at the top of Ainslie Hill. In the case of an intersection of an internal road and McCowan Road, the Owner will be required to undertake all necessary studies, design work and construction to facilitate an intersection which would necessitate improvements within the proposed intersection itself.

- (v) Notwithstanding Section 13.2.8.1.4 b), the municipal collector road proposed on the Subject Land as conceptually shown on Schedule C – Roads Plan, may incorporate alternate design standards as determined through a more detailed traffic analysis of the role and function of this road. Further, the layout and design of all roads within the Subject Land shall be done with careful attention to ensuring efficient and safe travel for both motorists and pedestrians. Specific consideration shall be focused on the need for the implementation of traffic calming measures or devices within the road system in order to minimize the potential for future problems such as motor vehicle speeding.
- (vi) As part of the installation of municipal sanitary sewer and water mains along Catering Road to service the Subject Land, the Owner shall at his/her expense install sewer and water service lateral connections to the property line of each existing privately serviced residential lot fronting said sewer/water servicing mains. The benefitting property owners shall be responsible for, and shall bear the cost of, installing servicing pipes from the property line to their homes.
- (vii) Notwithstanding Section 13.2.8.2 d) and the limit of the Service Area Boundary, the existing homes on lots along Catering Road in proximity to the south end of the Subject Land that are within the area shown as Item 16 on Schedule E – Special Provisions, may be permitted to connect to municipal sanitary sewer and water services at the benefitting property owner's expense, should such connection become feasible and subject to the availability and assignment of servicing allocation by Council.

In assessing the feasibility of the servicing connection to the existing lots, the developer will determine whether the depth of the sewer within the Subject Land must be increased to accommodate the external servicing and the associated costs of increasing the depth. Any additional costs to achieve the required depth are to be borne by the benefitting property owners.

- (viii) As a condition of further planning approvals for the development of the Subject Land, the preparation and implementation of a Well Monitoring Program, of an extent and duration to the satisfaction of the Town of Georgina, to assess the impact, if any, on off-site well water quality and quantity, shall be required. Such a Program shall include, among other items, the posting of adequate security by the developer in an amount as determined by the Town, to secure the carrying out of the Program and to secure and compensate for any work that may be required to any off-site wells in the event of any adverse impacts from the development of the Subject Land.
- (ix) The Lake Simcoe Region Conservation Authority has identified the north-west section of the Subject Land as a potential floodplain area. In consideration of development applications, the extent of the floodplain shall be determined by the developer's consultant in consultation with the Town and the Lake Simcoe Region Conservation Authority. For any areas identified as floodplain, the Hazard Policies of Section 13.2.2.5 shall prevail.
- (x) The subject Land appears to contain geomorphologic features including laminated, near-shore features remnant from glacial Lake Algonquin. Most notable is the high terraced escarpment, which is purported to be a glaciolacustrine wave-cut shore bluff. An appropriate study, to be approved by the Town, will be required as a prerequisite to the submission of a subdivision application which will provide an assessment of the Subject Land to determine the extent of any landform features and to recommend the appropriate design and construction practices of the subdivision plan relative to these features.

- (xi) As a prerequisite to the submission of a subdivision application, an archaeological assessment of the Subject Land shall be prepared. Prior to final subdivision approval the Ministry of Tourism, Culture and Sport shall confirm to the Town that the archaeological assessment is satisfactory.
- c) On land described as Part of Lot 5, Concession 8 (G) and shown as Item 3 on Schedule 'E' - Special Provisions, and notwithstanding Section 13.2.5.2 - Permitted Uses and Section 13.2.4.2, development of these lands shall occur in accordance with the following provisions:
  - (i) An adult lifestyle community shall be the only permitted use having between 235 and 315 one-storey (with open lofts), two-bedroom dwellings (single-detached, semi-detached and linked), or equivalent density. One-storey, two-bedroom townhouse dwellings (with open lofts) may be permitted where it can be shown that a greater conservation of land results and compatibility with the character of the community is maintained to the satisfaction of the Town of Georgina.

In accordance with Section 13.2.10.3 the number of units that may be developed, may be increased or decreased by a maximum of 5 units beyond the range permitted above provided the intent of the plan is maintained.

An adult lifestyle community for purposes of this amendment shall be defined as *"a condominium residential development utilizing private roads and services, which is designed to provide a living environment which is attractive to persons generally between the ages of 45 and 75"*.

Such a development shall exhibit a high standard of design, construction and services and shall provide on-site recreational facilities including a clubhouse as well as other amenities which may include a swimming pool, tennis courts, walkways and Open Space areas for more passive recreational activities.

A public elementary school shall also be a permitted use.



- (ii) A retirement residence is a permitted use with a maximum of 150 beds and a maximum height of two-storeys. When determining the maximum number of units for the entire site, one single-detached, one semi-detached, one linked, or one townhouse dwelling unit shall be the equivalent of two beds in a retirement residence ("equivalent density").

A retirement residence for purposes of this amendment shall be defined as *"premises that provide accommodation primarily to retired persons or couples where each private bedroom or living unit has a separate private bathroom and separate entrance from a common hall but where common facilities for the preparation and consumption of food are provided, and where common lounges, recreation rooms, and health care facilities, and internal ancillary convenience commercial uses for the residents only, may also be provided"*.

The retirement residence, if pursued, shall be constructed in the second phase of development or later.

- (iii) To ensure that this development proceeds as a retirement community where adequate water and sewer servicing capacity has been made available and where the provision of a public elementary school and abutting public park on the site is not required, development of the subject lands shall proceed on the basis of a Master Site Plan for development to proceed in at least two phases, as set forth in the development phasing plan, which will form part of the site plan/condominium agreement.
- (iv) A Holding "H" provision by-law under the provisions of Section 36 of the Planning Act shall be utilized to initially restrict the use of the Subject Lands to only those uses permitted on the lands prior to the enactment of the holding provision. The terms under which Council shall remove the Holding "H" provision to allow a maximum first phase of 150 dwellings are as follows:

- adequate water and sewer servicing capacity being made available for the Subject Lands;
- the approval of a Master Site Plan as set out in subsection 16 below;
- registration of draft plan of vacant land condominium 19CDM-06G01; and,
- the approval of a Site Plan for the phase or portion of the phase to be developed.

The terms under which Council shall remove the Holding "H" provision to allow further development beyond 150 dwellings are as follows:

- (v) Upon occupancy of the first 100 dwellings, the developer shall retain a qualified consultant to conduct a demographic study to determine the number of persons per dwelling. Prior to the removal of the "H" symbol, Council for the Town of Georgina, in consultation with the Public School Board, shall be satisfied that the average number of persons per unit for those dwellings that are occupied does not exceed 2 and that 75% of the permanent residents are aged 50 and over;
- (vi) Full compliance with all required agreements, financial and otherwise, executed between the Owner and the Town of Georgina governing any and all previous phases of the development; and,
- (vii) Adequate sewer and water servicing capacity are available for the Subject Lands.

In the event Council is not satisfied that the development is proceeding as an adult lifestyle community, the proposed development shall be reviewed and assessed in terms of whether adequate facilities and services, including but not necessarily limited to, an elementary school and public park, can be incorporated as part of any subsequent phase or phases. Amendments to the official plan, zoning by-law, plan of subdivision, plan of condominium, site plan agreement, subdivision agreement and/or condominium agreement may be required prior to

permitting further development beyond a first phase of 150 dwellings.

- (viii) On-site recreational amenities shall be provided in accordance with a Master Site Plan. The construction of a clubhouse/ recreational/ administrative centre shall be completed within 1 year after the occupancy of the first 150 dwellings. Council may, at its sole discretion, permit the provision of these or other recreational facilities at a different timing, without amendment to this Plan.
- (ix) No buildings or structures shall exceed two storeys height.
- (x) The maximum number of bedrooms permitted within any dwelling unit shall be two.
- (xi) No local commercial uses shall be permitted within the development except as provided for in clause 2.
- (xii) Development of individual dwelling sites which front on a private road which is set forth as part of a registered condominium plan shall be permitted.
- (xiii) Road access from the Subject Lands shall be permitted from Black River Road subject to appropriate environmentally sensitive construction through the natural area to the satisfaction of the Town and Lake Simcoe Region Conservation Authority. No road access shall be permitted to Hedge Road and Maple Avenue. One emergency vehicle access, with an appropriate barrier, shall be provided to the Subject Lands from Maple Avenue. Notwithstanding the prohibition of road access to Hedge Road, a temporary driveway access to a sales pavilion may be permitted in accordance with the requirements of the Town.
- (xiv) Those lands shown as Environmental Protection Area in Schedule B - Land Use shall be used for no other purposes than forest and conservation uses, and passive recreational uses, with the exception of entrance signage and a road which provides access at Black River Road for the Subject Lands.

- (xv) Approval of this Amendment or subsequent implementing land use approvals, including the approval of any plans of subdivision/condominium, shall not be predicated on the approval of the Northeast Sutton Development Area Plan.
- (xvi) The provision of recreational amenities on the lands abutting Lake Simcoe and forming part of the registered condominium plan shall be permitted, subject to all necessary approvals from agencies and public bodies having jurisdiction over development in or abutting the lake and the Town of Georgina. Such recreational amenities may include a dock, boardwalk and/or gazebo and shall not include a dock or marina for commercial purposes. No dwellings or other large buildings shall be permitted on the lands abutting Lake Simcoe.
- (xvii) Development of the Subject Lands is to be in accordance with the urban design objective to ensure all vehicular accesses are freely open to the public.
- (xviii) An urban design/streetscape plan for the entire development shall be prepared to the satisfaction of the Town of Georgina as part of the site plan approval process.
- (xix) A Master Site Plan for the entire property, including a Development Phasing Plan, shall be prepared to the satisfaction of the Town of Georgina pursuant to the jurisdiction of Section 41 of the Planning Act. The Development Phasing Plan shall describe the sequence of development of the Subject Lands, including the provision of necessary supporting infrastructure, community facilities, and treatment of natural amenity areas. The Master Site Plan will address the following:
  - translating the limit of development between the Open Space and the Development Area as delineated on the draft plan of subdivision to the field;
  - hydrogeological, including soils analysis, topographic and tree preservation studies shall

be undertaken in sufficient detail to adequately determine the size and location of opportunity areas within the development to be utilized for the retention of mature vegetation and retention of existing vegetation within undisturbed grade areas.

It shall be the intent of the Master Site Plan to identify these areas to optimize opportunities for tree retention, to provide visual screening between these lands and adjacent residential uses to provide areas of micro habitat and to provide areas for the passive management of stormwater.

The Master Site Plan will include specific edge treatment designs and impact mitigation measures to ensure that the ultimate development of the Subject Lands does not negatively affect the adjacent Open Space.

Specific development objectives and mitigation principles for the opportunity areas shall be determined, including the preliminary surveyed boundaries and the functions that the opportunity areas are intended to serve.

The objectives and mitigation principles will form part of the conditions of draft plan of condominium to ensure they are communicated to the Condominium Corporation; and,

- preparation of a preliminary block and lotting plan, taking into account:
- site servicing, including road locations and final grades;
- efficient urban structure and layout;
- lot size and conceptual housing mix; and,
- retention of mature vegetation and areas for passive stormwater management.

- (xx) The conditions of draft plan of vacant land condominium shall include provisions that require the applicant to prepare a Master Site Plan and the requirement to comply with its recommendations.
  - (xxi) At the conclusion of the Master Site Plan process, a zoning by-law for the Subject Lands shall be prepared to implement the Master Site Plan to the satisfaction of the Town of Georgina.
  - (xxii) For each phase, one or more site plans pursuant to Section 41 of the Planning Act shall be prepared to the satisfaction of the Town of Georgina and approved before construction of any dwelling unit is permitted within the phase. Site Plans shall implement the Master Site Plan.
  - (xxiii) Draft plan of vacant land condominium approval shall not be granted until such time as an agreement has been reached between the appropriate authorities and the proponents of the subject development as to the timing and funding of required sanitary sewer facilities. These works shall be provided for in the condominium and/or site plan agreements. Phasing of development based on the completion of external sewer and water services, and/or the allocation of services, shall be implemented as required by the Town of Georgina.
  - (xxiv) No development shall occur on the Subject Lands until the Town of Georgina has been satisfied that adequate water and sanitary sewer facilities and servicing allocation and storm water management facilities are available to service the Subject Lands, pursuant to all necessary approvals and agreements.
  - (xxv) The owners of the Subject Lands shall enter into an agreement with the Town of Georgina to ensure unrestricted pedestrian access through the community.
- d) On land described as Part of Lot 3, Concession 7 (G) and shown as Item 9 on Schedule 'E' - Special Provisions and notwithstanding Section 13.2.5.2 - Permitted Uses and Section 13.2.4.2, a plan of subdivision consisting of a maximum of 121 single family dwellings and a maximum of

20 townhouse dwelling units shall only be permitted. Notwithstanding, in the event the temporary roads in this subdivision are no longer required due to the development of the abutting lands to the east, up to an additional 8 lots for single family dwellings may be permitted on said lands that were utilized for temporary road purposes. The lot frontage and size of these new lots shall be consistent with the existing lots on the street.

- e) On land described as Part of Lot 3, Concession 7 (G) and shown as Item 10 on Schedule 'E' - Special Provisions and notwithstanding Section 13.2.5.2 - Permitted Uses and Section 13.2.4.2, a plan of subdivision consisting of a maximum of 45 single family dwellings and 8 townhouse dwelling units shall only be permitted.
- f) On land described as Part of Lot 18, Concession 9 (NG) and shown as Item 11 on Schedule 'E' - Special Provisions and notwithstanding Section 13.2.5.2 - Permitted Uses and Section 13.2.4.2, a plan of subdivision consisting of a maximum of 79 single family dwellings and 21 townhouse dwelling units shall only be permitted.
- g) On lands described as Part of Lot 18, Concession 9 (NG) and shown as Item 18 on Schedule 'E' – Special Provisions and notwithstanding Section 13.2.5.1 – Permitted Uses and Section 13.2.4.3, a plan of subdivision consisting of a maximum of 26 townhouse dwelling units shall only be permitted

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## 13.2.6 PROMOTING INTENSIFICATION AND MIXED USE DEVELOPMENT

This Section includes land use designations and policies that promote sensitive intensification and transit supportive mixed-use development within the centres and corridors.

There are also four separate sites or areas within and/or adjacent to stable neighbourhoods that are recognized as having significant redevelopment potential. These areas are designated Redevelopment Opportunity Area on Schedule 'B' and the related policies are intended to facilitate the consideration of these sites for comprehensive redevelopment projects.

### 13.2.6.1 High Street Historic Centre Designation

It is the intent of this Plan to support and strengthen the High Street Historic Centre as an area of historical significance and a focal point for the community. It is proposed that the High Street Historic Centre continue to provide local shopping, retail, cultural and entertainment opportunities for residents, as well as drawing tourists and visitors.

#### Permitted Uses

Within the High Street Historic Centre designation, the following uses are permitted:

- (i) medium density residential uses, in accordance with Section 13.2.4.3, and *existing* low density residential uses;
- (ii) business and professional offices, restaurants, and retail and service commercial uses, with *gross leasable floor areas* of less than 750 square metres per business;
- (iii) hotels and bed and breakfast establishments;
- (iv) *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) in accordance with Section 13.2.4.7;
- (v) Town or Region owned or operated buildings, facilities and uses;
- (vi) *institutional*, cultural and recreational uses and facilities;



- (vii) public and private utilities and *infrastructure*, excluding hydro plants;
- (viii) parks, open space, natural areas, conservation uses, pedestrian and bicycle routes, and transit facilities;
- (ix) buildings, structures and uses that are accessory to any permitted uses; and,
- (x) *existing* non-conforming uses, buildings and structures in accordance with Section 13.2.9.8.

### **Policies**

- a) The Town reserves the right, through the implementing Zoning By-law, to further refine the list of permitted land uses to ensure that new development is appropriate in the context of the adjacent and surrounding community.
- b) Development within the High Street Historic Centre designation shall be sensitively integrated with respect to the existing historic built form in terms of building mass, height, setbacks, orientation, landscaping, and visual impact.
- c) The conversion and adaptive reuse of existing buildings may be permitted where such conversions are in keeping with the streetscape, massing and material palette of the existing historic built form.
- d) The minimum building height shall be two storeys and the maximum building height shall be three storeys or 11 metres, whichever is less.
- e) The density of development shall be limited to a *Floor Area Ratio* of 1.5.
- f) Additional height and/or density may be considered by the Town on a site by site basis, subject to the height and density bonus provisions of this Plan.
- g) In certain key locations, including but not limited to the existing commercial district of High Street, the Town may require *development* to be in the form of mixed-use buildings wherein the ground floor level shall be restricted to non-residential uses.

- h) Buildings shall be located close to the streetline in keeping with the setbacks on adjacent properties, and shall facilitate pedestrian activity and access.
- i) Front yard parking will not be permitted. Parking and servicing areas shall be located at the rear of the building.
- j) All development within the High Street Historic Centre designation shall be subject to Site Plan Control. The Town may utilize the provisions of Site Plan Control to the maximum extent permitted by the Planning Act, including, without limitation, the control of building materials, colour and architectural detail.
- k) All development shall be consistent with the Urban & Architectural Design Guidelines attached to this Plan as Appendix II.
- l) All lands within the High Street Historic Centre designation are identified as being within a *Community Improvement Project Area*. The Town may consider the preparation of a *Community Improvement Plan* in order to establish a vision for the area, identify public realm improvement priorities and establish incentive programs to assist the private sector in improving their properties. The qualification criteria for any proposed incentive program shall include the requirement that the lands be included within the High Street *Business Improvement Area*.
- m) All lands within the High Street Historic Centre designation should, when appropriate, be included within the boundaries of the High Street *Business Improvement Area*.
- n) The Town shall consider the designation of all properties within the High Street Historic Centre designation as a Heritage Conservation District under the Ontario Heritage Act. Part of the designation process shall include the preparation of detailed urban design and architectural control policies that will protect the heritage character of the area, and will promote new development and/or redevelopment that is compatible with the identified heritage objectives of this Plan.

### 13.2.6.1.1 Special Provisions

- a) In addition to the uses permitted as per Section 13.2.6.7, land described as Lot 8, Block 5, Registered Plan 69 and shown as Item 8 on Schedule 'E' - Special Provisions, may be used for dwelling units, a motor vehicle sales area, a nursing home or, a wholesale establishment which conducts retail sales on the same premises.
- b) On land described as Lots 6 to 11, Block 16, Plan 69; Part of Lots 3 and 4, Block 15, Plan 69; Part of Unnamed Lane Block 16, Plan 69, and Part of High Street, Plan 69, and shown as Item 13 on Schedule D - Special Provisions, a maximum of 2 single detached dwellings fronting on East Street and a maximum of 16 townhouse units on lots which front on a private road which is set forth as part of a registered condominium plan, shall be permitted.

### 13.2.6.2 High Street Centre Extension Designation

It is the intent of this Plan that the High Street Centre Extension designation will facilitate an appropriate continuation of the unique role and function of historic High Street. It is intended that this road extension also serve as a pedestrian friendly mixed-use focal point within this Greenfield Area of the community, by providing a variety of institutional, retail and service commercial, cultural and residential apartment uses, along with a village green, within a mixed use "Main Street" context.

#### Permitted Uses

Within the High Street Centre Extension designation the following uses are permitted:

- (i) medium density residential uses in accordance with Section 13.2.4.3;
- (ii) business and professional offices, restaurants, retail and service commercial uses;
- (iii) hotels;
- (iv) *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) in accordance with Section 13.2.4.7;

- (v) Town or Region owned or operated buildings, facilities and uses;
- (vi) *institutional*, cultural and recreational uses and facilities;
- (vii) public and private utilities and *infrastructure*, except for hydro plants;
- (viii) fire stations, ambulance bases, police stations and similar emergency service uses;
- (ix) parks, open space, natural areas, conservation uses, pedestrian and bicycle routes and transit facilities;
- (x) buildings, structures and uses that are accessory to any permitted uses; and,
- (xi) *existing* non-conforming uses, buildings and structures in accordance with Section 13.2.9.8.

### **Policies**

- a) The Town reserves the right, through the implementing Zoning By-law, to further refine the list of permitted land uses to ensure that new development is appropriate in the context of the adjacent and surrounding community.
- b) The minimum building height shall be two storeys and the maximum building height shall be four storeys or 14 metres, whichever is less.
- c) The density of development shall be limited to a *Floor Area Ratio* of 2.0.
- d) For properties fronting on the extension of High Street or along Baseline Road, the minimum building height shall be two storeys and residential uses shall not be permitted at-grade or at ground floor level.
- e) Buildings shall be located close to the streetline to facilitate pedestrian activity and access.
- f) For properties fronting onto Baseline Road, front yard parking will not be permitted. Parking and servicing areas shall be located at the rear or side of the building. For other

properties within this designation, front yard parking will be discouraged, but may be permitted.

- g) Non-residential parking and servicing areas shall be located or screened so as not to be highly visible to the on-site or adjacent residential units.
- (h) Prior to any *development* within the High Street Centre Extension designation the Town shall require the submission of a Conceptual Master Plan that includes and articulates in detail:
  - (i) The proposed street and block pattern, including the design details of the road cross-sections and the anticipated traffic circle or roundabout;
  - (ii) The location and design details of landmarks and other distinctive elements or focal points for activities and cultural events (i.e. Village Green) that foster community pride and sense of place;
  - (iii) A comprehensive parking plan;
  - (iv) The details of the proposed buildings, including mix of uses, height, density, massing, architectural design details, material and colours;
  - (v) A signage and lighting plan; and,
  - (vi) A phasing plan.
- i) All development within the High Street Centre Extension designation shall be subject to Site Plan Control. The Town may utilize the provisions of Site Plan Control to the maximum extent permitted by the Planning Act, including, without limitation, the control of building materials, colour and architectural detail.
- j) All development shall be consistent with the Urban & Architectural Design Guidelines attached to this Plan as Appendix II.

### **13.2.6.3 Jackson's Point/Lake Drive Centre Designation**

It is the intent of this Plan to support and strengthen the Jackson's Point/Lake Drive Centre as a community focal point similar in

importance to the High Street Historic Centre, but unique in its focus on tourist activity. Special care shall be given to maintain, adapt, enhance and preserve the historical built form on lands within this designation.

### **Permitted Uses**

Within the Jackson's Point/Lake Drive Centre designation, the following uses are permitted:

- (i) medium density residential uses in accordance with Section 13.2.4.3 and *existing* low density residential uses;
- (ii) business and professional offices, restaurants, and retail and service commercial uses, with *gross leasable floor areas* of less than 750 square metres per business;
- (iii) hotels and bed and breakfast establishments;
- (iv) *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) in accordance with Section 13.2.4.7;
- (v) *institutional*, cultural and recreational uses and facilities;
- (vi) public and private utilities and *infrastructure*, except for hydro plants;
- (vii) parks, open space, natural areas, conservation uses, pedestrian and bicycle routes and transit facilities;
- (viii) buildings, structures and uses that are accessory to any permitted uses; and,
- (ix) existing non-conforming uses, buildings and structures in accordance with Section 13.2.9.8.

### **Policies**

- a) The Town reserves the right, through the implementing Zoning By-law, to further refine the list of permitted land uses to ensure that new development is appropriate in the context of the adjacent and surrounding community.

- b) Development within the Jackson's Point/Lake Drive Centre designation shall be sensitively integrated with respect to the existing historic built form in terms of building mass, height, setbacks, orientation, landscaping, and visual impact.
- c) The conversion and adaptive reuse of existing buildings may be permitted where such conversions are in keeping the streetscape, massing, material palette of the existing historic built form, and shall be in conformity with Section 13.2.4.1(f) of this Plan.
- d) The minimum building height shall be two storeys and the maximum building height shall be four storeys or 14 metres, whichever is less.
- e) The density of development shall be limited to a *Floor Area Ratio* of 2.0.
- f) Additional height and/or density may be considered by the Town on a site by site basis, subject to the height and density bonus provisions of this Plan.
- g) In certain key locations, including but not limited to the existing commercial district on Lake Drive, the Town may require *development* to be in the form of mixed-use buildings wherein the ground floor level shall be restricted to non-residential uses.
- h) Buildings shall be located close to the streetline in keeping with the setbacks on adjacent properties, and shall facilitate pedestrian activity and access.
- i) Front yard parking will not be permitted. Parking and servicing areas shall be located at the rear of the building.
- j) All development within the Jackson's Point/Lake Drive Centre designation shall be subject to Site Plan Control. The Town may utilize the provisions of Site Plan Control to the maximum extent permitted by the Planning Act, including, without limitation, the control of building materials, colour and architectural detail.
- k) All development shall be consistent with the Urban & Architectural Design Guidelines attached to this Plan as Appendix II.

- l) All lands within the Jackson's Point/Lake Drive Centre designation are identified as being within a Community Improvement Project Area. The Town may consider the preparation of a Community Improvement Plan in order to establish a vision for the area, identify public realm improvement priorities and establish incentive programs to assist the private sector in improving their properties. The qualification criteria for any proposed incentive program shall include the requirement that the lands be included within the Jackson's Point *Business Improvement Area*.
- m) All lands within the Jackson's Point/Lake Drive Centre designation should, when appropriate, be included within the boundaries of the Jackson's Point *Business Improvement Area*.
- n) The Town may consider the designation of all properties within the Jackson's Point/Lake Drive Centre designation as a Heritage Conservation District under the Ontario Heritage Act. Part of the designation process shall include the preparation of detailed urban design and architectural control policies that will protect the heritage character of the area, and will promote new development and/or redevelopment that is compatible with the identified heritage objectives of this Plan.

#### 13.2.6.3.1 Special Provisions

Amendment No. 115

- a) On lands described as Lots 3 to 9 inclusive, Plan 248 and shown as Item 17 on Schedule 'E' – Special Provisions, notwithstanding Section 13.2.6.3, a stand-alone non-residential building and a total of 44 dwelling units, consisting of a mixed-use building containing 33 condominium apartments and a maximum of 11 street townhouse dwellings, shall be permitted. Development of these lands shall proceed in accordance with the policies of Section 13.2.9.2.7 of this Plan. Furthermore, pursuant to the provisions of Section 37 of the *Planning Act*, an increase in residential density shall be permitted in return for the following facilities, services, or matters:
  - i) the construction of a pedestrian sidewalk along O'Connor Drive from the westerly lot line of the subject lands to Dalton Road; and,



- ii) high-quality landscaping and urban design elements throughout the site.

#### 13.2.6.4 Dalton Road North Corridor Designation

Dalton Road is the main north-south road and commercial corridor within the Sutton/Jackson's Point Secondary Plan Area. It is the intent of this Plan that the lands within the Dalton Road North Corridor designation intensify over time with a medium density, mixed-use character, in a manner that is sensitive to the adjacent stable residential areas.

##### Permitted Uses

Within the Dalton Road North Corridor designation, the following uses are permitted:

- (i) medium density residential uses and low density residential uses in accordance with Sections 13.2.4.3 and 13.2.4.2;
- (ii) business and professional offices, restaurants, and retail and service commercial uses, with *gross leasable floor areas* of less than 750 square metres per business;
- (iii) hotels and bed and breakfast establishments;
- (iv) *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) in accordance with Section 13.2.4.7;
- (v) Town or Region owned or operated buildings, facilities and uses;
- (vi) *institutional*, cultural and recreational uses and facilities;
- (vii) public and private utilities and *infrastructure*, except for hydro plants;
- (viii) fire stations, ambulance bases, police stations and similar emergency service uses;
- (ix) parks, open space, natural areas, conservation uses, pedestrian and bicycle routes and transit facilities;

- (x) buildings, structures and uses that are accessory to any permitted uses; and,
- (xi) existing non-conforming uses, buildings and structures in accordance with Section 13.2.9.8.

### **Policies**

- a) The Town reserves the right, through the implementing Zoning By-law, to further refine the list of permitted land uses to ensure that new development is appropriate in the context of the adjacent and surrounding community.
- b) Low density residential uses may be permitted within this designation, only where the site abuts the Stable Residential Area designation, and the low density residential built form is considered necessary to provide an appropriate transition to the adjacent stable neighbourhood. The portion of the property that abuts Dalton Road shall require development that is consistent with the mixed use, medium density vision for this part of Dalton Road.
- c) Any proposed new development will have regard for an adjacent Stable Residential Area, with respect to existing built form, building mass, height, setbacks, orientation, landscaping, and visual impact.
- d) The maximum building height shall be three storeys or 11 metres, whichever is less.
- e) The minimum residential and mixed-use building height shall be two storeys.
- f) The density of development shall be limited to a *Floor Area Ratio* of 1.5.
- g) Additional height and/or density may be considered by the Town on a site by site basis, subject to the height and density bonus provisions of this Plan.
- h) In certain key locations, including but not limited to lands within or near existing commercial development or situated at intersections, the Town may require *development* to be in the form of mixed-use buildings wherein the ground floor level fronting Dalton Road shall be restricted to non-residential uses.

- i) Buildings shall be located close to the streetline, and shall facilitate pedestrian activity and access.
- j) Front yard parking will not be permitted. Parking and servicing areas shall be located at the rear of the building.
- k) All development within the Dalton Road North Corridor designation shall be subject to Site Plan Control. The Town may utilize the provisions of Site Plan Control to the maximum extent permitted by the Planning Act, including, without limitation, the control of building materials, colour and architectural detail.
- l) All development shall be consistent with the Urban & Architectural Design Guidelines attached to this Plan as Appendix II.
- m) All lands within the Dalton Road North Corridor designation are identified as within a *Community Improvement Project Area*. The Town may consider the preparation of a Community Improvement Plan in order to establish a vision for the area, identify public realm improvement priorities and establish incentive programs to assist the private sector in improving their properties. The qualification criteria for any proposed incentive program shall include the requirement that the lands be included within the Dalton Road North *Business Improvement Area*.
- n) All lands within the Dalton Road North Corridor designation should, when appropriate, be included within the boundaries of the Dalton Road North *Business Improvement Area*.

#### **13.2.6.5 Dalton Road South Corridor Designation**

It is the intent of this Plan that the southerly portion of Dalton Road provide a range of commercial and retail services for the community as a whole, in a manner that provides a well connected, attractive built form and street edge that facilitates pedestrian movement.

The lands designated Dalton Road South Corridor are the focus of more intensive retail, commercial and residential uses and, as such, this area serves an important role in facilitating intensification in the built-up area of the community.

#### **Permitted Uses**

Within the Dalton Road South Corridor designation, the following uses are permitted:

- (i) medium density residential uses and high density residential uses in accordance with Sections 13.2.4.3 and 13.2.4.4 and *existing* low density residential uses;
- (ii) business and professional offices, restaurants, and retail and service commercial uses;
- (iii) hotels;
- (iv) *special needs housing* in accordance with Section 13.2.4.7;
- (v) Town or Region owned or operated buildings, facilities and uses;
- (vi) *institutional*, cultural and recreational uses and facilities;
- (vii) public and private utilities and *infrastructure*, except for hydro plants;
- (viii) fire stations, ambulance bases, police stations and similar emergency service uses;
- (ix) parks, open space, natural areas, conservation uses, pedestrian and bicycle routes and transit facilities;
- (x) buildings, structures and uses that are accessory to any permitted uses; and,
- (xi) existing non-conforming uses, buildings and structures in accordance with Section 13.2.9.8.

### **Policies**

- a) The Town reserves the right, through the implementing Zoning By-law, to further refine the list of permitted land uses to ensure that new development is appropriate in the context of the adjacent and surrounding community.
- b) Any proposed new development will have regard for an adjacent Stable Residential Area, with respect to existing built form, building mass, height, setbacks, orientation, landscaping, shadowing, and visual impact.

- c) The maximum building height shall be six storeys, or 21 metres, whichever is less.
- d) The minimum residential and mixed-use building height shall be two storeys.
- e) The density of development shall be limited to a *Floor Area Ratio* of 3.0.
- f) Additional height and/or density may be considered by the Town on a site by site basis, subject to the height and density bonus provisions of this Plan.
- g) In certain key locations including but not limited to lands within or near existing commercial development or situated at intersections, the Town may require *development* to be in the form of mixed-use buildings where in the ground floor level fronting on Dalton Road shall be restricted to non-residential uses.
- h) Buildings shall, where appropriate, be located close to the streetline to facilitate pedestrian activity and access. Where this is not possible, the streetline shall be reinforced through other built form or the application of a landscaped edge.
- i) Parking facilities for residents shall be separated from non-residential parking. Where possible, parking should be located at the rear or on the side of the building. Non-residential parking and servicing areas shall be located or screened so as not to be highly visible to the onsite or adjacent residential units.
- j) All development within the Dalton Road South Corridor designation shall be subject to Site Plan Control. The Town may utilize the provisions of Site Plan Control to the maximum extent permitted by the Planning Act, including, without limitation, the control of building materials, colour and architectural detail.
- k) All development shall be consistent with the Urban & Architectural Design Guidelines attached to this Plan as Appendix II.

### 13.2.6.6 Tourist Commercial Area Designation

It is the intent of this Plan to facilitate the ongoing operation of the uses that are designated Tourist Commercial Area. In addition, it is also the intent of this Plan to recognize the redevelopment potential of these specific sites or areas and to establish an appropriate process to facilitate their redevelopment, while recognizing the sensitivity of their individual contexts.

#### Permitted Uses

Within the Tourist Commercial Area designation, the following uses are permitted:

- (i) tourist commercial uses including restaurants, hotels, marinas, souvenir stores, boat sales and rentals, bait and tackle stores, other marine equipment sales such as windsurfing goods, and other similar tourist oriented uses;
- (ii) medium density residential development in accordance with Section 13.2.4.3, but only as part of a comprehensive tourist commercial/residential development;
- (iii) single detached dwellings containing a bed-and-breakfast use;
- (iv) cultural and recreational uses and facilities;
- (v) public and private utilities and *infrastructure*, except for hydro plants;
- (vi) parks, open space, natural areas, conservation uses, pedestrian and bicycle routes, and transit facilities;
- (vii) buildings, structures and uses that are accessory to any permitted uses; and,
- (viii) existing non-conforming uses, buildings and structures in accordance with Section 13.2.9.8.

#### Policies

- a) The Town reserves the right, through the implementing Zoning By-law, to further refine the list of permitted land uses to ensure that new development is appropriate in the context of the adjacent and surrounding community.

- b) New development proposed for any Tourist Commercial Area shall be compatible with existing adjacent buildings and uses in terms of use, density, building height, orientation, setbacks, privacy, landscaping, shadow casting, and visual impact.
- c) To facilitate significant new development a Redevelopment Master Plan shall be required, subject to the satisfaction of the Town and any other agency having jurisdiction. Generally, a Redevelopment Master Plan shall include the following:
  - (i) A Land Use Plan illustrating:
    - the size, shape, location and proposed uses for any non-residential blocks;
    - the location of proposed residential uses, by type and density;
    - all collector and local roads;
    - the size, shape and location of all storm water management facilities; 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 employment generation targets and their related gross density;
  - (iii) An Urban Design Report and area specific Architectural Design Guidelines in addition to, and consistent with the Urban and Architectural Design Guidelines attached to this Secondary Plan may be required by the Town.

- (iv) A Landscape and Open Space Plan detailing open space features and linkages to the broader Greenland System;
  - (v) An Environmental Impact Statement as required by policies of this Plan, and, if the subject site includes a woodlot, hedgerow or *trees*, the Environmental Impact Statement shall be accompanied by a Tree Preservation Plan;
  - (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 Redevelopment Opportunity Area, their impact on the road network within the Sutton/Jackson's Point Secondary Plan Area 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;
  - (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 Functional Servicing Plan must include lands beyond the boundary of the Redevelopment Opportunity Area and may need to be completed on a watershed or sub watershed basis; and,
  - (viii) Any other information/materials/studies as determined through the Town pre-consultation process pursuant to Sections 13.2.9.5.2, 13.2.9.5.3 and 13.2.9.5.4
- d) The Town may utilize the provisions of Site Plan Control to the maximum extent permitted by the Planning Act, including, without limitation, the control of building materials, colour and architectural detail.
- e) Additional height and/or density may be considered by the Town on a site by site basis, subject to the height and density bonus provision of this Plan.



- f) All development shall be consistent with the Urban & Architectural Design Guidelines attached to this Plan as Appendix II.

#### **13.2.6.7 General Commercial Area Designation**

It is intended that lands designated General Commercial Area will provide a variety of retail and service commercial uses, which may include uses catering to the traveling or drive-by consumer.

##### **Permitted Uses**

Within the General Commercial designation, the following uses are permitted:

- (i) restaurants, garden centres, furniture stores, building supply establishments, home improvement supply stores, supermarkets, departments stores, and other similar retail facilities;
- (ii) automotive and recreational vehicle related uses including vehicular sales, service and rental, parts sales, gas bars, car washes and service stations;
- (iii) industrial supply and contractor service facilities;
- (iv) enclosed storage facilities, including mini warehousing;
- (v) public and private utilities and *infrastructure*, except for hydro plants;
- (vi) fire stations, ambulance bases, police stations and similar emergency service uses;
- (vii) Town or Region owned or operated buildings, facilities and uses;
- (viii) parks, open space, pedestrian and bicycle routes;
- (ix) buildings, structures and uses that are accessory to any permitted uses; and,
- (x) existing non-conforming uses, buildings and structures in accordance with Section 13.2.9.8.

##### **Policies**

- a) The Town reserves the right, through the implementing Zoning By-law, to further refine the list of permitted land uses to ensure that new development is appropriate in the context of the adjacent and surrounding community.
- b) Where any permitted use abuts or is in proximity to an existing or proposed residential use or other type of sensitive use, fencing, landscaping, berming, distance and grade separation or a combination of these features shall be utilized to ensure that there is adequate separation, screening and buffering between the uses.
- c) All new retail development with over 5,000 square metres of *gross leasable floor area* shall be required to submit, in support of an application for rezoning, a retail market study, prepared to the satisfaction of the Town, that demonstrates:
  - (i) The need for the proposed new retail uses, and,
  - (ii) The proposed new retail uses will have no significant impacts on existing and planned retail uses elsewhere within the Sutton/Jackson's Point Secondary Plan Area, with a particular emphasis on the impacts to the High Street Historic Centre.

Where the Town determines that new retail development is not needed, or it would create an unacceptable impact on existing or planned retail facilities or areas within the Sutton/Jackson's Point Secondary Plan Area, such new retail development shall not be permitted.

- d) Parking areas will be landscaped and where appropriate screened from view. Where possible, commercial activities should have shared access driveways.
- e) Loading and outdoor storage areas will be screened from view and/or located along a building elevation that is not visible from any public road.
- f) Pedestrian walkways shall be included within individual sites and between sites so pedestrians may comfortably access these commercial properties.
- g) All development and/or redevelopment shall be subject to Site Plan Control, and shall have enhanced site plan

standards to address their siting along Baseline Road and Highway 48 and enhanced landscape standards to provide appropriate buffer planting along the boulevard and within the site. The Town may utilize the provisions of Site Plan Control to the maximum extent permitted by the Planning Act, including, without limitation, the control of building materials, colour and architectural detail.

- h) All development within the General Commercial designation shall be consistent with the Urban & Architectural Design Guidelines attached to this Plan as Appendix II.

#### **13.2.6.7.1 Special Provisions**

- a) On land described as Part Lot 23, Concession 7 (NG) and further described as Part 2 on Plan 65R-2927 and shown as Item 7 on Schedule 'E' - Special Provisions, an apartment having a maximum of eight dwelling units shall be permitted.

#### **13.2.6.8 Redevelopment Opportunity Area Designation**

The four areas designated Redevelopment Opportunity Area possess locational and/or other qualities or characteristics that make these sites prime candidates for redevelopment. It is the intent of this Plan to recognize the redevelopment potential of these sites, and to provide appropriate policies to facilitate the consideration of their redevelopment into appropriate land uses in a comprehensive and coordinated manner.

##### **Permitted Uses**

The uses permitted with the Redevelopment Opportunity Area designation shall be:

- (i) *existing* uses and/or uses permitted by the Zoning By-law as of the date of the adoption of this Plan.

##### **Policies**

- a) Redevelopment Opportunity Area 2 – Jackson' Point Harbourfront

It is anticipated that the Jackson's Point Harbourfront area will be planned to accommodate a mixed density residential community that includes primarily medium and higher density house forms and a hotel/resort. Those uses, along

with public parkland/open space, and the marina and associated marine facilities can combine to create a comprehensive waterfront redevelopment that is enjoyed by existing and new residents, as well as tourists. The following principles shall be considered in any redevelopment proposal for the Jackson's Point Harbourfront Area:

- (i) Protect the environment and contribute to improved water quality in Lake Simcoe;
- (ii) Protect and enhance public access to the water's edge;
- (iii) Improve the visual appeal of the area;
- (iv) Create improved economic development opportunities in Jackson's Point/Lake Drive Centre;
- (v) Enhance connectivity to Lake Drive and the Jackson's Point commercial area;
- (vi) Improve the functional aspects of landscape, drainage, parking and vehicular circulation;
- (vii) Ensure an appropriate interface between the existing community and new development; and,
- (viii) Create an enhanced park for local residents, visitors and tourists.

**b) Redevelopment Opportunity Area 3 - The Briars**

It is anticipated that Redevelopment Opportunity Area 3 be planned to accommodate a mixed use project that includes a medium density residential component along with potentially, a new tourist commercial/cultural complex. The northern component of the site should be considered as an extension of the Jackson's Point Lake Drive Centre, linking the existing commercial core of Jackson's Point with the Tourist Commercial Area to the east. The following principles shall be considered in any redevelopment proposal for Redevelopment Opportunity Area 3:

- (i) Protect the environment and contribute to improved water quality in Lake Simcoe;

- (ii) Improve the visual appeal of the area;
- (iii) Create improved economic development opportunities by connecting the Jackson's Point/Lake Drive Centre with the adjacent Tourist Commercial Area;
- (iv) Enhance connectivity to Lake Drive;
- (v) Improve the functional aspects of landscape, drainage, parking and vehicular circulation;
- (vi) Ensure an appropriate interface between the existing community and new development; and,
- (vii) Create a central park for local residents, visitors and tourists.

c) Redevelopment Opportunity Area 4 – The Fairgrounds

It is anticipated that the Fairgrounds may be planned to accommodate a mixed use project that includes a residential community consisting of primarily medium and higher density housing forms and potentially, a new central park. The following principles shall be considered in any redevelopment proposal for the Fairgrounds:

- (i) Protect the environment;
- (ii) Improve the visual appeal of the area;
- (iii) Create improved economic development opportunities in the High Street Historic Centre;
- (iv) Enhance connectivity to High Street;
- (v) Improve the functional aspects of landscape, drainage, parking and vehicular circulation;
- (vi) Ensure an appropriate interface between the existing community and new development; and,
- (vii) Create a central park for local residents, visitors and tourists.

d) All uses and *development* not currently permitted by this Plan within any Redevelopment Opportunity Area shall be

facilitated through an Official Plan Amendment and Zoning By-law Amendment, and shall be subject to Site Plan Control. The Town may utilize the provisions of Site Plan Control to the maximum extent permitted by the Planning Act, including, without limitation, the control of building materials, colour and architectural detail.

- e) In consideration of an Official Plan Amendment, the Town shall consider the following:
  - (i) *Compatibility* with the character and built form of adjacent land uses;
  - (ii) The provision of public areas and public access to the waterfront where the site abuts the shore of Lake Simcoe or the Black River;
  - (iii) The availability of capacity in the water supply and sewage treatment plants to serve the proposed residential component of the development;
  - (iv) The capability of trunk watermain and sewers to serve the proposed development; and,
  - (v) The ability of the adjacent road network to accommodate the increased traffic generated by the proposed development.
- f) To facilitate the consideration of new *development* on any lands within the Redevelopment Opportunity Area designations that is not currently permitted by this Plan, a Redevelopment Master Plan shall be required, subject to the satisfaction of the Town and any other agency having jurisdiction. Generally, a Redevelopment Master Plan shall include the following:
  - (i) A Land Use Plan indicating:
    - the location of proposed non-residential, by type and/or function;
    - the location of proposed residential uses, by type and density;
    - all collector and local roads;

- the size, shape and location of all park blocks;
  - the size, shape and location of all storm water management facilities; 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 employment generation targets and their related net density;
- (iii) An Urban Design Report and area specific Architectural Design Guidelines in addition to, and consistent with the Urban & Architectural Design Guidelines attached to this Plan may be required by the Town.
- (iv) A Landscape and Open Space Plan detailing open space features and linkages to the broader Greenland System;
- (v) An Environmental Impact Statement, and, if the subject site includes a woodlot, hedgerow or trees, the Environmental Impact Statement shall be accompanied by a Tree Preservation Plan;
- (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 Redevelopment Opportunity Area, their impact on the road network within the Sutton/Jackson's Point Secondary Plan Area 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;

- (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 Functional Servicing Plan must include lands beyond the boundary of the Redevelopment Opportunity Area and may need to be completed on a watershed or sub watershed basis; and,
  - (viii) Any other information/materials/studies as determined through the Town pre-consultation process pursuant to Sections 13.2.9.5.2, 13.2.9.5.3 and 13.2.9.5.4.
- g) All development shall be consistent with the Urban & Architectural Design Guidelines attached to this Plan as Appendix II.
- h) Additional height and/or density may be considered by the Town on a site by site basis, subject to the height and density bonus provision of this Plan.
- i) For the purpose of qualifying to participate in York Region's "Sustainable Development through LEED®" Program for servicing capacity, lands within a Redevelopment Opportunity Area designation shall be considered to be part of a "local centre", which is one of the eligibility criteria in the Program.



### **13.2.7 SUPPORTING AGRICULTURE AND THE SURROUNDING COUNTRYSIDE**

The majority of lands outside of the Urban Service Boundary and not forming part of the Environmental Protection Area designation are designated Rural/Agricultural Area. Much of this land, particularly east and south of Highway 48 is being used for agricultural purposes which should be protected and supported. Certain areas also contain larger rural residential lots and there is an existing rural modular home park located just west of Park Road, between Black River Road and Highway No. 48.

The land use designations and policies in this Section permit land uses and activities that are in keeping with the character, role and function of the rural/agricultural countryside that exists within the Secondary Plan Area. The protection of the rural landscape and agricultural lands is important, yet at the same time it is recognized that some limited development may be appropriate in supporting the rural/agricultural economic base.

#### **13.2.7.1 Rural/Agricultural Area Designation**

##### **Permitted Uses**

Permitted uses within the Rural/Agricultural Area designation shall be:

- (i) a single detached dwelling;
- (ii) temporary accommodations for seasonal farm workers;
- (iii) an accessory dwelling unit to a permitted commercial recreational use;
- (iv) agricultural uses and associated uses, buildings and structures;
- (v) farm related commercial/industrial uses;
- (vi) sustainable forestry and other activities connected with the conservation of soil, water resources and wildlife;
- (vii) commercial recreational uses requiring extensive open space such as golf courses and marinas, as well as other commercial uses that support and/or are directly associated

- with local tourism and recreational activities, such as recreational vehicle/boat storage operations;
- (viii) small scale commercial uses such as children daycare centres, kennels, bed and breakfast residence and veterinary clinic or animal hospitals;
  - (ix) fire stations, ambulance bases, police stations and similar emergency service uses;
  - (x) elementary and secondary schools and *institutional* uses;
  - (xi) public and private utilities and *infrastructure*, except for hydro plants;
  - (xii) parks, open space, pedestrian and bicycle routes, and transit facilities;
  - (xiii) home occupations and home industries;
  - (xiv) a *garden suite*;
  - (xv) Town or Region owned or operated buildings, facilities and uses;
  - (xvi) buildings, structures and uses that are accessory to any permitted use; and,
  - (xvii) existing non-conforming uses, buildings and structures in accordance with Section 13.2.9.8.

## Policies

- a) Agricultural uses and farm related activities shall be supported, encouraged and protected. Activities which conflict with agriculture and associated uses, shall not be permitted. The programs of the Ministry of Agriculture and Food and other organizations that encourage farmers to develop and follow conservation measures and sustainable farming practices will be supported. These may include the development of Environmental Farm Plans, Nutrient Management Plans and programs that will protect the long-term productivity of agricultural lands and minimize impacts on the environment.

- b) A single detached dwelling may be permitted on a lot of record created prior to May 9, 1977 by way of an amendment to the Zoning By-law, where such lot has not been expressly exempted in the Zoning By-law, provided the lot fronts on an assumed public road, or where the road is an unassumed public road and Council considers development on such road appropriate in accordance with Section 13.2.9.9 and provided development of the lot complies with all other provisions of this Secondary Plan.
- c) The Minimum Distance Separation Formulae in the Agricultural Code of Practice will govern the establishment and location of new livestock buildings, the renovation or expansion of existing buildings and the disposal of animal wastes. The Code will also be used to prevent adverse impact upon the farm community by restricting the encroachment of other uses, particularly non-farm residential uses, in the agricultural livestock areas.
- d) *Home industries* which are secondary to a residential dwelling on a lot and generally employing family members will be permitted. A home industry use shall only be permitted in a building separate from the residential dwelling, be limited in size, compatible with adjacent uses and operated in compliance with any zoning and/or licensing provisions.
- e) Home occupation, and *garden suite* uses shall comply with the provisions of Sections 13.2.4.8 and 13.2.4.6 respectively.
- f) Planning applications required to facilitate non-agricultural *development* permitted by this Plan or expansions to *existing* non-agricultural uses, shall be considered for approval provided the use:
  - (i) Is designed and located to protect and enhance the Greenlands System and will not have any *negative impact* on environmental functions, features and linkages;
  - (ii) Is designed to minimize audio and visual nuisances and hazards, and shall provide to the satisfaction of the Town a combination of mitigation measures in order to minimize any potential *negative impacts* that the development may have on adjacent agricultural or residential uses;

- (iii) Complies with the Minimum Distance Separation Formulae in the Agricultural Code of Practice as required by the Ministry of Agriculture and Food;
- (iv) Has direct connection to a road providing suitable access and road capacity to service the proposed uses; and,
- (v) Satisfies the following criteria:
  - a detailed development plan has been submitted to the Town;
  - there is a demonstrated need and demand for the proposed land use;
  - the use is not located in *specialty crop areas* and/or on land containing Canada Land Inventory Classes 1, 2 and 3 soils, and will not reduce or impede surrounding farm operations or their potential for expansion;
  - the site is suitable for the proposed use and does not include unnecessary land;
  - the proposed use is *compatible* with surrounding uses; and,
  - adequate water supply and waste disposal facilities are available to the satisfaction of the Town.
- g) No new residential lot creation is permitted in the Rural/Agricultural Area designation, with the exception that a consent may be permitted in the following situations:
  - (i) Severance of a residence surplus to a farming operation may be permitted in instances where a farmer owns and operates the agricultural operation on a number of land holdings in the Town which are not contiguous. A condition of severing such surplus dwelling shall be the prohibition of the construction of a new dwelling on the retained farmland through a rezoning.

- (ii) Severances for Agriculture or Conservation purposes, which support the respective goals, objectives and policies of this Plan will be permitted. Land consolidations for these uses will be encouraged. Therefore, where a consolidation occurs, and as a result of the consolidation an existing dwelling becomes superfluous, a lot containing the existing dwelling may be severed from the consolidated parcel, in accordance with the general requirements for severances. In these circumstances, and to ensure that a bona fide consolidation is intended, Council, or the Committee, may require, as a condition of severing the lot containing the dwelling, that the remaining parcels be consolidated through title registration where appropriate. Where severance of a farm parcel is required to permit consolidation, the Council and the Committee will give consideration to the agricultural viability of the resultant parcel.
- (iii) A severance for one residential lot may be permitted between two residential non-farm dwellings that existed prior to January 1, 1979, provided that:
  - the dwellings are not separated by more than 100 metres and are located on the same side of a public road or around a corner on an intersecting road and;
  - that the depth of the lot from which the new parcel is being severed is not more than 200 metres.

By the application of the above criteria, it is the intent and purpose of this Plan to not to permit the severance of existing  $\pm$  4.0 to 10 ha parcels of land into smaller rural lots.

- h) As required under the York Region Official Plan, any redesignation of land designated Rural/Agricultural Area to permit urban uses and/or for the expansion of the Urban Service Boundary into the Rural/Agricultural Area, shall only be initiated by the Region, in consultation with the Town, as part of a *municipal comprehensive review* that is consistent with the policies of the Places to Grow: Growth Plan for the Greater Golden Horseshoe and the following:

- (i) population and employment forecasts for the Region;
- (ii) the role of the lands proposed for expansion in the context of local municipal growth management;
- (iii) the protection of and integration with the Regional Greenlands System;
- (iv) the amendment is large enough (e.g. a concession block) with clear and identifiable boundaries, such as concession streets, major natural features, rail or major utility corridors;
- (v) the role of the lands proposed for expansion that is supportive of the Region's urban structure of centres and corridors;
- (vi) the completion of local municipal strategies and policies to phase in and achieve the intensification targets in the York Region Official Plan; and,
- (vii) other policies of the York Region Official Plan.

#### **13.2.7.1.1 Special Provisions**

- a) On land described as Part of Lot 2, Concession 6 (G) and further described as Parts 1 and 2 on Plan 65R-11506, and shown as Item 5 on Schedule 'E' - Special Provisions, a severance to permit a total of two lots of record shall be permitted.
- b) On land described as Part Lot 6, Concession 3 (G) and which abuts Regional Road 18, and shown as Item 6 on Schedule 'E' - Special Provisions, a computer skills learning centre shall be a permitted use. Accessory uses shall be permitted and shall include only a computer retail store not exceeding 185 square metres and a single family dwelling.
- c) On land described as Part of Lot 19, Concession 7 (NG) and shown as Item 12 on Schedule 'E' - Special Provisions and notwithstanding Section 13.2.7.1 g), one consent may be permitted for the purpose of creating two rural residential lots. Additional consents for the purpose of lot creation shall be prohibited.

### **13.2.7.2 Rural Modular Home Park Designation**

This designation is intended to recognize an existing adult lifestyle retirement development known as Sutton-By-The-Lake Estates that is located on the south side of Black River Road, west of Park Road. This development is partially completed and it is intended that full build-out of all of the permitted dwellings, would take place on the basis of a new communal sewage treatment system.

#### **Permitted Uses**

The following uses are permitted within the Rural Modular Home Park designation:

- (i) single family dwellings, which may include a manufactured dwelling or modular home, and accessory uses, buildings and structures; and,
- (ii) buildings and uses accessory to the rural modular home park, such as:
  - recreational centre;
  - administrative centre;
  - convenience store;
  - laundromat; and,
  - open storage for items such as boats and recreational vehicles.

#### **Policies**

- a) The development of lands designated as Rural Modular Home Park on lands described as Part Lots 5 and 6, Concession 7 (G) shall take place by way of plan of subdivision and the maximum number of dwelling units within the development shall be 320 units.
- b) The existing 206 dwellings in the Park are presently serviced by private septic waste disposal systems located on individual sites, and a private communal water supply and distribution system. The operation of the communal water system is subject to a tri-party agreement between the Town of Georgina, the Regional Municipality of York and the owner

of the development. The owner shall operate the communal water system at his/her expense.

- c) In order to rectify existing problems related to certain on-site private septic systems and to facilitate the future build-out of the development, a Certificate of Approval to permit the construction of a communal sewage collection, treatment and subsurface disposal system to serve Sutton-By-The-Lake Estates was issued by the Ministry of the Environment in September 2000. The Certificate of Approval set out a specific phasing plan to connect the existing dwellings to the communal sewage system and to permit the construction and connection of 114 new dwellings, for a total of 320 units.
- d) It is the policy of Council that the existing Rural Modular Home Park designation not be expanded, nor shall any new Rural Modular Home Park designations be permitted within the Secondary Plan Area.



## **13.2.8 PROVIDING SUSTAINABLE SERVICES AND INFRASTRUCTURE**

### **13.2.8.1 Active Transportation**

Sutton/Jackson's Point includes an evolving transportation system that moves people and goods via roads, public transit, trails, pedestrian linkages and bicycle routes. It is the goal of this Plan to facilitate an active and integrated multi-modal transportation system that is safe, efficient, economical, convenient and comfortable while respecting the heritage features and character of the community. The objectives of the Town with respect to active transportation are:

- a) To promote multi-modal access throughout the community and to encourage an active, healthy lifestyle for the citizens of Sutton/Jackson's Point;
- b) To create a multi-modal transportation system that has regard for the environmental, social and aesthetic character and amenities of the community.
- c) To develop a multi-modal transportation system that is compatible with existing and future land use patterns.
- d) To provide a multi-modal transportation system which encourages convenient movement within the community as well as providing linkages to external transportation systems within the Town, the Region and throughout the Province.
- e) To provide a highly interconnected, efficient and safe system of routes for pedestrians and cyclists that include features such as benches, waste receptacles, bicycle racks, crosswalks, lighting and shade.
- f) To achieve a pattern of development which supports public transit use.
- g) To improve access to transit and transportation facilities for special user groups.
- h) To provide all new-home buyers with information on alternative and active modes of transportation within the community through partnership with the development community and/or the Region.

#### **13.2.8.1.1 General Transportation Policies**

- a) New facilities or major improvements to the existing transportation system will only occur where such improvements are consistent with the existing character and amenities of the community and comply with the Region's Transportation Master Plan Update (November 2009).
- b) Major capacity improvements to the existing road system will only occur when the need exists and all reasonable traffic control options have been previously implemented
- c) Transportation facilities will be planned, designed and constructed to minimize the effects of noise, fumes and vibration on existing and future residential development.
- d) Appropriate transportation demand management measures to reduce single occupancy automobile trips will be identified in transportation studies and in development applications.
- e) New institutional, commercial and industrial development applications shall include a transit demand strategy that considers preferential carpool parking, bicycle facilities, employee transit passes and alternative work arrangements.

#### **13.2.8.1.2 General Policies for Roads**

- a) The transportation network, for purposes of right-of-way protection, is shown on Schedule 'C'. The transportation network is intended to provide for the efficient and safe passage of pedestrians and cyclists, the operation of an efficient public transit system and provide for the balanced usage of motor vehicles. Schedule 'C' and Schedule 'D', together with the following policies, forms the basis for the provision of roads, trails, right-of-way widths and access controls. Provincial Highways and Regional Roads are subject to Provincial and Regional requirements and permits in addition to the other policies of this Plan.
- b) All road improvements and new road projects shall be undertaken in accordance with the provisions of the Municipal Engineers Association's Municipal Class Environmental Assessment (Municipal Class EA).
- c) All proposed development located adjacent to, and in the vicinity of a Provincial Highway within the Ministry of

Transportation's permit control area under the Public Transportation and Highway Improvement Act will also be subject to the approval of the Ministry of Transportation. Early consultation with the Ministry of Transportation is encouraged to ensure the integration of municipal planning initiatives with Provincial transportation planning.

- d) The functional road classification and associated guidelines of this Plan pertain to Highway 48, Arterial Roads, Collector Roads, Local Roads and Lanes. Highways and the Arterial and Collector Road network are as shown on Schedule 'C'. This Plan reflects the Town's proposed road improvements for the next 20 years. Roads are intended to function in accordance with the following policies:
  - (i) Highway 48 is a controlled access route with little access to adjacent land. Its function is to carry traffic at higher speeds and provide for longer trips in and outside the community of Sutton/Jackson's Point. The design and location of access will be strictly controlled so that any service to adjacent land does not detract from the primary function of moving traffic.
  - (ii) Regional Roads are primarily transportation facilities, providing through routes for vehicles, pedestrians and cyclists through Sutton/Jackson's Point and across the Town of Georgina. Access to property can be permitted although the number, design and location of access points will be controlled so that the service to adjacent land does not detract from the primary function of moving the various modes of transportation.

Regional Roads will generally limit private land access to existing lots, and commercial and industrial uses, with new residential access permitted only where traffic movement, volume, speed and safety are not compromised, no alternative local or collector road access is available and the entrance criteria of the Region are met.

Arterial Roads will generally have a minimum right-of-way width of between 26.0 metres and 36.0 metres, as identified on Schedule 'C'.

Sidewalks, with shade trees where possible, are required on both sides of all Regional Roads. Bicycle lanes are to be considered on Arterial Roads where they are generally identified as bicycle routes on Schedule 'D' and in accordance with the Region's Pedestrian and Cycling Master Plan.

- (iii) Municipal Collector Roads are identified on Schedule 'C'. They are intended to carry traffic between Regional Roads and the Municipal Local Roads. Through traffic will be discouraged from using these roadways. Limited access to properties abutting these roadways will be permitted. Municipal Collector Roads will generally have a minimum right-of-way width of between 23.0 metres and 30.0 metres.

Sidewalks, with shade trees where possible, are required on both sides of all Municipal Collector Roads. Bicycle routes are to be considered on Collector Roads where they are generally identified on Schedule 'D'.

- (iv) Municipal Local Roads, which are not formally identified on Schedule 'C', are designed to accommodate only low volumes of traffic at low speeds and generally only serve local area trips. Local Roads will generally have a minimum right-of-way width of 20.0 metres, however this may be reduced in circumstances where adequate snow storage capacity can be provided within the right-of-way and/or alternative development standards have been approved by the Town.

Sidewalks are required on at least one side of all Local Roads with the exception of cul-de-sacs serving fewer than 20 residential dwelling units.

- e) In the design of all roads except Highways, particular regard will be given to adequate space and safety provisions for the movement of pedestrians and cyclists, with a clear system of through routes and for safe transfers on and off of transit vehicles.
- f) The coordinated installation of utilities, sidewalks, trails, bicycle routes, lighting and tree planting will be part of the planning, design, and development of all roads.

- g) It is a policy of this Plan that proposals for the widening or the inclusion of additional road lanes within existing Regional Roads shall include pre-consultation with Region of York and Town staff and be preceded by a public consultation process to address such issues as development schedules, rights-of-way widening, impacts on street trees and streetscape improvements. Where the class and function of an existing road is to be changed to a higher class and function, such change will require a Functional Servicing Plan or a Service Infrastructure Master Plan and an amendment to this Plan. Such public consultation may be addressed through a Municipal Class Environmental Assessment.
- h) Specific lane requirements shall be determined at the detailed design stage and will, in addition to traffic demand, be based upon planning considerations such as preservation of mature trees and the overall effect upon the streetscape.
- i) Development and redevelopment proposals that require an amendment to this Plan may be required to carry out and implement a Traffic Impact Study. Developments adjacent to Highway 48 are subject to the safety requirements and permit control of the Province.
- j) Road Widenings and Intersection Improvements and Alignments:
  - (i) In the policies identifying road function, the Region has identified road allowance widths. These are the basic widths required to provide for traffic surfaces, boulevards, sidewalks, multi-use trails, utility locations and ditches. The identified road allowance widths are based on the existing situation, expected future development and the intended road function. For the purposes of the Planning Act, each road described or shown on Schedule 'C' shall be considered a "highway to be widened" and the identified road allowance width plus the widths specified in this Plan shall determine the extent of the required widening;
  - (ii) The Region and/or the Town may require, at intersections, road widenings for daylighting triangles in order to provide sufficient sight distances, turning lanes and locations for traffic control measures;

- (iii) The Region and/or the Town may require turning lanes at any other locations along roads to provide safe and appropriate access to major generators or attractors of traffic. Dimensions of such widenings shall be in accordance with the standards of the Region and/or the Town;
- (iv) Where a road allowance is identified as including, or comprising part of a bicycle route or trail system as shown on schedule 'D', the Region and/or Town may require additional road widenings for a cycling lane or trail. The minimum width for such a dedicated widening shall be 1.5 metres per side;
- (v) The Region and/or the Town may, under certain topographic conditions, require a greater road width in order to address appropriate design or traffic safety measures. Where such circumstances are encountered a further 10 metres may be added to the road width that would be established through the policies of this Plan.

In addition, where topographic conditions make it impractical or prohibitive to expand a road allowance to an equal extent on both sides then the Town may acquire a greater portion, or the entire extent, of the required widening on only one side of the existing allowance.

Where a dedication of land is being required as a condition of a development approval, the land owner shall only be required to dedicate a widening equivalent to 50 percent of the total required width to bring the road width up to the width specified for the applicable road classification; and,

- (vi) Implementation of any arterial signalized intersection improvements are subject to approval by the Region and should adhere to the Region's Traffic Signal Warrant Policy.
- k) Where a road allowance is less than the prescribed width, and additional widenings are required in accordance with the transportation policies of this Plan or to achieve geometric alignment, the Town may also require that such widenings or realignments be obtained through the development approval

process through dedication in accordance with the Planning Act.

- l) In areas where the majority of the existing land use along a road, or a significant portion of a road, is developed at the time that this Plan is adopted, then the standards for the right-of-way of the road, as specified by this Plan, shall act only as a guide. Further evaluations may be undertaken to determine a practical right-of-way width that can serve both vehicular and non-vehicular traffic requirements along the road while minimizing the negative impacts on existing development.

#### **13.2.8.1.3 Policy for Historic Mainstreets**

- a) Notwithstanding any other policy of this Plan, in the case of the construction or reconstruction of High Street or Lake Drive where they are located, respectively, within the High Street Historic Centre and the Jackson's Point/Lake Drive Centre designation, particular regard shall be had to the preservation or enhancement of the character of the historic commercial "mainstreet" sections. For these roads, no right-of-way widenings beyond the existing right-of-way shall be considered, and, further, the preparation of a detailed Streetscape Plan shall be required and implemented by the Town. Such plans shall include opportunities for enhanced pedestrian sidewalk zones, street tree planting and provision for on-street parking.

#### **13.2.8.1.4 Design Policies for Roads**

- a) The Region and/or the Town shall consider the following as general design policies for roads and the road network:
  - (i) Provide a grid of Regional Roads and Municipal Collector Roads and Municipal Local Roads and associated public open spaces that organizes development, is pedestrian and bicycle friendly, is highly connected and supports transit;
  - (ii) Ensure that the road and road pattern establishes development blocks that achieve an orderly pattern of development and visual diversity;

- (iii) Provide access for pedestrians, bicycles and vehicles, opportunities for vistas, view corridors and pedestrian amenity areas and space for utilities and services;
- (iv) Design all streetscape elements including plantings, trees, sidewalks, utility poles, paving patterns, bicycle racks, seating, natural or built shade structures, signage and waste/recycling receptacles to be consistent and complementary to the character of the community;
- (v) Design street lighting with regard for vehicular, cyclist and pedestrian requirements so that the size, height, and style of lighting reflect the hierarchy of the road and complement the character of the community;
- (vi) Locate all utilities underground where feasible, including the consideration of cost. Where components of utilities must be located above ground, they should be located within the public right-of-way or on private property, such as a rear lane or in locations where there is no conflict with the street tree planting line; and,
- (vii) Utility providers will be encouraged to consider innovative methods of containing utility services on or within streetscape features including, but not limited to, gateways, lamp posts and transit shelters when determining appropriate locations for larger equipment and cluster sites.

**b) Regional Roads and Municipal Collector Roads**

The Region and/or the Town shall consider the following as general design policies for Regional Roads and Municipal Collector Roads:

- (i) Road surface should be a minimum of 10.0 metres, with consideration of on-street parking or cycling lanes on both sides of the road;
- (ii) Boulevards on both sides of the pavement shall be a minimum of 4.5 metres and will accommodate a grass verge with street trees and a minimum of 1.7 metre sidewalks on both sides. As an alternative to a sidewalk on one side, the Town may give



consideration to a multi-use trail, with a minimum width of 3.0 metres, which will be separated from the traveled portion of road by a boulevard;

- (iii) Transit facilities including, but not limited to, transit shelters, lay-bys and dedicated transit lanes may be located on any Regional Road or Municipal Collector Road;
- (iv) Individual direct access to any development site shall be limited to minimize disruptions to traffic flow and to maximize safety and the attractiveness of the road;
- (v) Buildings that abut Regional Roads or Municipal Collector Roads shall present a façade with architectural detailing and landscape features that address the road frontage. Reverse frontage development shall not be permitted adjacent to any Regional Road or Municipal Collector Road; and,
- (vi) Road designs for Regional/Collector Roads are encouraged to include a planted centre median or other design features to signify their importance as a gateway or entrance feature.
- (vii) Where policies in this Plan allow for the provision of on-street parking on Regional roads, the design and implementation of such parking shall be done in accordance with the Region's lay-by parking policies and maintenance requirements, and be subject to consultation with, and approval by, York Region.

**c) Municipal Local Roads**

The Town shall consider the following as general design policies for Municipal Local Roads:

- (i) The road surface, including a parking lane on one side of the road, which could alternate to both sides of the road, shall be a maximum of 8.5 metres;
- (ii) Boulevards on both sides of the pavement shall be provided and will accommodate a grass verge with street trees and a minimum of 1.7 metre sidewalks and/or trails;

- (iii) Individual direct access onto Local Roads is permitted;
- (iv) Buildings that abut Local Roads shall present a façade with architectural detailing and landscape features that address the road frontage;
- (v) Local Roads that are single loaded may include a reduced boulevard abutting a publicly owned storm water management feature, open space, parkland or an environmental feature; and,
- (vi) Transit routes and facilities may be permitted on Local Roads.

d) Condominium Roads

The Town shall consider the following as general design policies for Condominium Roads:

- (i) Condominium Roads provide access to units within a condominium development;
- (ii) Condominium Roads shall have a minimum right-of-way width of 9.0 metres;
- (iii) The road surface shall be a minimum of 6.0 metres and an adequate landscaped utility corridor shall be provided on either side of the Condominium Road, in addition to the road surface;
- (iv) The use of permeable materials shall be encouraged in areas where sufficient drainage exists; and,
- (v) Sidewalks are required on at least one side of a Condominium Road, and may be located within the utility corridor.

e) Lanes

The Town shall consider the following as general design policies for Lanes;

- (i) Lanes provide access to private garages in rear lots, or access to the rear yard of a commercial building;

- (ii) Lanes should be provided where garages and front yard parking will detract from the character of a specific location, such as along a retail street, or where access may be restricted such as along arterial or collector roads;
  - (iii) Lanes shall have a minimum right-of-way width of 7.5 metres;
  - (iv) The road surface shall be a minimum of 6.0 metres and an adequate landscaped utility corridor shall be provided on either side of the Lane, where appropriate, in addition to the road surface; and,
  - (v) The use of permeable materials shall be encouraged in areas where sufficient drainage exists.
- f) Traffic Circles/Roundabouts

The Town shall consider the following as general design policies for Traffic Circles/ Roundabouts:

- (i) Traffic Circles/ Roundabouts are intended to calm traffic and direct traffic flows without necessarily requiring stop signs at intersections. The open spaces created in the traffic circles add to the character of neighbourhoods;
- (ii) Whenever Traffic Circles/ Roundabouts are used, they should incorporate significant landscape features, as well as traffic calming devices; and,
- (iii) The design of a Traffic Circle/ Roundabouts should ensure safe pedestrian and bicycle movement, as well as ease of snow removal and maintenance.

#### **13.2.8.1.5 General Policies for Commercial Traffic**

- a) It is the policy of Council, in recognition of the importance of an efficient goods movement system to the health of the Town's economy, to give appropriate weight to the consideration of the need to move goods, products and other materials in the resolution of transportation issues.
- b) The following policies will ensure protection of residential neighbourhoods with regard to commercial traffic:

- (i) Through-way movement of large commercial vehicles will generally be restricted on Local and Collector Roads within residential neighbourhoods and roads identified as historic mainstreets wherever possible; and,
- (ii) Activities generating substantial commercial traffic will be located near or adjacent to Highways and/or Regional Roads.

#### **13.2.8.1.6 General Policies for Public Transit**

- a) It is the intent of this Plan to promote the use of public transit as an alternative to the use of private motor vehicles. As such, public transit is considered to be a priority in the interest of reducing traffic, promoting active transportation and the avoidance of road expansions through established neighbourhoods.
- b) The public transit system shall be an integral part of the transportation network.
- c) In the planning and design of public transit routes, stations, bus stops and transfer points, the following criteria will be applied:
  - (i) Stations, stops and bus routes will be located so as to allow safe pedestrian access to as many residences, employment locations, secondary and post-secondary schools, major shopping centres and public facilities in the urban area that are beyond the maximum walking distance as possible;
  - (ii) In areas to be developed or redeveloped, land use will be designed to incorporate land use and road patterns that facilitate use of public transit and permit convenient access to major transit routes;
  - (iii) In the planning and operation of public transit services, facilities for comfortable and convenient pick-up will be provided, including off-line bus bays, where possible. Transit stops will be located to minimize walking distances and implement the service standards set out by York Region Transit; and,

- (iv) Where new developments are located adjacent to existing or planned transit routes, they shall be required to dedicate land for transit routes and transit stops and may be requested to provide bus shelters and sidewalk connections to transit facilities.
- d) The development of new road with transit route designations shall incorporate sidewalks on both sides of the street where feasible. Furthermore, streetlighting shall be provided on all roads supporting transit services.

#### **13.2.8.1.7 Design Policies for Public Transit**

- a) Transit routes should be located primarily on Regional Roads and/or Collector roads where appropriate and necessary.
- b) Transit stops should be located as close to intersections as possible and their location coordinated with pedestrian walkway connections, building entrances and should be in conformity with York Region Stop Placement Standards.
- c) Transit shelters should be designed with transparent sides for maximum visibility to and from the interior, so that transit users can see approaching buses and to maximize pedestrian safety.
- d) Shelters should be located on the boulevard adjacent to the pavement to maximize passenger convenience.
- e) Curbside transit stop loading areas should be a clear, hard surface area 1.5 to 2.0 metres wide in front of a shelter and should be provided to permit safe exit by passengers, including wheelchair users. In all cases, shelters should be set back 0.5 metres from curbs and sidewalks to protect them from damage by snowplows.
- f) Surface texture changes should be provided at transit stops to assist the visually challenged in locating the stop and/or shelter location.
- g) Where four-sided transit shelters are not possible, overhead open-air canopies should be provided to protect transit users from sun, rain and snow.

- h) Transit stops shall be designed to offer amenities such as seating areas, lighting, climate protection, bicycle racks, and garbage containers, where it is possible and appropriate.

#### **13.2.8.1.8 General Policies for Snowmobile Trails**

- a) Schedule D identifies general location of snowmobile trails as they currently exist. These identified trails are presently not owned or maintained by the Town, nor are they intended to be owned or maintained by the Town. Further, subject to redevelopment on lands presently accommodating such trails, these trails may be relocated or removed from there present location without the need for an Official Plan amendment.
- b) Where generally shown on Schedule 'D', snowmobile trails shall be a minimum of 4.0 metres wide and separate from pedestrian sidewalks and/or pathways.

#### **13.2.8.1.9 General Policies for Bicycle and Pedestrian Traffic**

- a) Trails are a crucial component of an integrated parks and open space system. Schedule 'D' identifies the general location of existing and future recreation trails. Changes to Schedule 'D' shall not require an Amendment to this Plan, as long as the intent of this Plan, with respect to the objectives of the trails system, is maintained. The Town shall establish, improve and maintain a well-connected trails system over time.
  - (i) Trails shall be designed, and built and maintained to Town standards;
  - (ii) Constructed trails should be provided in addition to the parkland dedication requirement as permitted under the Planning Act through development approval process; and,
  - (iii) The Town shall utilize, where possible, abandoned railway lines, unopened municipal road allowances, easements and other means where available to provide for trails.
- b) The Town encourages increased bicycle and pedestrian traffic subject to the following policies:

- (i) Dedicated bicycle/pedestrian paths will be provided in new developments to create linkages to centres of activity and the sidewalk/trail system;
  - (ii) Rights-of-way for bicycle/pedestrian paths will be dedicated as part of the land requirements for transportation and will be dedicated as public rights-of-way as part of new development or redevelopments;
  - (iii) Adequate provision will be made in the planning, design and development of all developments to ensure safety and efficient bicycle/pedestrian movement;
  - (iv) Pedestrian circulation will generally be on sidewalks or multi-use trails adjacent to roads and shall be separated from the road by a landscaped boulevard. Exceptions may be considered where insufficient right-of-way widths exist, or other terrain constraints exist; and,
  - (v) Vehicular crossings of off-street trails shall be minimized.
- c) The Town supports the creation of a well-connected public trail system that promotes active transportation as well as active recreation touring, particularly in the form of walking, cycling, rollerblading and skiing in a manner that is sensitive to the environment and private landholdings.
  - d) Development proposals abutting trail corridors of any type shall be designed and buffered to mitigate any potential impacts associated with the use of the trail corridors and to minimize vehicular crossings.
  - e) The Town will encourage the development of a public recreation trail system in a manner which will facilitate linkage between parks, open space areas, bicycle/pedestrian paths and recreation trail systems in adjacent municipalities and thereby foster the development of Town-wide, Region-wide, as well as Provincial and National trail networks.
  - f) The Town will endeavor to work with the Province, the Region of York and neighbouring municipalities, where appropriate, towards the overall coordination of the

transportation system, including any active transportation and public transit initiatives.

- g) Reference should be made to the Regional Pedestrian and Cycling Master Plan (April 2008) for design guidelines for active transportation facilities.

#### **13.2.8.1.10 Design Policies for Trails**

- a) The trails system includes trails within natural features, storm water management facilities, open spaces, parks and the road system.
- b) Trail design and type will be based on each site's sensitivity in order to minimize environmental impacts.
- c) Trails for pedestrians and cyclists shall be a minimum of 3.0 metres wide. Pedestrian-only-trails shall be a minimum of 1.7 metres wide.
- d) Trails will be designed to accommodate a range of users and abilities. Slopes, where possible, should be under 5 percent. Curb-cuts and other safety measures and design elements must be provided to improve access at road crossings. The use of permeable materials may be considered for trail development in areas where sufficient drainage exists. Trails with asphalt surfaces may be incorporated into the trails system to address accessibility and active transportation needs.
- e) Trails and bicycle routes shall be clearly signed regarding permitted use and speed. Wayfinding signage shall be provided throughout the trail network.
- f) Benches, waste and recycling receptacles, lighting, bicycle racks and natural or built shade structures should be provided at trail heads and at regular intervals along the route.
- g) Trails located in proximity to significant natural heritage features and areas, or adjacent to storm water management facilities should incorporate interpretive signage at various locations to promote stewardship initiatives that will protect and enhance the features and functions of the natural environment.



- h) Trails and bicycle routes may be located within the right-of-way, but, where possible, shall be separated from the travelled portion of the road by a landscaped buffer.
- i) Where trails intersect with motorized vehicle infrastructure or roads, clear signage and safety features will be provided for the safety of both the trail user and motorized vehicle user.
- j) Where on-street parking is incorporated with road surface bike lanes, the standards of the York Region Pedestrian & Cycling Master Plan, as amended from time to time, shall be considered.

#### **13.2.8.2 Sanitary Sewage and Water Supply Services**

The policies of this Section are intended to ensure that new growth and development within the Urban Service Boundary takes place on full municipal sewer and water services in an orderly and cost efficient manner. In extending sewer and/or water servicing infrastructure, it is the intent of this Plan to provide the opportunity, wherever possible, for existing unserviced development within the Urban Service Boundary to be connected to the municipal systems. Outside of the Urban Service Boundary, *existing* development along with new uses as permitted under this Plan are to be serviced by private sewage and water supply and/or communal systems, subject to all necessary approvals.

##### **General Policies**

- a) The Town supports the improvement and extension of municipal sanitary sewage and water supply services, in accordance with the provisions of this 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 approved capital budget program.
- b) The cost of providing full municipal services to facilitate the development of lands within the Sutton Secondary Plan Area shall not impose a financial burden on existing taxpayers. Accordingly, such costs shall be the responsibility of the developer(s), with cost-sharing with future benefitting land parties, by agreement with the Town. Servicing costs associated with servicing of existing developed unserviced areas shall be borne by the affected property owners except for those costs associated with the expansion of the water

pollution control plant and trunk distribution sewer and water mains.

- c) In order to meet the growth targets and planned land uses of this Plan, an expansion of the Sutton Water Pollution Control Plant or Sewage Treatment Plant is required. York Region has completed and submitted to the Province for approval, a Class Environmental Assessment for the expansion of the Sewage Treatment Plant to increase its servicing capacity from 7,500 persons to 13,500 persons, utilizing state of the art membrane filtration technology. The Town supports the earliest approval and construction of this proposed Sewage Treatment Plant expansion.

Municipal water supply to service existing residents and new development within the Service Area Boundary shall come from a phased expansion(s) of the Water Treatment Plant located on Kennedy Road in Willow Beach.

- d) All new development within the Urban Service Boundary shall be serviced with municipal sanitary sewage and water supply services and, with the exception of the Sibbald Point Provincial Park and municipally owned parkland, only those lands within the Urban Service Boundary shall be able to be serviced with municipal sewage and water services.
- e) In areas within the Urban Service Boundary where municipal sewage and/or water services are not available, existing uses, buildings and structures may be serviced by private sewage disposals and/or private well water supply. Further, where municipal services are not available within the Urban Service Boundary, the development of a single detached dwelling on an *existing* vacant lot of record may be permitted, subject to any planning approvals and other policies of this Plan and the Lake Simcoe Protection Plan.
- f) Notwithstanding the land uses permitted by any land use designation in this Secondary Plan, development shall conform to the Ministry of the Environment guideline for compatibility between sewage treatment facilities and sensitive land uses, Guideline D-2 as amended from time to time.
- g) Development shall be designed and constructed in accordance with a Functional Servicing Plan or Plans dealing with sewage and water systems. A Functional

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

- h) Capacity allocation in the Sewage Treatment and Water Treatment Plants and the size of trunk sewers shall be calculated on the basis of the factors assigned by the Town in consultation with York Region.
- i) In extending services to develop specific vacant parcels within the Urban Service Boundary, the developer(s) shall provide adjacent existing unserviced or partially serviced residences within the Urban Service Boundary with the opportunity to connect to the municipal servicing system. It is expected that landowners within the Urban Service Boundary will co-operate with each other in order to facilitate the development of lands on the basis of full urban services and to that end, permit access to services installed within their land by way of easements or in such other way as shall be satisfactory to the Town of Georgina.
- j) Where municipal sewage and water servicing is not planned, existing development along with limited growth as permitted by under this Plan are to be serviced by private sewage and water supply and/or communal systems, subject to all necessary approvals.
- k) Notwithstanding (e) and (j), a new on-site sewage system or subsurface sewage works shall not be permitted within 100 metres of the Lake Simcoe shoreline, other lakes, or any permanent stream except in the following circumstances:
  - (i) a proposal for an on-site sewage system or subsurface sewage works that would serve an agricultural use, an agricultural-related use or a public open space;
  - (ii) a proposal for an on-site sewage system or subsurface sewage works that would replace or expand the capacity of an existing on-site sewage system or subsurface sewage works that will serve a use that would have been permitted by the applicable zoning by-law, as of the effective date of the Plan; or

- (iii) a proposal for an on-site sewage system or subsurface sewage works that relates to a development proposal for only one dwelling, where the proposed use would have been permitted by the applicable zoning by-law, as of the effective date of the Plan.

#### **13.2.8.2.1 Additional Policies Respecting Sewage and Water Allocation**

- a) The Town shall only approve development that can be allocated municipal sewage and water capacity or servicing allocation, in conformity with Town and Region policies, procedures and by-laws. The assignment of servicing allocation to development is at the sole discretion of Town Council and, furthermore, depending on the amount of servicing allocation and infrastructure available, not all development proposals may be able to proceed and/or be approved.
- b) No dwelling or dwelling unit or other forms of development requiring servicing allocation shall be constructed on land within the Urban Service Boundary unless such land has been assigned sewage and water allocation, by Town Council.
- c) Council has adopted a "Sutton Servicing Allocation Assignment Program" for residential development which is attached as Appendix 'III'. It is intended that this program be utilized by the Town to initially distribute servicing allocation to specific development proposals so that they can proceed to the planning application stage. It is the policy of this Plan, that all proposed development assigned allocation obtain the necessary planning approvals in a timely manner, and in accordance with the requirements of the Planning Act. In assigning allocation, Council may impose certain timelines and/or deadlines with respect to the submission of planning applications or other related matters. Changes or revisions to the Sutton Servicing Allocation Assignment Program shall be adopted by Council and shall not require an amendment to this Plan.
- d) The Town shall further assign preliminary municipal water and sewer servicing allocation for draft plans of subdivision or condominium at the time of draft plan approval by the Town. If a draft plan of subdivision or condominium is not

registered within three years from the date of draft plan approval, or the draft plan has not proceeded to the satisfaction of the Town within the term of draft plan approval, the Town, at the time of considering extension of the draft plan approval, may revoke the preliminary assignment of municipal servicing allocation, in whole or in part. Prior to revoking allocation, the Town shall afford the developer an opportunity to address the Town on the matter. Servicing allocation shall be formally assigned at the time of the execution of the subdivision agreement and/or condominium agreement.

- e) The Town shall further assign municipal sewage and water servicing allocation for development requiring site plan approval according to the following procedures:
  - (i) Confirmation that servicing capacity is available to serve the proposed development;
  - (ii) If allocation is available, the applicant shall submit a completed site plan application. Servicing allocation shall be preliminarily assigned 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 the Town to either extend or revoke 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, or other time period as determined by the Town, of said execution date, otherwise the agreement is deemed to be null and void, unless further extension is given by the Town.
- f) York Region shall be notified of any assignment of sewage and water allocation at the draft plan of subdivision or condominium approval or site plan approval stage.

- g) The north-west portion of the Secondary Plan Area is serviced by the Keswick Water Pollution Control Plant and shall be subject to the servicing allocation policies and procedures pertaining to the Keswick Secondary Plan and/or Keswick Allocation Assignment Program and/or requirements related to the Willow Beach and Surrounding Lakeshore Communities Water and Sewage Project, as adopted by Council.

### **13.2.8.3 STORMWATER MANAGEMENT**

It is the intent of this section of the Plan to manage development impacts from storm water on Lake Simcoe, the Black River and other streams within the watershed in order to maintain and enhance water quality, protect fish and wildlife habitat and prevent erosion.

#### **13.2.8.3.1 General Policies for Stormwater Management Facilities**

- a) Stormwater management facilities shall be permitted in all land use designations except for the 'Environmental Protection Area' designation. Stormwater management facilities may be permitted in an 'Environmental Protection Area' designation, subject to the policies of this designation and approval of the Town in consultation with other relevant agencies.

Best management practices shall be applied to meet or exceed Level 1 Protection criteria (or equivalent) as outlined in the Ministry of the Environment's "Stormwater Management Planning and Design Manual 2003", as amended from time to time.

- b) Stormwater management facilities will be key features within the community contributing to the appearance and ambience, while achieving functional objectives related to flow moderation and water quality. The Town will seek to reduce stormwater run-off volumes and pollutant loadings in Sutton/Jackson's Point Secondary Plan Area by:
  - (i) Encouraging implementation of a hierarchy of source, lot-level, conveyance and end-of-pipe controls;
  - (ii) Encouraging the implementation of innovative stormwater management measures;

- (iii) Allowing for flexibility in development standards to incorporate alternative community design and stormwater techniques, such as those related to site plan design, lot grading, ditches and curbing, road widths, road and driveway surfaces, and the use of open space as temporary detention ponds;
  - (iv) Supporting implementation of programs, to identify areas where source control or elimination of cross connections may be necessary to reduce pathogens or contaminants;
  - (v) Supporting implementation of source control programs, which are targeted to existing areas that lack adequate stormwater controls;
  - (vi) Requiring the planting of native species and flood tolerant water's edge plants, including a mixture of herbaceous and woody vegetation to stabilize banks of ponds. The perimeter of the permanent pool shall be planted with emergent, strand and submergent species to improve the aesthetics and enhance the performance of the facility; and,
  - (vii) Requiring ponds to blend with the natural landscape, therefore, geometric forms and standard slope gradients will be avoided in favour of organic shapes, gentle slopes and land form grading designed to be pedestrian friendly and replicate natural land forms in the area. Inlet and outlet structures will be concealed using a combination of planting, grading and natural stone.
- c) Where there is a need to discourage public access to areas around the perimeter of the ponds, living fences and barrier plantings will be utilized in place of fencing. Barrier plantings will be installed along the crest of steep slopes, adjacent to deep-water areas and around inlet and outlet structures.
  - d) Ponds will not be fenced, but rather will be designed with trails, overlooks and interpretive signage so that they are an integral part of the parks system.
  - e) An application for *development* shall be accompanied by a Storm Water Management Plan that:

- (i) Evaluates storm water management on a “watershed” based approach and that is consistent with local sub-watershed evaluations and water budgets where available;
  - (ii) Incorporates an integrated treatment train approach to minimize storm water management flows and reliance on end-of-pipe controls through measures including source controls, lot-level controls and conveyance techniques, such as grass swales, where appropriate;
  - (iii) Identifies the specific location of permanent end of pipe facilities, the areas they will service, and considerations for their size, shape and design criteria;
  - (iv) Evaluates, at appropriate geographic scales, predicted changes in the water balance between pre-development and post-development conditions, and evaluates how such changes will be minimized;
  - (v) Evaluates, at appropriate geographic scales, anticipated changes in phosphorus loadings between pre-development and post-development, and evaluates how phosphorus loading will be minimized;
  - (vi) Offers specific direction on how end of pipe storm water management works shall be designed, to satisfy, at a minimum, the enhanced protection level specified in the Ministry of the Environment's Storm Water Management Planning and Design Manual, as amended;
  - (vii) Identifies criteria and circumstances upon which interim storm water facilities may be considered or precluded; and,
  - (viii) Notwithstanding the policies above, where an application for *development* is of a minor nature, the Town in consultation with any relevant agency, may waive the requirement to conduct a Stormwater Management Plan or scope down the study requirements.
- f) The Stormwater Management Plan must address water quantity controls to limit the post development flows to pre-



development flows for the 1 in 2-year to the 1 in 100-year storm events. A minimum 24 hour detention of run-off from a 2mm storm shall be required for erosion protection and baseflow maintenance where feasible.

- g) Stormwater management facilities are to be located above the existing 1:100-year floodplain; however, incremental storage between the 1:100-year and regulatory floodlines is to be maintained. The volume below the pond's high water level shall not be considered as available storage for the regulatory floodplain. Berming for such facilities within the floodplain shall not exceed a 0.3-metre elevation higher than the existing ground elevation.
- h) An application for *major development* shall be accompanied by a Stormwater Management Plan that demonstrates:
  - (i) Consistency with stormwater management master plans prepared by the Town, in collaboration with the Lake Simcoe Region Conservation Authority, under policy 4.5 of the Lake Simcoe Protection Plan, when completed;
  - (ii) Consistency with the Lake Simcoe Protection Plan;
  - (iii) An integrated treatment train approach will be used to minimize stormwater management flows and reliance on end-of-pipe controls through measures such as rainwater harvesting, permeable surfaces, clean water collection systems, runoff reduction of solids and materials at source and other source controls, lot-level controls and conveyance techniques, such as grass swales, constructed wetlands, bio-retention swales, green roofs, and the preservation and enhancement of native vegetation cover;
  - (iv) Through an evaluation of anticipated changes in the water balance between pre-development and post-development, how such changes shall be minimized; and,
  - (v) Through an evaluation of anticipated changes in phosphorus loadings between pre-development and post-development, how the loadings shall be minimized.

- i) Every owner and operator of a new *stormwater management works* in the Secondary Plan Area shall be required to inspect and maintain the works on a periodic basis. Furthermore, every owner and operator of a new *priority stormwater management works* in the Secondary Plan Area shall be required to monitor the operation of the works, including monitoring the quality of the effluent from the works, on a periodic basis.

#### **13.2.8.4 ALTERNATIVE/RENEWABLE ENERGY POLICIES**

- a) Council strongly supports and encourages development that minimizes energy consumption, optimizes passive solar gains through design, and makes use of renewable, on-site generation and district energy options including but not limited to solar, wind, biomass, and geothermal energy.
- b) That alternative energy systems and renewable energy systems shall be permitted throughout the Secondary Plan Area in accordance with provincial and federal requirements.

#### **13.2.8.5 UTILITIES**

It is the intent of this Section of this Plan to promote the provision of adequate utilities required for the residents of the Town in an economically and environmentally responsible manner.

##### **General Policies**

- a) Utility Corridors may include natural gas transmission pipelines and telecommunication trunk facilities. These facilities present both safety and design related development constraints. Public works and private development or redevelopment proposals within 200 metres of Utility Corridors shall only be undertaken in consultation with the gas and telecommunication companies having jurisdiction for them.
- b) Any use of a utility corridor for recreation trail purposes shall be subject to the approval of the Utility Company having jurisdiction.
- c) Where public and/or private utility infrastructure is permitted and deemed necessary by the Town, the said infrastructure shall require detail design approval and, where applicable, the completion of an Environmental Impact Statement.

## **13.2.9 IMPLEMENTATION**

### **13.2.9.1 General**

- a) It is the intention of the Town to implement this 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.

### **13.2.9.2 Secondary Plan Review**

- a) This Secondary Plan shall undergo a review every five years in accordance with the requirements of the Planning Act. 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 and affordability;
  - (vi) Sanitary sewage disposal, stormwater drainage and water supply capacity utilization;
  - (vii) Road system capacity;
  - (viii) Other factors affecting land use planning in Sutton/Jackson's Point; and,
  - (ix) Ecosystem health.

This review will ensure that the goals and policies of this Secondary Plan remain in conformity with Provincial and Regional plans, policies and guidelines, 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.

### **13.2.9.3 Municipal Tools**

#### **13.2.9.3.1 Community Improvement**

- a) The purpose of utilizing the Community Improvement legislation of the Planning Act in Sutton/Jackson's Point is to identify key municipal priorities for public realm enhancement in order to stimulate private sector reinvestment and/or to establish various financial incentive programs to assist private sector owners in improving their properties. As such, the Town shall, within Community Improvement Project 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.
- b) Through the identification of Community Improvement Project Areas, the Town will ensure the efficient use of existing municipal services and will maintain and upgrade public services and utilities.
- c) Specific Community Improvement Project Areas have been identified in the policies of this Plan. Additional Community Improvement Project Areas may be identified by the Town utilizing the following criteria:
  - (i) A substantial portion of the housing and other buildings are in need of maintenance and/or rehabilitation and/or redevelopment;
  - (ii) Inadequacies in the sanitary sewer system, storm sewer system and/or system of watermains;
  - (iii) Inadequate sidewalks, curbs and/or roads;
  - (iv) Insufficient lighting;

- (v) The presence of deficiencies in social and recreation facilities;
  - (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 Project 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.

#### **13.2.9.3.2 Site Plan Control**

- a) Site Plan Control approval under Section 41 of the Planning Act may be required by the Town for all land uses within the Secondary Plan Area with the exception of:
  - (i) Agricultural and farm related buildings which do not serve the public and a farm produce stand; and,
  - (ii) Residential and farm fences.
- b) The detailed policies of this Plan identify those areas and designations where Site Plan Control is required, as well as

those areas where Site Plan Control is optional, subject to determination by the Town.

- c) In accordance with the Planning Act, no *development* subject to site plan approval shall be undertaken within the Sutton/Jackson's Point Secondary Plan Area, unless such development is specifically exempt from site plan control by the policies of this Plan, until the Town has approved all plans, drawings and any necessary coloured elevations, and cross-section views, in accordance with the policies of Section 41 of the Planning Act. These plans, drawings and elevations may be required to 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.
- d) The following measures shall be incorporated into site plan control agreements:
  - (i) Keep the removal of vegetation, grading and soil compaction to the minimum necessary to carry out *development* activity;
  - (ii) Removal of vegetation shall not occur more than 30 days prior to grading or construction;
  - (iii) Put in place structures to control and convey runoff;
  - (iv) Minimize sediment that is eroded offsite during construction;
  - (v) Seed exposed soils once construction is complete and seasonal conditions permit; and

- (iv) Ensure erosion and sediment controls are implemented effectively.

#### **13.2.9.3.3 Zoning By-law**

- a) Within three years after this Plan comes into effect, 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 is 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) It is not the intention of the Town to zone each area for the ultimate use as designated in this Plan. The Town may zone lands to development holding or other appropriate zoning category as an interim measure until such areas are deemed appropriate for development, at which time they will be rezoned in a specific category to permit uses in accordance with the provisions of this Plan.
- c) This Plan shall be implemented by the passage of a Zoning By-law or By-laws in compliance with the provisions of this Plan and pursuant to the Planning Act. The implementing By-law will also consider the following policies:
  - (i) The Zoning By-law may permit the uses established in this Secondary Plan, however, the Town reserves the right, through the implementing Zoning By-law, to further refine the list of permitted land uses to ensure that new development is appropriate in the context of the adjacent and surrounding community; and,
  - (ii) 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 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.

#### **13.2.9.3.4 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.

#### **13.2.9.3.5 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.

#### **13.2.9.3.6 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 the minimum and can easily be dismantled.

#### **13.2.9.3.7 Height and Density Bonus Provisions**

- a) Pursuant to the provisions of Section 37 of the Planning Act, a Zoning By-law may authorize increases in the height and density of development, otherwise permitted by the Zoning By-law, which 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 to:
  - (i) Encourage the provision of underground or in-building parking for attached housing or mixed use development;
  - (ii) Encourage the preservation and conservation of buildings or structures of historical, cultural or architectural merit;
  - (iii) Encourage the protection of natural features and open space over and above the lands which form part of the Greenlands System;
  - (iv) Encourage the provision of "green building" unique urban design features above and beyond the requirements of this Secondary Plan;
  - (v) Encourage the provision of the trails system, day care, special needs housing, and other public or quasi-public facilities;
  - (vi) Encourage the provision of additional parkland and/or park improvements;
  - (vii) Encourage streetscape improvements on the public boulevard not abutting the site;
  - (viii) Encourage rental housing to replace demolished rental housing or preservation of existing rental housing;
  - (ix) Encourage substantial contributions to the urban forest on public lands;

- (x) Encourage the provision of publicly accessible rear lane parking areas with vehicular and pedestrian cross connections to existing and future parking areas on adjoining properties; and,
- (xi) Any other public benefit deemed suitable by Council.

#### **13.2.9.3.8 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 fitness of buildings and structures for occupancy.

#### **13.2.9.3.9 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.

#### **13.2.9.3.10 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.

#### **13.2.9.3.11 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.

#### **13.2.9.3.12 Development Charges**

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

#### **13.2.9.3.13 Servicing Agreements**

- a) Prior to the registration of any development, where applicable, the owner shall enter into a servicing agreement with the Town and/or Region that will identify the capital expenditures associated with the servicing of the lands.

### **13.2.9.4 Land Division**

#### **13.2.9.4.1 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 recommend only those plans of subdivision that comply with the policies of this Secondary Plan. Before recommending a plan of subdivision for draft approval, 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 an 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.
- e) The following measures shall be incorporated into plans of subdivision/condominium agreements:
  - (i) Keep the removal of vegetation, grading and soil compaction to the minimum necessary to carry out *development* activity;
  - (ii) Removal of vegetation shall not occur more than 30 days prior to grading or construction;
  - (iii) Put in place structures to control and convey runoff;
  - (iv) Minimize sediment that is eroded offsite during construction;
  - (v) Seed exposed soils once construction is complete and seasonal conditions permit; and
  - (vi) Ensure erosion and sediment controls are implemented effectively.

#### **13.2.9.4.2 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;
  - (ii) Whether the extension or expansion of municipal services is required;

- (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 the above 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/or 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 'B' 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, sanitary sewage disposal, 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 policies/provisions of this Secondary Plan; and,
  - (viii) The area's natural features, values or ecological processes are not negatively affected.

- d) Lot creation will not be permitted within natural hazard areas (such as floodplains, erosion hazards, area of unstable soils, and/or steep slopes).

### **13.2.9.5 Requirements for Applications/Approvals**

#### **13.2.9.5.1 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 policy and the policies of the Secondary Plan will provide a context for the review of the proposed amendment.
- c) In the consideration of amendments to this Secondary Plan, the Town shall be guided by the following:
  - (i) The impact of the proposed change on the ability of the Town to comply with the vision, principles, urban structure and growth management provisions 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.
- d) 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 by an analysis of supply versus demand for the 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/availability of water supply and private or public sewage disposal facilities and servicing allocation, 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 proponent and subject to the approval of the Ministry of Environment, York Region, the Town and any other authority deemed appropriate;
  - 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.

#### **13.2.9.5.2 Pre-Consultation Requirements**

- a) Consultation with the Town prior to the submission of an application requiring a Planning Act approval is encouraged



and shall be required of 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.

#### **13.2.9.5.3 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.
  - (i) Environmental Considerations:
    - Greenbelt Plan Conformity;
    - Lake Simcoe Protection Plan Conformity;
    - Environmental Impact Statement;
    - Fish Habitat Assessment;
    - Hydrological Evaluation;
    - Hydrogeological Evaluation;
    - 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; and/or,

- Woodland Preservation and Management Plan;
- (ii) 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; and/or
  - Transit Routing Plan;
- (iii) 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;
  - Erosion Hazard Assessment;
  - Floodplain Study;
  - Functional Servicing Report;
  - Geotechnical/Soils Report;
  - Geotechnical/Soils Report;
  - 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;
  - Topographic Survey prepared by an Ontario Land Surveyor (OLS);
  - Well Impact Study; and/or,
  - Water Budget and Conservation Plan;
- (iv) 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); and/or
  - Rental Housing Study;
- (v) Cultural/Heritage Considerations:
- Archaeological Assessment;
  - Built Heritage Resource Assessment / Impact Study;
  - Cultural Heritage Resource Assessment / Impact Study; and/or,
  - Heritage Restoration Plan;
- (vi) Planning Considerations:
- Official Plan Amendment;
  - Neighbourhood Design Plan;
  - Redevelopment Master Plan;
  - Land Needs Justification and Impact Analysis Report;
  - Planning Policy Analysis;
  - Planning Rationale Report;
  - Surrounding Land Use Compatibility Analysis; and/or,
  - Sustainability Evaluation;
- (vii) 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;
  - Soils Study;
  - Soil Capacity Study; and/or,
  - Vibration Study;
- (viii) Agricultural and Aggregate Considerations:
- Aggregate Extraction Area Report;
  - Aggregate Resource Analysis;
  - Aggregate Restoration/Rehabilitation Plan;
  - Agricultural Assessment;
  - Agricultural Impact Study;

- Minimum Distance Separation Analysis; and/or,
- Nutrient Management Plan;

(ix) 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; and/or,
- Waterfront Access Plan.
- Transit Routing Plan
- Three Stream Waste Management Plan
- Water Balance

- 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.

#### **13.2.9.5.4 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.

#### **13.2.9.5.5 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.

#### **13.2.9.5.6 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 required 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 identification and delineation of *key natural heritage features* and *key hydrological features*, their functions and the linkages between features;
  - (ii) A characterization of the existing adjacent natural heritage and or hydrological 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 and/or hydrological feature(s) without negative impact to the features;
  - (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 *key natural heritage features* and *key hydrological 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 and/or hydrological feature(s).
- e) For development proposed on adjacent lands or lands in close proximity to significant portions of the *habitat of endangered, threatened or special concern 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 the 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 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) Stormwater flows discharged to the lake will not adversely affect the lake ecosystem; and,
  - (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.

#### **13.2.9.5.7 Development on Contaminated Sites**

- a) Where there is evidence that a site may be contaminated due to the previous use of the property or the use proposed for the site will be a more sensitive use, the Town shall require that a Soils Study and Site Remediation Plan in accordance with Provincial guidelines for the decommissioning and clean up 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 cleaned up to the satisfaction of the Town and any other applicable approval authority.

#### **13.2.9.6 Land Securement**

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

- a) The Town may 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 York Region 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.

#### **13.2.9.6.2 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 to 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 sell 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/cultural uses, or open space 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 parks and open space system and/or the Greenlands System.
- g) Parkland acquisition may include but not be limited to 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 Environmental Protection Area or land required for flood control or stormwater management or hazard land, as park dedication.

#### **13.2.9.7 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.

#### **13.2.9.8 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 to 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. As such, 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 effect 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.
- b) Where a Policy in the Lake Simcoe Protection Plan permits development or site alteration in relation to existing uses, the following policies apply:
  - i) All existing uses lawfully used for such purposes on the day before the Lake Simcoe Protection Plan comes into force are permitted;
  - ii) The construction of a building on an existing lot of record is permitted, provided it was zoned and all provisions of the zoning by-law are met as of the date

the Plan comes into effect, or where an application for an amendment to a zoning by-law is required as a condition of a severance granted prior to the date this Plan comes into effect;

- iii) The development permitted in ii., expansion to existing buildings or structures, accessory structures and uses, and conversions of legally existing uses which bring the use more into conformity with this Plan are permitted subject to a demonstration that the use does not expand into a key natural heritage feature, a key hydrologic feature and any minimum vegetation protection zone associated with a feature or the Lake Simcoe shoreline, unless there is no alternative in which case any expansion shall be limited in scope and kept within close geographical proximity to the existing structure;
- iv) The expansion to existing agricultural buildings and structures, residential dwellings and accessory uses to both, may be considered within a key natural heritage feature, a key hydrologic feature, and any minimum vegetation protection zone associated with these features or the Lake Simcoe shoreline, if it is demonstrated that:
  - a) there is no alternative to the expansion or alteration and the expansion or alteration is directed away from the feature and vegetation protection zone to the maximum extent possible, and,
  - b) the impact of the expansion or alteration on the feature and its functions is minimized to the maximum extent possible.
  - c) expansion, maintenance or replacement of existing infrastructure is permitted.

#### **13.2.9.9 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 pre-requisite to reconstruction on lands within its jurisdiction;
  - (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.

After 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 pre-requisite 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 land or lots fronting 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 as part of a development governed by a site plan agreement or plan of condominium.

### **13.2.9.10 Public Involvement**

#### **13.2.9.10.1 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.

#### **13.2.9.10.2 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 and districts worthy of designation under Parts IV and V of the Ontario Heritage Act;
  - (ii) Prepare and maintain a register under Section 27 of the Ontario Heritage Act containing designated properties and properties of cultural heritage value or interest;
  - (iii) Preparing and maintaining a list of properties, features and areas worthy of monitoring for conservation;
  - (iv) Encouraging and facilitating the retention of documentation that is of architectural and historical significance to the Town of Georgina;



- (v) Establishing guidelines for the conservation of heritage resources including individual structures, heritage conservation districts and features of natural heritage;
- (vi) Reviewing planning documents, development applications, building permits and sign permits as they pertain to identified heritage resources and adjacent lands to identified heritage resources; and,
- (vii) Reviewing municipal, provincial and federal heritage legislation.

#### **13.2.9.10.3 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.
- c) Council/Committee of Council may forgo public notification and public meetings for a technical or housekeeping amendment to the Secondary Plan or Zoning By-law which seeks the following:
  - (i) To change the numbers of sections or the order of sections in the Secondary Plan or Zoning By-law, but does not add or delete sections;
  - (ii) To consolidate previously approved Secondary Plan or Zoning By-law amendments in a new document without altering any approved policies, schedules or maps;
  - (iii) To correct grammatical or typographical errors which do not affect the intent of the policies, schedules or maps;

- (iv) To reword policies or re-illustrate mapping to clarify the intent and purpose of the Secondary Plan or Zoning By-law making it easier to understand without affecting the intent or purpose of the policies, schedules or maps;
- (v) To translate measurement to different units of measure;
- (vi) To change reference to legislation or to changes to legislation, where the 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.

## **13.2.10 INTERPRETATION**

### **13.2.10.1 Transition Policies**

- a) Legally existing and approved land uses as they exist at the time this Plan is approved will continue to be recognized.
- b) Proponents with complete applications submitted to the Town prior to this Plan's approval will be encouraged to work with the Town to re-examine the proposed applications based on the policies of this Plan.
- c) Applications received on or after the date of this Plan's approval will be subject to the policies of this Plan.

### **13.2.10.2 Land Use Boundaries and Roads**

- a) It is intended that the boundaries of land use designations on Schedule 'B' be considered as approximate and exact only where bounded by existing roads, railways, rivers or streams or other similar geographical demarcations. It is also intended that the location of proposed roads, trails and pathways as indicated on Schedules 'C' and 'D', 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, trails and pathways provided that the general intent of the Secondary Plan is preserved. Such minor deviations will not be reflected in Schedules 'A', 'B', 'C', 'D' or 'E'.

### **13.2.10.3 Special Provisions and Provincial Plans**

- a) Certain lands within this Plan are subject to special provisions and, where there is a conflict between the special provisions and other policies of this Plan, the special provisions shall prevail.
- b) Where there is a conflict between the Secondary Plan and the York Region Official Plan and/or a Provincial Plan, the York Region and/or Provincial Plan shall prevail.

#### 13.2.10.4 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 variance from any of the proposed figures.

#### 13.2.10.5 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.

#### 13.2.10.6 Definitions

Certain definitions used in this Plan come from the following upper-level government documents and are identified by their respective acronym in brackets at the end of the definition.

**NOTE:**

(YROP)	<b>York Region Official Plan, as adopted by Regional Council on December 16, 2009</b>
(PPS)	<b>Provincial Policy Statement, 2005</b>
(LSPP)	<b>Lake Simcoe Protection Plan, 2009</b>
(PA)	<b>Planning Act, R.S.O. 1990, C.P.B as amended</b>
(GBP)	<b>Greenbelt Plan, 2005</b>
(GP)	<b>Places to Grow: Growth Plan for the Greater Golden Horseshoe, 2006</b>

#### **ADJACENT LANDS**

Those lands contiguous to a *key natural heritage feature* or *key hydrologic feature* where it is likely that *development* or *site alteration* can reasonably be expected to have an impact on the feature. Generally, adjacent lands are considered to be within 120 metres from any part of the feature. (YROP)

#### **ADVERSE EFFECT**

Any impairment, disruption, destruction or harmful alteration. (LSPP)

#### **AFFORDABLE**

- a) In the case of ownership housing, the least expensive of:

1. housing for which the purchase price results in annual accommodation costs which do not exceed 30 per cent of gross annual household income for low and moderate income households; or
  2. housing for which the purchase price is at least 10 per cent below the average purchase price of a resale unit in the *regional market area*;
- b) In the case of rental housing, the least expensive of:
1. a unit for which the rent does not exceed 30 per cent of gross annual household income for low and moderate income households; or
  2. a unit for which the rent is at or below the average market rent of a unit in the *regional market area*.

For the purposes of this definition:

Low and moderate income households means, in the case of ownership housing, households with incomes in the lowest 60 per cent of the income distribution for the *regional market area*; or in the case of rental housing, households with incomes in the lowest 60 per cent of the income distribution for renter households for the *regional market area*. (YROP)

## **ALTERNATIVE ENERGY SYSTEMS**

Sources of energy or energy conversion processes such as co-generation and energy from waste that significantly reduce the amount of harmful emissions to the environment when compared with conventional energy systems. (YROP)

## **BUILT BOUNDARY**

The limits of the developed urban area as defined by the Minister of Public Infrastructure Renewal in accordance with Policy 2.2.3.5 of the Growth Plan for the Greater Golden Horseshoe, 2006. (GP)

## **BUILT-UP AREA**

All land within the *built boundary*. (GP)

## **BUSINESS IMPROVEMENT AREA**

A BIA is a corporation established by the municipality using the specific business improvement area provisions in the Municipal Act. It is governed by a board of management. More generally, a BIA is an association of property owners and tenants within a specified district, who join together with official approval of the municipality, in a variety of capital improvement, maintenance and marketing programs aimed at stimulating business.

## **COMMUNITY IMPROVEMENT PLAN**

A Community Improvement Plan is prepared and approved under Section 28 of the Planning Act. It is intended to promote activities that will improve the physical and functional quality of a defined Community Improvement Project Area. A Community Improvement Plan will specify the powers of Council with respect to carrying out the Community Improvement Plan, including powers to:

- make grants and loans;
- acquire, improve and develop land and buildings; and,
- maintain, repair, rehabilitate, and/or construct infrastructure.

## **COMMUNITY IMPROVEMENT PROJECT AREA**

A Community Improvement Project Area may be an entire municipality or an area within a municipality, the improvement of which, in the opinion of Council, is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason.

## **COMPATIBLE**

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. (KSP)

## **COMPREHENSIVE REVIEW**

In considering an expansion to a settlement area boundary, or the conversion of lands within an employment area to a non-

employment use, an official plan review initiated by a planning authority, or an official plan amendment which is initiated or adopted by a planning authority, which:

- is based on a review of population and growth projections and which reflect projections and allocations by upper-tier municipalities and provincial plans, where applicable; considers alternative directions for growth; and determines how best to accommodate this growth while protecting provincial interests;
- utilizes opportunities to accommodate projected growth through intensification and redevelopment;
- confirms that the lands to be developed do not comprise specialty crop areas;
- is integrated with planning for infrastructure and public service facilities; and
- considers cross-jurisdictional issues. (PPS)

## CONNECTIVITY

The degree to which *key natural heritage features* or *key hydrologic features* are connected to one another by links such as plant and animal movement corridors, hydrologic and nutrient cycling, genetic transfer, and energy flow through food webs. (GBP)

## CULTURAL HERITAGE RESOURCES

Resources that contribute to our understanding of our past, including:

- a) Archaeological resources such as artifacts, archaeological sites and marine archaeological sites.
- b) Built heritage resources, which means one or more significant buildings, structures, monuments, installations or remains associated with architectural, cultural, social, political, economic or military history and identified as being important to a community.
- c) Cultural heritage landscape, which means a defined geographical area of heritage significance which has been modified by human activities and is valued by a community.

It involves a grouping(s) of individual heritage features such as structures, spaces, archaeological sites and natural elements, which together form a significant type of heritage form, distinctive from that of its constituent elements or parts. (YROP)

## **DEVELOPMENT**

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

- a) activities that create or maintain infrastructure authorized under an environmental assessment, Planning Act, or Condominium Act process;
- b) works subject to the Drainage Act. (YROP)

## **DYNAMIC BEACH HAZARD**

Means areas of inherently unstable accumulations of shoreline sediments along the *large inland lakes*, as identified by provincial standards, as amended from time to time. The *dynamic beach hazard* limit consists of the *flooding hazard* limit plus a dynamic beach allowance. (PPS)

## **ECOLOGICAL FUNCTIONS**

The natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes, including hydrological functions and biological, physical, chemical and socio-economic interactions. (LSPP)

## **ENVIRONMENTALLY SIGNIFICANT AREAS**

Land or water areas that contain distinctive or unusual features, perform a key ecological function and/or provide habitat for significant plant and/or animal species as determined by studies undertaken from time to time by conservation authorities and/or local municipalities. (YROP)

## **EROSION HAZARD**

Means the loss of land, due to human or natural processes, that poses a threat to life and property. The *erosion hazard* limit is



determined using considerations that include the 100 year erosion rate (the average annual rate of recession extended over a one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance. (PPS)

## **EXISTING**

Legally established prior to the date of the adoption of this Secondary Plan by Town Council and which has continued to exist to the present.

## **FISH HABITAT**

Means fish habitat as defined in the Federal Fisheries Act as spawning grounds and nursery, rearing food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life process. (YROP)

## **FLOODING HAZARD**

Means the inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water:

- a) Along the shorelines of *large inland lakes*, the *flooding hazard* limit is based on the *one hundred year flood level* plus an allowance for *wave uprush* and *other water-related hazards*;
- b) Along *river, stream and small inland lake systems*, the *flooding hazard* limit is the greater of:
  - (i) the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
  - (ii) the *one hundred year flood*; and
  - (iii) a flood which is greater than (i) or (ii) which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as the standard for that specific area

by the Minister of Natural Resources; except where the use of the *one hundred year flood* or the actually experienced event has been approved by the Minister of Natural Resources as the standard for a specific watershed (where the past history of flooding supports the lowering of the standard). (PPS)

## **FLOOR AREA RATIO**

The ratio of gross floor area of a building to its respective lot area. For example, a building with a gross floor area of 25,000 square metres situated on a lot with an area of 10,000 square metres has a floor space index of 2.5. (YROP)

## **GARDEN SUITE**

A one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable. (PA)

## **GREENFIELD DEVELOPMENT**

Development that is located outside of the *built-up area*, but inside the Urban Service Boundary as shown on Schedule B - Land Use to this Secondary Plan.

## **GROSS LEASABLE FLOOR AREA**

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.

## **GROUP HOME**

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.

## **HABITAT OF ENDANGERED SPECIES, THREATENED SPECIES, AND SPECIAL CONCERN SPECIES**

Habitat for endangered, threatened or special concern species are identified by regulation under the Endangered Species Act. (YROP)

## **HALFWAY HOUSE**

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.

## **HAZARDOUS LANDS**

Means property or lands that could be unsafe for development due to naturally occurring processes. Along the shorelines of *large inland lakes*, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit of the *floodings hazard, erosion hazard* or *dynamic beach hazard* limits. Along *river, stream and small inland lake systems*, this means the land, including that covered by water, to the furthest landward limit of the *floodings hazard* or *erosion hazard* limits. (PPS)

## **HERITAGE CONSERVATION DISTRICT**

A Heritage Conservation District is an area or environment, usually an aggregate of buildings, open spaces and streets, which has been designated by by-law by Municipal Council under the authority of Part V of the Ontario Heritage Act.

## **HOME INDUSTRY**

Means a small scale industrial use in a non-residential building, which is operated as a secondary use to a single family dwelling on the same lot. A home industry use may include a carpentry shop, a metal working shop, a plumbing shop, an electrical shop, a small engine repair shop, a welding shop, a storage building for school buses, boats, snowmobiles or a similar industrial use. The retail sale of any goods or wares shall not be permitted as a primary home industry use.

## **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.

## **INFRASTRUCTURE**

Physical structures (facilities or corridors) that form the foundation for *development* or resource use. Infrastructure includes: sewage and water systems, sewage treatment systems, waste management systems, electric power generation and transmission including renewable energy systems, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities. (LSPP)

## **INTENSIFICATION**

The development of a property, site or area at a higher density than currently exists through:

- a) redevelopment, including the use of brownfield sites;
- b) the *development* of vacant and/or underutilized lots within previously developed areas;
- c) infill *development*; or,
- d) the expansion or conversion of existing buildings (YROP)

## **INSTITUTIONAL USE**

The use of land, buildings or structures for a public or non-profit purpose and without limiting the generality of the foregoing may include such uses as private schools, places of worship, community youth or senior centres, hospitals or medical centres, food banks, and cemeteries.

## **INTERMITTENT STREAM**

Watercourses that are dry at times of the year, generally flowing during wet seasons but not the entire year. (YROP)

## **KETTLE LAKES**

A depression formed by glacial action and permanently filled with water. (YROP)

## **KEY HYDROLOGIC FEATURES**

- a) *lakes and their littoral zones;*
- b) *permanent and intermittent streams;*
- c) *kettle lakes;*
- d) *seepage areas and springs;*
- e) *Lake Simcoe shoreline; and,*
- f) *wetlands. (YROP)*

## **KEY NATURAL HERITAGE FEATURES**

*Key natural heritage features include:*

- a) *habitat of endangered species, threatened species and special concern species;*
- b) *fish habitat;*
- c) *wetlands;*
- d) *Life Science Areas of Natural and Scientific Interest;*
- e) *Environmentally Significant Areas;*
- f) *significant valleylands;*
- g) *significant woodlands;*
- h) *significant wildlife habitat; and,*
- i) *sand barrens, savannahs and tallgrass prairies. (YROP)*

## **LAKES AND THEIR LITTORAL ZONES**

Any inland body of standing water larger than a pool or pond or a body of water filling a depression in the earth's surface. The littoral

zone refers to the area of shallow water in a lake that extends from the shoreline lakeward to the limit occupancy of rooted aquatic plants. (YROP)

### **LAKE SIMCOE SHORELINE**

The mark made by the action of water under natural conditions on the shore or bank of Lake Simcoe which action is so common and usual and so long continued that it has created a difference between the character of the vegetation or soil on one side of the mark and the character of the vegetation or soil on the other side of the mark. (LSPP)

### **LAKE SIMCOE WATERSHED**

- a) Lake Simcoe and the part of Ontario, the water of which drains into Lake Simcoe; or,
- b) If the boundaries of the area described by clause (a) are described more specifically in regulations, the area within those boundaries (Lake Simcoe Protection Act, 2008).

### **LARGE INLAND LAKES**

Means those waterbodies having a surface area of equal to or greater than 100 square kilometres where there is not a measurable or predictable response to a single runoff event. (PPS)

### **LIFE SCIENCE AREAS OF NATURAL AND SCIENTIFIC INTEREST**

Areas of land and water containing natural landscapes or features that have been identified by the Province using approved evaluation procedures, as having life science values related to protection, scientific study or education. Provincially and Regionally significant *life science areas of natural and scientific interest* are included in this Plan. (YROP)

### **LODGING HOUSE**

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.

## **MAJOR DEVELOPMENT**

Means *development* consisting of:

- a) the creation of four or more lots;
- b) the construction of a building or buildings within a ground floor area of 500 m<sup>2</sup> or more; or
- c) the establishment of a *major recreational use*. (LSPP)

## **MAJOR RECREATIONAL USE**

Means recreational uses that require large-scale modification of terrain, vegetation, or both and usually also require large-scale buildings or structures, including but not limited to the following:

- a) golf courses
- b) serviced playing fields
- c) serviced campgrounds; and,
- d) ski hills. (LSPP)

## **MUNICIPAL COMPREHENSIVE REVIEW**

Means an official plan review, or an official plan amendment, initiated by a municipality that comprehensively applies the policies and schedules of the Growth Plan for the Greater Golden Horseshoe (GP)

## **NATURAL SELF SUSTAINING VEGETATION**

Self sustaining vegetation dominated by native plant species. (LSPP)

## **NEGATIVE IMPACT**

- a) In regard to water, degradation to the quality or quantity of surface or ground water *key hydrologic features* or vulnerable areas, and their related hydrologic functions, due to single, multiple or successive development or site alteration activities;

- b) In regard to *fish habitat*, the harmful alteration, disruption or destruction of *fish habitat*, except where, in conjunction with the appropriate authorities, it has been authorized under the Fisheries Act, using the guiding principle of no net loss of productive capacity; and,
- c) In regard to other natural heritage features and areas, degradation that threatens the health and integrity of the natural features or *ecological functions* for which an area is identified due to single, multiple or successive development or site alteration activities. (PPS)

### **NET RESIDENTIAL HECTARE**

Residential density calculated on the basis of the *net residential land* area.

### **NET RESIDENTIAL LAND**

The area of residential use, excluding road allowances and the land area of all other land uses necessary to the basic residential use such as parks, open space, greenlands, stormwater management areas, churches, local commercial, schools, etc.

### **ONE HUNDRED YEAR FLOOD LEVEL**

Means for large inland lakes, lake levels and wind setups that have a 1% chance of being equaled or exceeded in any given year; except that, where sufficient water level records do not exist, the one hundred year flood level is based on the highest known water level and wind setups. (PPS)

### **OTHER WATER-RELATED HAZARDS**

Means water-associated phenomena other than *flooding hazards* and *wave uprush* which act on shorelines. This includes, but is not limited to ship-generated waves, ice piling and ice jamming. (PPS)

### **PERMANENT STREAM**

A stream which continually flows in an average year. (YROP)

### **PRIORITY STORMWATER MANAGEMENT WORKS**

Means stormwater management works that satisfy criteria established by the Ministry of Environment as may be amended



from time to time. Such criteria may identify works based on a range of matters including, the size and type of development serviced by the works, the location of the works, any relevant subwatershed evaluations or stormwater management master plans, if available and the results of the phosphorous reduction strategy. (LSPP)

## **REGIONAL MARKET AREA**

An area, generally broader than a lower-tier municipality that has a high degree of social and economic interaction. In southern Ontario, the upper- or single-tier municipality will normally serve as the *regional market area*. Where a *regional market area* extends significantly beyond upper- or single-tier boundaries, it may include a combination of upper-, single and/or lower-tier municipalities. (GP)

## **RENEWABLE ENERGY SYSTEMS**

The production of electrical power from an energy source that is renewed by natural processes including but not limited to wind, water, biomass resource or product or solar and geothermal energy. (YROP)

## **RIPARIAN AREA**

The area of land adjacent to a stream, river, lake or *wetland*. (LSPP)

## **RIVER, STREAM AND SMALL INLAND LAKE SYSTEMS**

Means all watercourses, rivers, streams, and small inland lakes or waterbodies that have a measurable or predictable response to a single runoff event. (PPS)

## **SAND BARRENS**

Land (not including land that is being used for agricultural purposes or no longer exhibits sand barrens characteristics) that:

- a) has sparse or patchy vegetation that is dominated by plants that are:
  - (i) adapted to severe drought and low nutrient levels; and,

- (ii) maintained by severe environmental limitations such as drought, low nutrient levels and periodic disturbances such as fire; and,
- b) has less than 25 percent tree cover; and,
- c) has sandy soils (other than shorelines) exposed by natural erosion, depositional process or both; or,
- d) has been further identified, by the Ministry of Natural Resources or by any other person, according to evaluation procedures established by the Ministry of Natural Resources, as amended from time to time. (GBP)

### **SAVANNAH**

Land (not including land that is being used for agricultural purposes or no longer exhibits *savannah* characteristics) that:

- a) has vegetation with a significant component of non-woody plants, including tallgrass prairie species that are maintained by seasonal drought, periodic disturbances such as fire, or both; and,
- b) has from 25 percent to 60 percent tree cover; and,
- c) has mineral soils; or,
- d) has been further identified, by the Ministry of Natural Resources or by any other person, according to evaluation procedures established by the Ministry of Natural Resources, as amended from time to time. (GBP)

### **SEEPAGE AREAS AND SPRINGS**

*Seepage areas and springs* are sites of emergence of groundwater where the water table is present at the ground surface. Seepage areas are areas where groundwater emerges from the ground over a diffuse area. Springs are points of natural, concentrated discharge of groundwater. (YROP)

### **SENSITIVE GROUNDWATER FEATURES**

Water-related features in the earth's subsurface, including recharge/discharge areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeologic

investigations, that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants. (YROP)

### **SENSITIVE SURFACE WATER FEATURES**

Water-related features on the earth's surface, including headwaters, rivers, stream channels, inland lakes, seepage areas, recharge/discharge areas, springs, wetlands, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics, that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants. (YROP)

### **SEWAGE WORKS**

Any works for the collection, transmission, treatment and disposal of sewage or any part of such works, but does not include plumbing to which the Building Code Act, 1992 applies. (LSPP)

### **SIGNIFICANT VALLEY LANDS**

A natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year. These areas are ecologically important in terms of features, functions, representation or amount. (YROP)

### **SIGNIFICANT WILDLIFE HABITAT**

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. These areas are ecologically important in terms of features, functions, representation or amount, and contribute to the quality and diversity of an identifiable geographic area or natural heritage system. The Provincial Significant Wildlife Habitat Technical Guide should be referenced to determine significant wildlife habitat. (YROP)

### **SIGNIFICANT WOODLANDS**

Woodlands which meet any one of the following criteria:

- a) contains globally or provincially rare plants, animals or communities as designated by the Natural Heritage Information Centre;
- b) contains species designated by the Committee of the Status of Endangered Wildlife in Canada or by the Committee on the Status of Species at Risk in Ontario as threatened, endangered, or of special concern;
- c) is within 30 metres of a *key hydrologic feature*;
- d) is over 2 hectares and:
  - (i) is within 100 metres of another key natural heritage feature or key hydrologic feature or,
  - (ii) occurs within the Regional Greenlands System.
- e) is north of the Oak Ridges Moraine and is 10 hectares or larger in size. (YROP)

#### **SITE ALTERATION**

Activities such as filling, grading and excavation that would change the landform and natural vegetative characteristics of land, but does not include:

- a) the construction of facilities for transportation, infrastructure and utilities uses by a public body; or,
- b) activities or works under the Drainage Act; or,
- c) the carrying out of agricultural practices on land that was being used for agricultural uses on the date the Plan came into effect. (LSPP)

#### **SPECIAL NEEDS HOUSING**

The integration of housing and support services for individuals who require specific services to maintain their housing and well-being. *Special needs housing* includes both transitional and permanent housing, most commonly in not-for-profit residential housing, and may include, but not necessarily be limited to, *group homes*, *lodging houses*, *homes for special care* and *halfway houses*. (YROP)

## **SPECIALTY CROP AREAS**

Areas designated using evaluation procedures established by the Province, as amended from time to time, where specialty crops such as tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soil lands are predominantly grown, usually resulting from:

- a) soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both; and/or
- b) a combination of farmers skilled in the production of specialty crops, and of capital investment in related facilities and services to produce, store, or process specialty crops. (PPS)

## **STORMWATER MANAGEMENT WORKS**

Sewage works for which an approval is required under Section 53 of the Ontario Water Resources Act and which is designed to manage stormwater. (LSPP)

## **TALLGRASS PRAIRIES**

Land (not including land that is being used for agricultural purposes or no longer exhibits tallgrass prairie characteristics) that:

- a) has vegetation dominated by non-woody plants, including tallgrass prairie species that are maintained by seasonal drought, periodic disturbances such as fire, or both; and,
- b) has less than 25 percent tree cover; and,
- c) has mineral soils; or,
- d) has been further identified, by the Minister of Natural Resources or by any other person, according to evaluation procedures established by the Ministry of Natural Resources, as amended from time to time. (GBP)

## **TREE**

Any species of woody perennial plant, including its root system, that has reached or can reach a height of a least 4.5 metres at

physiological maturity, provided that where multiple stems grow from the same root system, the number of trees shall be the number of stems that can be counted at a point of measurement 1.37 metres from the ground. (YROP)

## **VEGETATION PROTECTION ZONE**

Buffers surrounding a *key natural heritage feature* or a *key hydrologic feature*. These areas protect the feature and its functions from the impacts of land use changes and associated activities that will occur before, during and after construction, and where possible, restore or enhance the features and its functions. (GP)

## **WAVE UPRUSH**

Means the rush of water up onto a shoreline or structure following the breaking of a wave; the limit of wave uprush is the point of furthest landward rush of water onto the shoreline. (PPS)

## **WETLANDS**

Lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of *wetlands* are swamps, marshes, bogs and fens.

*Wetlands* on the Oak Ridges Moraine, Greenbelt, and within the Lake Simcoe Watershed, include any *wetlands* identified by the Ministry of Natural Resources or by any other person, according to evaluation procedures established by the Ministry of Natural Resources, as amended from time to time.

Elsewhere in York Region, *wetlands* include any *wetland* that has been evaluated under the Ontario *Wetland* Evaluation System and approved by the Ministry of Natural Resources. (YROP)

## **WOODLANDS**

An area of land at least 0.2 hectare in area with at least:

- a) 1000 trees of any size, per hectare; or,

- b) 750 trees measuring over 5 centimetres diameter at breast height, per hectare; or,
- c) 500 trees measuring over 12 centimetres diameter at breast height, per hectare; or,
- d) 250 trees measuring over 20 centimetres diameter at breast height, per hectare.

But does not include a cultivated fruit or nut orchard, a plantation established for the purpose of producing Christmas trees or nursery stock. For the purpose of defining a woodland, treed areas separated by more than 20 metres will be considered a separate woodland. (YROP)