



TOWN OF PENETANGUISENE OFFICIAL PLAN



November 2018

**Consolidated with
County Modifications**

wsp

TABLE OF CONTENTS

1. INTRODUCTION.....	3
1.1 OFFICIAL PLAN CONTEXT.....	3
1.2 PURPOSE.....	3
1.3 REGULATORY FRAMEWORK	4
1.3.1 PLANNING ACT.....	4
1.3.2 PROVINCIAL POLICY STATEMENT, 2014.....	5
1.3.3 A PLACE TO GROW: GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE, 2019 5	
1.3.4 COUNTY OF SIMCOE OFFICIAL PLAN	6
1.4 LOCAL BASIS FOR THE OFFICIAL PLAN.....	6
1.4.1 VISION.....	7
1.4.2 GOALS & OBJECTIVES	7
1.5 PROVINCIAL AND UPPER-TIER BASIS FOR THE OFFICIAL PLAN	10
1.6 ORGANIZATION OF THE OFFICIAL PLAN	11
1.7 HOW TO READ & INTERPRET THE PLAN	12
2. MANAGING GROWTH	18
2.1 GROWTH PROJECTIONS.....	18
2.2 STRATEGIC GROWTH AREAS	19
2.3 DESIGNATED GREENFIELD AREAS.....	21
3. GENERAL POLICIES	25
3.1 COMMUNITY DESIGN AND BUILT FORM.....	25
3.2 COMMUNITY FACILITIES	27
3.2.1 SCHOOLS	28
3.2.2 PARKS AND OPEN SPACE SYSTEM	29
3.3 COMMUNITY IMPROVEMENT	33
3.4 CULTURAL HERITAGE RESOURCES.....	36
3.4.1 ARCHAEOLOGICAL RESOURCES.....	37
3.4.2 MARINE ARCHAEOLOGICAL RESOURCES.....	38
3.4.3 CULTURAL HERITAGE LANDSCAPES AND BUILT HERITAGE RESOURCES	37
3.4.4 HERITAGE COMMITTEE	39
3.4.5 DEVELOPMENT POLICIES SPECIFIC TO CULTURAL HERITAGE RESOURCES.....	40
3.5 ECONOMIC DEVELOPMENT	41
3.5.1 LOCATIONS OF ECONOMIC ACTIVITY	42
3.5.2 TOURISM	42
3.5.3 GREEN ENERGY & GREEN EMPLOYMENT.....	43
3.6 ENERGY EFFICIENCY & CONSERVATION	44
3.7 FUTURE STUDY AREAS.....	45
3.8 HOUSING	46
3.8.1 SUPPLY OF HOUSING	47
3.8.2 ATTAINABLE & AFFORDABLE HOUSING.....	48
3.8.3 SPECIAL NEEDS HOUSING.....	50

3.8.4	SECONDARY DWELLING UNITS	51
3.8.5	GARDEN SUITES	52
3.8.6	LANEWAY HOUSING	52
3.9	MUNICIPAL CORPORATE SUSTAINABILITY	53
3.9.1	SUSTAINABLE NEIGHBOURHOOD DEVELOPMENT STANDARDS	54
3.9.2	GREEN SITE DESIGN & BUILDING STANDARDS	55
3.10	NATURAL HERITAGE FEATURES & AREAS	56
3.10.1	WETLANDS	58
3.10.2	HABITAT OF ENDANGERED SPECIES & THREATENED SPECIES	59
3.10.3	FISH HABITAT	60
3.10.4	SIGNIFICANT VALLEYLANDS	61
3.10.5	AREAS OF NATURAL AND SCIENTIFIC INTEREST (ANSI)	62
3.10.6	SIGNIFICANT WOODLANDS	62
3.10.7	LINKAGE AREAS	63
3.10.8	ENVIRONMENTAL IMPACT STUDIES	63
3.11	MINERAL AGGREGATE RESOURCES	64
3.11.1	WAYSIDE PITS & QUARRIES, PORTABLE ASPHALT PLANTS & PORTABLE CONCRETE PLANTS	65
3.12	RISKS TO PUBLIC HEALTH & SAFETY	65
3.12.1	NATURAL HAZARDS	65
3.12.2	HUMAN-MADE-HAZARDS	69
3.12.3	OTHER ENVIRONMENTAL HAZARDS	72
3.13	WATER RESOURCES	73
3.13.1	SOURCE PROTECTION	74
4.	LAND USE FRAMEWORK	82
4.1	USES PERMITTED IN ALL LAND USE DESIGNATIONS	82
4.2	NEIGHBOURHOOD AREAS	83
4.3	DOWNTOWN AND WATERFRONT AREA	88
4.4	MIXED-USE & COMMERCIAL AREAS	91
4.5	EMPLOYMENT AREAS	95
4.6	MAJOR OPEN SPACE AREA	98
4.7	SHORELINE AREAS	99
4.8	PROVINCIAL INSTITUTION AREA	102
4.10	ENVIRONMENTAL PROTECTION AREA	107
5.	INFRASTRUCTURE	111
5.1	MOVEMENT OF GOODS AND PEOPLE	111
5.2	ROAD NETWORK	111
5.2.1	COUNTY ROADS	112
5.2.2	MAJOR ROADS	113
5.2.3	LOCAL ROADS	113
5.2.4	PRIVATE ROADS	114
5.2.5	HERITAGE ROADS	114
5.2.6	ROAD NETWORK DESIGN	115
5.2.7	COMPLETE STREETS	116

5.2.8	PARKING.....	117
5.2.9	CYCLING, TRAILS AND ACTIVE TRANSPORTATION.....	118
5.2.10	TRANSIT	119
5.2.11	MARINE SYSTEMS	120
5.3	WATER, WASTEWATER, & STORMWATER SERVICES.....	121
5.3.1	MUNICIPAL WATER & SEWAGE SERVICES	121
5.3.2	PRIVATE WATER AND SEWAGE SERVICES	123
5.3.3	SERVICING ALLOCATION AND PHASING	124
5.3.4	STORMWATER MANAGEMENT	125
5.4	WASTE MANAGEMENT	126
5.5	UTILITIES AND TELECOMMUNICATIONS	127
5.6	CAPITAL INFRASTRUCTURE AND PUBLIC WORKS	128
6.	IMPLEMENTING THE PLAN	132
6.1	THE PLANNING HORIZON	132
6.2	MONITORING & REVIEWING THE PLAN.....	132
6.2.1	AMENDMENTS TO THE PLAN.....	133
6.3	PLANNING ADMINISTRATION.....	134
6.3.1	SECONDARY PLANS	134
6.3.2	ZONING BY-LAW	136
6.3.3	BONUS/ DENSITY INCREASES	138
6.3.4	MINOR VARIANCES	139
6.3.5	LAND DIVISION	140
6.3.6	SITE PLAN CONTROL	143
6.3.7	COMMUNITY PLANNING PERMIT SYSTEM.....	144
6.3.8	EXISTING USES	144
6.3.9	NON-CONFORMITY	145
6.3.10	NON-COMPLYING USES.....	146
6.3.11	LAND ACQUISITION	146
6.3.12	PROPERTY STANDARDS	149
6.3.13	SUPPORTING STUDIES, INFORMATION AND MATERIALS FOR DEVELOPMENT APPLICATIONS	150
6.4	PUBLIC CONSULTATION & PARTICIPATION IN THE PLANNING PROCESS.....	152
6.5	CROSS-JURISDICTIONAL COORDINATION	152
6.6	FINANCIAL MANAGEMENT	153
7.	TERMS USED IN THE PLAN.....	156



INTRODUCTION

Page intentionally left blank

1. INTRODUCTION

The Official Plan for the Town of Penetanguishene (the “OP” or “Plan”) provides the overarching tools to direct future growth, **development** and change within the Town and to create a more sustainable community for the Town’s residents. This Plan was developed through extensive visioning and consultation with Council, staff and the public.

This OP guides Council in the consideration of their responsibilities, and provides direction and certainty to the citizens and businesses of the Town of Penetanguishene on how the Town will manage growth. The Official Plan addresses the Town’s long-term planning requirements to the year 2031 and, in addition to consolidating all land use policy into one document, this Plan brings the Town into conformity with recent Provincial and upper-tier land use policy direction.

1.1 OFFICIAL PLAN CONTEXT

The Town of Penetanguishene is a lower-tier municipality within the County of Simcoe and located on the southeast shores of Georgian Bay, often referred to as North Simcoe or Huronia, approximately 165 kilometres north of the City of Toronto. The Town is noted for its small-town **character**, welcoming multilingual citizens, and a diverse natural landscape. Penetanguishene recognizes its rich cultural history, dating back over 400 years, comprised of English, French, Métis and Huron-Wendat lineages. It is home to approximately 9,000 permanent residents and is projected to grow to 11,000 residents by 2031. Protecting the Town’s rich cultural history is vital as the Town grows and evolves.

This Plan is intended to provide a clear and concise policy framework to help guide growth to 2031 while aiding to create a sustainable community, that provides for a range of housing types, mix of jobs and employment opportunities, and community and recreational services that will service current and future residents. The Plan promotes **sustainability** and an urban design framework that supports an attractive public realm, thriving downtown and preservation of the Town’s rich cultural and natural heritage. Indeed, the Plan builds on the history of the Town and provides an opportunity to “sail forward” to 2031.

1.2 PURPOSE

The *Planning Act* states that an Official Plan “shall contain goals, objectives and policies established primarily to manage and direct physical change and the effects on the social, economic and **natural environment** of the municipality” (Section 16(1)). The Town is required by the *Planning Act* to conform to its Official Plan in any by-laws or capital works initiatives. This Plan projects a long-term vision for the physical **development** of the Town. Its policies provide the direction for managing long term **development** to achieve social, economic and environmental objectives of the Town’s vision.

The Plan plays a number of essential roles in the future planning of the Town of Penetanguishene. Specifically, the Plan:

- » Is a legal document, the origin derived from the *Planning Act* and the implementation of this Plan shall be in accordance with its provisions;
- » Builds on provincial initiatives that support the **development** of healthy, strong communities established by the Provincial Policy Statement 2014 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019;
- » Responds to provincial policies, statements and guidelines that affect the Town and appropriately incorporates them in the Official Plan;
- » Implements the policy directions established by the County of Simcoe and sets out a growth management regime in the Town through to 2031;
- » Establishes the basic urban structure and land use framework for all land within the jurisdiction of the Town;
- » Provides for the coordination of land use planning and **infrastructure** deployment to ensure that the Town can accommodate anticipated population levels over the 20-year planning horizon to 2031;
- » Sets out policies to encourage economic **development** in the Town, including policies for employment-based land uses, with the view to encourage synergies and collaboration between compatible businesses;
- » Provides policies to improve the **sustainability** of the Town and to minimize impacts from Climate Change to ensure the quality of life and to secure the health, safety, convenience and welfare for the present and future inhabitants of the Town;
- » Guides investment through land use and **development** policies to ensure efficient **development** approvals and administrative processes that strive to achieve the Town's goals; and
- » Is a key corporate document that is and should continue to be integrated with other corporate initiatives.

1.3 REGULATORY FRAMEWORK

Planning in the Town is directly influenced by upper levels of government; Federally, Provincially and County-wide. Indeed, the Province of Ontario provides broad policy directions which municipalities must comply with. The County of Simcoe is the upper-tier government and provides more direct and specific direction to Provincial legislation and policies. The Town is known as the lower-tier government, and the OP provides guidance and responds to the Town's unique context. This Section discusses the regulatory framework within which the Town must operate, and discusses key legislation within each tier of government.

1.3.1 PLANNING ACT

The *Planning Act* provides the fundamental land use planning framework in Ontario, and defines municipal authority in land use matters. Official Plans prepared under



the *Planning Act* must be consistent or conform to other Provincial Plans and policies. The OP shall conform and be consistent to the matters identified in the *Planning Act*.

1.3.2 PROVINCIAL POLICY STATEMENT, 2014

The Provincial Policy Statement (PPS), 2014 is a high-level policy document that addresses matters of Provincial interest within the context of land use planning and **development**. These matters include building strong communities, with an emphasis on efficient **development** and land use patterns, wise use and management of resources, and protecting public health and safety. It supports a comprehensive, integrated and long-term approach to planning and recognizes linkages among the various policy areas. **Settlement Areas** such as Penetanguishene are to be the focus of growth and **development**, and are based on a mix of land uses and densities. Any decision made by planning authorities “shall be consistent with” with the PPS.

1.3.3 A PLACE TO GROW: GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE, 2019

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (Growth Plan) has been prepared under the *Places to Grow Act*, 2005. A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 was released on May 2, 2019 and came into effect on May 16, 2019, replacing the Growth Plan for the Greater Golden Horseshoe, 2017. Under the new Growth Plan, the majority of growth will be directed to **settlement areas** that have a **Delineated Built Boundary**, existing or planned municipal water and wastewater systems and can support the achievement of complete communities.

The Growth Plan builds upon the previously mentioned Provincial initiatives, with the intention of guiding decision of a wide range of growth management related issues, of which include land use planning, built form, **infrastructure**, transportation, natural heritage and **source protection**. The Growth Plan provides the framework for implementing the Government of Ontario's vision for building stronger, prosperous communities by better managing growth. The Growth Plan is premised on building healthy and complete communities, which are intended to be well-designed, and provide efficient utilization of land.

The Growth Plan provides policies which support the building of healthy and complete communities, which are intended to be well-designed and provide efficient utilization of land. The Growth Plan identifies the Town as part of the Midland-Penetanguishene Primary **Settlement Area**. It directs that Primary **Settlement Areas** identify **intensification** areas, plan to create complete communities, and ensure the **development** of high quality urban form and public spaces through site design, urban design and creating walkable, transit-supportive communities.

The Growth Plan also directs municipalities to develop and implement, through their Official Plans and other supporting documents, strategies and policies to phase in and achieve the Growth Plan's **intensification** targets. These strategies include encouraging **intensification** in the delineated built up area and supporting the achievement of the identified **intensification** target. Of particular importance to land use planning, the Growth Plan encourages cities and towns to develop as complete communities with a diverse mix of land uses, a range and mix of employment and housing types, high quality public open space and easy access to local retail and services.

The Town is required to ensure that the OP is in conformity with the Growth Plan. The County of Simcoe must ensure that the requirements, and particularly the **intensification** and density targets are met by lower-tier municipalities. Further, the County is to ensure that the Town also protect and designate land for employment, and provide for an efficient use of municipal services and the preservation of natural heritage.

1.3.4 COUNTY OF SIMCOE OFFICIAL PLAN

The County of Simcoe Official Plan (SCOP) was adopted by County Council on November 25, 2008 and was subsequently appealed to the Ontario Municipal Board (OMB) and approved on December 29, 2016. The SCOP sets out goals and objectives and further outlines the policies that govern how land in the County will be used at a high level. The policies of the SCOP provide a framework for local municipalities to undertake more detailed planning that implements the requirements of the SCOP.

The SCOP directs population and employment growth to designated **settlement areas**, with a particular focus on primary **settlement areas** such as Penetanguishene. The SCOP promotes a compact, mixed-use built form through the use of **intensification** targets that promote strong, healthy and vibrant places.

The County of Simcoe is the approval authority for the Town of Penetanguishene Official Plan and, as such, the County is inherently interested in the Town's conformity with the Provincial and County policy documents.

1.4 LOCAL BASIS FOR THE OFFICIAL PLAN

The framework and policies of this Plan are the product of the community's shared vision, goals and objectives. These principles have been identified and refined through consultation with Town staff, the public, and based on the review of the background materials during the preparation of this Plan. This Section outlines the vision goals and objectives, which will be used to guide the policies of this Plan.



1.4.1 VISION

The Town's Vision provides a broad direction for the long-term planning and **development** of the Town. The Town's vision is responsible for managing growth to 2031, and was created through extensive consultation with stakeholders, councillors, business owners, and the community. To ensure the Vision accurately reflects the needs of the community, considerable public and stakeholder input was collected through facilitated workshops, a social media campaign, as well as an online questionnaire. The following is the Vision for the OP:

*“Penetanguishene is vibrant, resilient, and welcoming. We are both a destination and a starting point that has a distinct **character**, is rich with culture and holds dear our history. We cherish our small town charm, treasure our waterfront, and appreciate our lifestyle. Penetanguishene embraces economic growth that it is diversified, balanced, and fiscally sustainable which contributes to a health community. We value our access to community facilities and programs, the sustainable provision of **infrastructure**, and environmental conservation.”*

1.4.2 GOALS & OBJECTIVES

1.4.2.1 Conserve the **Natural Environment**

- a. Ensure that **development** decisions do not impact on **Natural Heritage Features and Areas**.
- b. Evaluate existing **Natural Heritage Features and Areas** to determine aspects that require **conservation** and enhancement.
- c. Enhance protection of the Town's shorelines, which are vital to the overall function of the environment.
- d. Minimize impacts from climate change through innovative **development** techniques.
- e. Protect the quality and quantity of ground and **surface water** resources.
- f. Ensure all new land use planning decisions are based on the principles of environmental **sustainability**.
- g. Promote the reduction of greenhouse gas emissions.
- h. Maintain natural shorelines and, re-vegetate these areas to enhance their form and function as well as their aesthetic value.
- i. Maintain the urban and rural forests with stewardship practices that promote sustainable forestry.

1.4.2.2 Encourage Balanced and Diversified Growth

- a. Increase access to different housing types and tenures in strategic areas of the Town to ensure that all residents can remain in the Town.

- b. Work with local businesses, special interests groups and various levels of government to determine opportunities to grow the Town’s economy.
- c. Develop local programs and increase flexibility to revitalize the Downtown.
- d. Optimize **infrastructure** by increasing opportunities for **infilling** and **intensification**.
- e. Utilize good urban design principles when considering **redevelopment** proposals in the Downtown.
- f. Promote **redevelopment**, revitalization and repurposing of existing buildings and properties.
- g. Enhance access in the Downtown for individuals with varied abilities.
- h. Optimize existing Greenfield lands and **infrastructure** prior to creating new **development** parcels.
- i. Enhance the public realm in the Downtown so that it is more pedestrian friendly.
- j. Identify opportunities to diversify the waterfront area.

1.4.2.3 Protect and Enhance Our Character

- a. Identify programs to help revitalize and beautify the Downtown.
- b. Celebrate the Town’s local charm, diversified culture and friendly population.
- c. Identify a local theme in the Downtown that can be used to attract businesses and people.
- d. Ensure that **development** maintains the unique characteristics of the Town and fits into the area being proposed.
- e. Utilize good urban design principles to enhance health and safety in the Town.
- f. Enhance community collaboration for all land use planning decisions in the Town.
- g. Promote and enhance the Downtown as a mixed-use centre for commerce, employment, and residential growth.
- h. Promote the use of innovative **development** practices.
- i. Protect the Town's unique “small town” **character** by ensuring business, residents, and essential community services remain local.

1.4.2.4 Protect and Enhance Our Arts, Culture, and Heritage Resources

- a. Enhance the protection of the Town's **Cultural Heritage Resources**.
- b. Undertake an analysis to determine a cultural theme to the Town.
- c. Increase local public art throughout the Town.



- d. Identify and **preserve** key vistas from built form visual encroachments.
- e. Recognize the importance of the Town's cultural heritage, inclusive of Indigenous cultures, and identify opportunities to enhance and celebrate it.
- f. Work with various levels of government to increase exposure to heritage sites in the Town.
- g. Work with other agencies and groups in the region to develop a regional heritage **conservation** plan.

1.4.2.5 Encourage a Sustainable and Balanced Economy

- a. Work with existing employers to enhance opportunities for partnerships and improve employment.
- b. Work with various levels of government and local businesses to enhance the Town as a year-round destination.
- c. Develop local programs and increase flexibility to revitalize the Downtown.
- d. Focus on strengthening and diversifying the Town's employment, housing, and commercial base.
- e. Ensure that land use decisions are in-line with the Town's capital improvement program.
- f. Improve flexibility in certain areas of the Town to ensure that **development** can proceed in an efficient manner.
- g. Identify opportunities to diversify the local employment and commercial base so that residents can remain local.
- h. Enhance access to local festivals and events to help bring people to the area.
- i. Work with the appropriate agencies to ensure there is access to local, high quality health care.

1.4.2.6 Ensure Access to Community Facilities

- a. Ensure that there is access to local/regional programs and facilities for all ages and abilities.
- b. Promote and enhance access for active-transportation by increasing the local/regional trail network.
- c. Enhance access to, and activities at, the waterfront.
- d. Improve local/regional access to multi-modal transportation opportunities.
- e. Enhance access to local/regional community facilities.
- f. Increase access to local/regional community programs.
- g. Ensure that there is good access for residents to "age-in-place".

- h. Provide facilities to satisfy the social, health, education and leisure needs of existing and future residents.
- i. Improve overall function of the Town's transportation network.
- j. Work with various levels of government to enhance the region's transit **infrastructure**.
- k. Enhance access to the various marinas.
- l. **Preserve** the public portions of the waterfront and identify opportunities to improve.

1.5 PROVINCIAL AND UPPER-TIER BASIS FOR THE OFFICIAL PLAN

The *Planning Act* requires municipalities to undertake a new Official Plan every 10 years and update their Plan every 5 years thereafter, unless it has been replaced by another new Plan. It is important to regularly update the Plan to ensure that it is still reflective of the Town's vision for growth.

The basis for the Official Plan is outlined as follows:

- » This Plan has been prepared in accordance with the *Planning Act*, which prescribes the contents of, and authorization to prepare, an Official Plan.
- » This Plan implements the policies of the Provincial Policy Statement, 2014, and has been developed within the context of Provincial policies to support the creation of strong communities, the wise use and management of resources and the protection of public health and safety.
- » This Plan is based on a planning horizon to the year 2031 as required by the Growth Plan for the Greater Golden Horseshoe, 2017. However, in accordance with the *Planning Act*, this new OP will be reviewed in a minimum of ten years, and at an interval of five years thereafter to ensure the Plan achieves the goals and objectives of the Town, and determine if amendments are required.
- » This Plan implements the policies of A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019.
- » This Plan is based on information and analysis presented in the Foundation Studies, relating to **infrastructure**, housing, land use and urban design, and growth management. It also implements the policies of the 2017 Source Protection Study and 2017 Natural Heritage Study update.
- » As the basis for **development** and growth management policies, the Growth Plan establishes a population projection of 11,000 (2031) and an employment projection of 6,000 jobs (2031) as identified in Schedule 7 of Growth Plan 2019.
- » **Designated Greenfield Areas**, which include lands outside of the delineated built-up area for the Town, represent logical locations for new **development** and are designated to meet anticipated demand.



- » This Plan encourages orderly **development, redevelopment, infill** and **intensification** and discourages the undue extension of municipal services and expansion of urban boundaries, consistent with the Provincial Policy Statement (2014).
- » This Plan promotes the maintenance, improvement and **conservation** of the **cultural heritage resources** of the Town.
- » Land subject to environmental **hazards** and/or physical limitations such as poor drainage, organic soils, flood susceptibility, erosion, and steep slopes are protected in order to **preserve** and **conserve** the interconnected features of the **natural environment** and to avoid the potential for loss of life and economic investment.

1.6 ORGANIZATION OF THE OFFICIAL PLAN

This Plan includes several interrelated components, which must be read together in order to determine those components and policies that have an impact on any land within the Town of Penetanguishene.

The Official Plan is organized into seven Sections:

- Section 1:** The “Introduction” Section is for information purposes. It contains context to the Plan and provides the basis upon which it was prepared.
- Section 2:** The “Growth Management” Section provides detailed policies related to managing growth, growth projections, strategic growth areas, and **Designated Greenfield Areas**.
- Section 3:** The “General Policies” Section provides detailed policies related to community design, economic development, community revitalization, cultural and built heritage, community services, and environmental and natural heritage **conservation**.
- Section 4:** The “Land Use Framework” Section provides the uses permitted in the various designations in the Town, and the related land use and built form policies.
- Section 5:** The “**Infrastructure**” Section provides policies regarding networks, corridors and facilities that can be generally described as physical **infrastructure**. This Section discusses the water and wastewater systems, the transportation networks, as well as other networks, corridors and facilities that help define the Town’s physical structure.
- Section 6:** The “Implementing the Plan” Section describes the mechanisms and processes to implement the policies of the Plan.

Section 7: The “Terms Used in this Plan” Section provides a number of definitions for words used in the Plan that may require further clarification.

The Plan also includes Schedules that are described in the policies and enhance an understanding of the Plan as follows:

Schedule A: Land Use Structure

Schedule B1: Policy Overlays

Schedule B2: Source Protection Policy Overlays

Schedule C: Transportation Network

1.7 HOW TO READ & INTERPRET THE PLAN

The Town of Penetanguishene’s Council and Town staff will be responsible for the interpretation of all aspects of the OP. Policies may also reference specific issues of significance to the Province or the County of Simcoe. As the Sections of the Plan are interrelated, the Plan shall be read and interpreted in its entirety. The following shall be the policy of the Town in relation to the interpretation of this Official Plan:

1. The Official Plan for the Town of Penetanguishene is comprised of Sections 1 to 7 and Schedules A-C inclusive. This Plan shall be read as a whole to understand its intent as a policy guide for priority setting and decision making.
2. This Plan is intended to serve as public policy for the planning and **development** of the Town and shall be interpreted on that basis.
3. All numbers and quantities shown in this Plan shall be considered to be approximate. Technical revisions to this Plan are permitted without amendments to this Plan provided they do not change the intent of the Plan.

Technical amendments include:

- a. Changing the numbering, cross-referencing and arrangement of the text, tables, schedules and maps;
 - b. Altering punctuation or language for consistency;
 - c. Correcting grammatical, dimensional and boundary, mathematical or typographical errors; and
 - d. Adding technical information to maps or schedules.
4. An amendment to this Official Plan shall be required where a policy, designation, schedule or principle is added, deleted or significantly altered.
 5. The boundaries of the land use designations on Schedule A shall be considered approximate, except where they coincide with roads, **lot** and concession lines, or other definitive features. The boundaries of the land use designations shall be interpreted by the Town. Actual measured distances and boundaries shall be determined based on the schedules of the Zoning By-law.



6. Where the general intent of this Plan is maintained, minor boundary adjustments shall not require an amendment.
7. The boundaries of the Environmental Protection Overlay identified on Schedule B1, which includes **Natural Heritage Features and Areas**, may be further refined through an **Environmental Impact Study (EIS)**. Where the general intent of the Plan is maintained, and subject to consultation with the County, minor adjustments to Environmental Protection Overlay boundaries shall not necessitate an amendment to this Plan.
8. References to “approval authority”, “agency having jurisdiction”, or “Province”, or any combinations thereof, in this Plan are meant to include the relevant Provincial ministry(s), or other authorities like the County of Simcoe, that are responsible for the referenced policy matter.
9. Any modifications or revisions to street names, or other names in this Plan, including the Schedules, shall not require an amendment to this Plan.
10. In the case of a discrepancy between the policies in the text and related schedule, the policies in the text shall take precedence.
11. In the case of a perceived discrepancy between the policies, the more restrictive policy, as determined by the Town, shall apply.
12. Permitted uses included in this Plan are intended to illustrate the range of activities in each respective land use designation rather than a complete list of uses. Specific uses shall be defined in the implementing Comprehensive Zoning By-law.
13. Terms and words used in this Plan shall be interpreted as defined in Section 7 of this Plan. However, the definitions in this Plan may go beyond minimum standards, or be more restrictive, than those established in any Provincial Plan or Policy Statement.
14. Municipal buildings, activities, services and public and private **utilities** shall be permitted in any land use designation, save and except in **Natural Heritage Features and Areas**. This shall be deemed to include activities and services provided under the *Municipal Act* or any other legislation.
15. Where any Act or portion thereof is referenced in this Plan, it is intended that such references should be interpreted to include any subsequent legislation that may amend or replace the specific statute.
16. Where any guideline, manual, or portion thereof, is referenced in this Plan, it is intended that such references should be interpreted to include any subsequent guideline or manual that may amend or replace the referenced document.
17. The effect of this Plan is such that no municipal public works shall be undertaken, and no municipal by-law passed for any purpose, that does not conform to and comply with this Plan.
18. The implementation of this Plan will take place over time and the use of words such as “shall”, “will” or “must” should not be construed as the Town’s commitment to proceed with all of the undertakings in this Plan immediately. These undertakings will typically occur in a phased manner, subject to budgeting and program availability.

19. Public works undertaken by all other levels of government or public agencies, including the Government of Canada and the Province of Ontario, shall also be required to conform to this Plan, except where exempted under specific Federal or Provincial legislation.
20. The references to “the Town” in this Plan shall mean the Corporation of the Town of Penetanguishene, a lower-tier municipality in the County of Simcoe, within the Province of Ontario, to which this Plan applies.





MANAGING GROWTH

2

Page intentionally left blank

2. MANAGING GROWTH

The Town is identified as a Primary **Settlement Area** by the County of Simcoe as identified on Schedule 8 of the Growth Plan. Primary **Settlement Areas** in the County are intended to accommodate **significant** growth to 2031. As a Primary **Settlement Area**, the opportunity exists to enhance the Town as a destination, while encouraging the **development** of a complete, **mixed use** community. This Plan identifies strategic growth areas, while ensuring the **development** of high quality urban form and public spaces. Growth in the Town will be managed by focusing and promoting growth within the **Delineated Built Boundary**. These lands will accommodate the Town's 2031 population allocation and are sufficient to ensure an appropriate supply of land for employment and residential growth.

The Town will focus growth to accommodate a wide range of land uses and opportunities for **intensification, infill and redevelopment**. This will ensure the optimization of existing **infrastructure**, help protect the Town's natural heritage, and promote a compact and complete community. Schedule A and the related policies identify the fundamental land use structure of the Town and provide guidance for long-term growth over the planning horizon to the year 2031.

2.1 GROWTH PROJECTIONS

The Town's population, household, and employment growth projections are based on the 2019 Growth Plan and further detailed in the Growth Management and Land Needs Report within the 2031 planning horizon. As a result, the Town should plan for a population of approximately 11,000 residents, with approximately 6,000 jobs in 2031.

Further, **development** in the Town on **Designated Greenfield Areas** will be planned to achieve a minimum density target of 50 residents and jobs combined per hectare. With respect to **intensification**, the Town of Penetanguishene must also plan to achieve a target of 40% of all new residential units (occurring annually) to be developed within the **Delineated Built Boundary** in accordance with the policies of Section 2.2..

It is a policy of the Town that:

1. The population, household and employment projections in this Section shall form the basis for planning and growth management activities, in particular the establishment of land needs to accommodate growth.
2. The projections are partially dependent on factors outside of the Town's control. Consequently, the Town's planning and growth management activities shall ensure flexibility to accommodate growth, while avoiding inefficient and costly **development** patterns.
3. The Town shall monitor the population and employment forecasts on an on-going basis in accordance with the policies of Section 6.2 of this Plan.



4. The Town shall continue to participate in the land budgeting exercise with the County of Simcoe.

2.2 STRATEGIC GROWTH AREAS

The County of Simcoe identifies an **intensification** target for the Town of Penetanguishene of 40% of all new residential **development** occurring annually within the Town's **Delineated Built Boundary**. **Strategic growth areas** are identified as lands within the Downtown and Waterfront Area, lands within a Mixed-use and Commercial Area, as well as lands that are generally serviced by transit or located along Major Roads.

Small scale residential **infill**, which is compatible with its surrounding context, will be considered a vital component of the Town's strategy for managing strategic growth areas. **Infill** will be guided by the policies contained within Section 3.1 to ensure compatibility an appropriate urban design.

Intensification will optimize the use of land and **infrastructure** and result in a sustainable, higher density, **mixed use** community. Further, **intensification** will help diversify the existing housing stock and provide employment opportunities within close proximity to where people live. Higher densities will also encourage and make transit use more financially feasible by providing a critical mass of residents in an around transit stations and areas serviced by transit. **Intensification** also provides an opportunity to diversify the housing stock by encouraging a mix of dwelling types including townhouses of apartments.

It is a policy of the Town that:

1. The Town shall monitor the level of residential **development** within the **Delineated Built Boundary**, and the number of new units created that represent residential **intensification**. The Town shall target that 40 percent of all new residential units created annually shall be through **intensification**.
2. Residential **intensification** within the **Delineated Built Boundary** will be accommodated while minimizing **negative impacts** on established Neighbourhood Areas.
3. Residential **intensification** within the **Delineated Built Boundary** that represents high density **development** in Neighbourhood Areas will be directed to Major Roads provided impacts on adjacent residential uses are minimized.
4. Employment **intensification** will be accommodated on fully serviced employment lands within the **Delineated Built Boundary**.
5. The majority of residential **intensification** will be directed to the Downtown and Waterfront Areas, Mixed-use Commercial Areas, and Future Study Areas as identified on Schedules A and B1, and along Major Roads as identified on Schedule C.
6. **Small-scale** residential **infill development**, which is compatible with adjacent uses, will be directed within Neighbourhood Areas, in accordance with Section 3.1.

7. Where **significant intensification** is proposed, it is appropriate to the area within which it is located, through the preparation of area studies to determine appropriate built form of **development**, height and density and the appropriate mix of uses, and relationship to the surrounding community form and function.
8. High quality urban and sustainable **development** practices is encouraged, while promoting innovative green energy, building and **infrastructure** technologies and practices.
9. The Town, in consultation with the County, will monitor the number of units built annually within the **Delineated Built Boundary**, as shown on Schedule A, to ensure conformity with the requirements of the Growth Plan.
10. Residential **intensification** may include any of the following:
 - a. **Small-scale intensification** through modifications to an existing dwelling to include a second unit or construction of a new building containing one or two units;
 - b. **infill development** and residential **development** of vacant land or underutilized land in the **Delineated Built Boundary**; and/or
 - c. **redevelopment** which includes either the replacement of existing residential uses with compatible new residential **developments** at a greater density or the replacement of non-residential uses with compatible residential or **mixed use development** with a residential component.
11. The level and extent of **intensification will be** monitored on an annual basis regarding the percentage of residential growth through **infill, intensification** and **redevelopment** within the **Delineated Built Boundary**. While the majority of the growth in the Town will be accommodated through **intensification, infill** and **redevelopment**, this must be closely monitored, in accordance with the policies of Section 2.2 and 3.1, to ensure the type and scale of **development** is appropriate and the effects of **intensification** have been mitigated including, but not limited to, consideration of transitional densities, built form, and land uses.
12. The Town shall consider applications for **infill development, intensification** and **redevelopment** of sites and buildings based on the following criteria:
 - a. the proposed **development** lands are appropriately suited for **intensification** based on the determination that the type and scale of **development** is appropriate and the effects of **intensification** have been mitigated including, but not limited to, consideration of transitional densities, built form, and land uses;
 - b. the existing water, sanitary sewer services, and stormwater management facilities can accommodate the additional **development**;
 - c. the road network can accommodate the traffic generated;
 - d. the proposed **development** is consistent with the policies of the appropriate land use designation associated with the land;
 - e. the proposal respects and reinforces the existing physical **character** of the buildings, **streetscapes** and open space areas;
 - f. the proposal is compatible with the surrounding **development**;



- g. the proposal provides heights, massing and scale appropriate to the site and compatible with **adjacent lands**;
 - h. the proposal provides adequate privacy, sunlight and sky views for existing and new residents;
 - i. the proposal screens loading and service areas; and
 - j. the proposal complies to the appropriate urban design and built form policies of this Plan.
13. The Town shall ensure that a proposal representing residential **intensification** can be satisfactorily integrated with the physical characteristics of residential and commercial areas and proper health and safety standards are maintained. Land use compatibility and urban design assessments may be required as a component of the planning rationale report accompanying **development applications**, as outlined under Section 6.3.13 of this Plan.
 14. The Town shall support appropriate urban residential **infill** and **intensification** proposals in Community Improvement Project Areas, where designated, provided the proposal conforms to the policies of this Plan and the applicable Community Improvement Plan.

2.3 DESIGNATED GREENFIELD AREAS

In addition to **intensification**, a primary focus of growth in the Town is for new **development** of existing **Designated Greenfield Areas**. **Designated Greenfield Areas** represent underutilized or undeveloped land outside of the Town's **Delineated Built Boundary** that can accommodate future growth. These areas face a number of unique challenges such as scale of **development**, phasing, compatibility, servicing and environmental sensitivity. However, these areas provide a significant **development** potential that should be evaluated and regulated.

The Town's **Designated Greenfield Areas** are designated for urban uses outside of the **Delineated Built Boundary**. These lands are intended to support compact and efficient land use patterns and will be planned to achieve minimum density targets of 50 units and jobs per hectare.

It is a policy of the Town that:

1. The Town will endeavour to achieve the minimum density target of 50 people and jobs combined per hectare across **Designated Greenfield Areas**.
2. **Development** within Future Study Areas identified on Schedule B1 shall accommodate, on average, 50 residents and jobs per hectare.
3. The Town will continue to maintain a housing supply of 3 years in registered and draft approved plans of subdivision, condominium plans and/or site plans, which will be monitored on an annual basis.
4. The timing of the phasing of future growth in **Designated Greenfield Areas** does not adversely affect the achievement of the town's **intensification** targets.
5. The existing **infrastructure** and servicing in **Designated Greenfield Areas** be provided in a financially and environmentally sustainable manner to

accommodate any proposed expansion that may be identified in the future through the County's **municipal comprehensive review**.

6. Future **development** should be developed in a manner that respects the surrounding context of existing and planned **infrastructure** and servicing and provides logical transitions to existing **development** within the **Delineated Built Boundary**.





GENERAL POLICIES

3

Page intentionally left blank

3. GENERAL POLICIES

This Section contains the General Policies of this Plan, which are designed to support the Town's overall vision, goals and objectives contained in Section 1. These general policies are intended to support the Town's growth and **development** as a healthy, sustainable and complete community. These policies are intended to be general and apply across the Town.

3.1 COMMUNITY DESIGN AND BUILT FORM

Community Design and Built Form are critical to ensuring safe and attractive neighbourhoods that contribute to the overall health of the Town. Creating a well-designed community includes shaping the appearance, function and relationship of buildings to the street and surroundings, but it also involves shaping the places in between such as public spaces and sidewalks. Ensuring that the Town is well designed requires a holistic, collective approach which considers public and private realm, but also how **streetscapes** and built form interact with the users. Community Design and Built Form is essential for creating a vibrant, pedestrian friendly physical environment where people have the opportunity to interact, live, work, and learn.

The policies of this Section relate to the built form and physical design of communities. This Section will provide a framework and promote the built form and urban design principles that encourage the enhancement of buildings, facades, **streetscapes**, public open spaces and natural areas. Excellence in community design will be promoted through the review of new **development applications** in the Town, including plans of subdivision, **infill development** proposals, site plans and community improvement.

It is a policy of the Town that:

1. The Town shall seek to maintain and improve the physical design characteristics of the Downtown and Waterfront Area by managing how new and existing **development** is undertaken, including stressing excellence in architecture, urban design and built form. The Town may prepare, or require to be prepared in support of a **development** or **redevelopment** application, area-specific urban design guidelines. These guidelines would be prepared to assist in illustrating "**excellence in urban design and/or architecture** and built form" and to establish how the policies of this Plan have been considered and addressed. Such guidelines may also be required to address related issues of residential streetscaping, landscaping, setbacks, signage, garage placement, architectural treatment, and others as the Town may determine appropriate.
2. Through the review of **development applications**, including plans of subdivision, site plans and other **development** proposals, the Town:
 - a. shall promote efficient and cost-effective **development** design patterns that minimize land consumption;

- b. shall ensure that new **development** is designed in keeping with the traditional **character** of the Town in a manner that both preserves the traditional community image and enhances the sense of place within the Town;
 - c. shall promote the improvement of the physical **character**, appearance and safety of the Town in neighbourhoods and throughout the public realm including, but not limited to, **streetscapes**, civic spaces, and **parks**;
 - d. shall encourage tree retention or tree planting and replacement;
 - e. shall encourage design that considers, and wherever possible continues, existing and traditional street patterns and neighbourhood structure; and
 - f. shall ensure that new **development** incorporates Low Impact Design (LID) in accordance with other policies of this Plan, which are applied to minimize runoff at source, including increased pervious cover, disconnection of impervious areas from the storm sewer system, cisterns for collection of roof runoff, grassed swales, green roofs, and bioretention areas.
3. Measures shall be taken to ensure that the permitted uses address compatibility with adjacent land uses. Adequate separation distances, buffering or screening shall be provided between any uses where land use conflicts might be expected, such as the provision of grass strips and appropriate planting of trees and shrubs, berms or fence screening, and other means as appropriate. Modifications to building orientation may also represent appropriate buffering measures.
 4. New **development** shall protect, retain, and where appropriate, create views and vistas to prominent buildings and features including, but not limited to, important public and institutional buildings, the waterfront, natural features, and **cultural heritage resources**.
 5. **Infill developments** shall be compatibly scaled and designed to enhance the **character** of the area.
 6. Streetscaping that reflects the intended **character** of the Town shall be encouraged. In particular, contextually appropriate streetscaping and public realm features shall be required in the Downtown and Waterfront Area.
 7. The Town, in consultation with a **development** proponent(s), shall define a style of street furnishing that should include shared and accessible bicycle racks, garbage and recycling receptacles, benches, and street lamps to be used in a new **development**.
 8. A high quality of **park** and open space design shall be strongly encouraged. The land for parkland dedication shall be carefully selected to facilitate its use as a central focal point for new or existing neighbourhoods.
 9. Public art in the Town shall generally be encouraged to incorporate themes supporting and promoting local history, civic pride, businesses and technology. The provision of public art in the Downtown and Waterfront Area shall be encouraged, particularly with larger **development** proposals. The Town may consider granting increases in height or density for a particular **development**



proposal in exchange for the provision of public art, in accordance with Section 6.3.3.

10. The Town shall promote the integration and accessibility of community uses including schools, municipal facilities, institutional uses, **parks** and open spaces and recreational uses through pedestrian, cycling and trail linkages. The Town shall require the provision of pedestrian, cycling and trail linkages through the **development** approvals process, in accordance with the policies of this Plan.
11. The Town may undertake the preparation of master plans and urban design strategies to achieve the policies of this Section for all or parts of the Town, with a focus on the Downtown and Waterfront Area, and Main Street.
12. The Town shall encourage **development** design that considers the principles of Crime Prevention Through Environmental Design (CPTED). Specifically, the Town shall encourage proponents of new **development** to situate buildings on **lots** to maximize natural surveillance and to use appropriate lighting to deter crime.
13. The Town shall consider locating **utilities** within the public rights-of-way as well as on private property. **Utilities** shall be clustered or grouped where possible to minimize visual impact. The Town encourages **utility** providers to consider innovative methods of containing **utility** services on, or within **streetscape** features such as gateways and lamp posts when determining appropriate locations for large **utility** equipment and **utility** cluster sites.
14. The Town shall review the design and layout of parking areas in accordance with the policies of this Plan.

3.2 COMMUNITY FACILITIES

Community Facilities provide an essential part of creating a sustainable, liveable community. These facilities are intended to provide a network of schools, **parks**, open spaces and **recreation** libraries, places of worship, cultural and heritage facilities and medical facilities to serve the community. They serve the function of meeting the needs of residents, while promoting community pride, enhancing the overall quality of life, and providing essential services to the Town.

The Town plays a **significant** role in planning and providing for Community Facilities, which are intended to be located and function as focal points within the greater community. The Town's Recreation Masterplan (2014) provides a vital source of **parks**, **recreation** and culture for the Town. Community Facilities shall be located within any residential or mixed-use designation, and subject to the provisions of Sections 3.1 and 4 of this Plan.

The Town shall work with community partners to coordinate the delivery of services and facilities, particularly along major Arterial Roads and in key landmark destinations. Existing Community Facilities will be promoted and encouraged as beacons to drive civic pride and promote civic interaction and place-making.

It is a policy of the Town that:

1. Community Facilities shall be permitted within any residential or mixed-use designation, subject to the provisions of Section 3.1 and 4 of this Plan and meeting the requirements of the Zoning By-law.
2. Work in partnership with the County and other public and private facility providers on a continual basis to provide for community facilities by:
 - a. Providing leadership in the planning of community **infrastructure** to contribute to integrated and sustainable communities;
 - b. Facilitating information sharing, education, participation, among **infrastructure** stakeholders; and
 - c. Ensuring flexibility and responsiveness to changes in land use, and capital program delivery models to ensure sufficient community facilities to service the Town.
3. Provide adequate buffering between community facility uses and adjoining residential uses in accordance with Section 4.2.2.
4. Develop innovative and new approaches to the provision of community facilities including:
 - a. Alternative funding mechanisms and options for community facilities;
 - b. Including flexible zone standards and permissions, to allow for responsiveness and adaptability of current community facilities to meet evolving needs;
 - c. Work with stakeholders, developers, and the community to co-locate facilities and services in a centralized location to create a Community Hub;
 - d. Partner with stakeholders, developers and the community; and
 - e. Monitor the implementation and provision of community facilities, services within new **development** proposals to ensure that new institutional community and educational facilities meet the needs of the Town and its diverse residents.

3.2.1 SCHOOLS

It is a policy of the Town that:

1. The proponent of a surplus school site shall be responsible for redeveloping the property in accordance with the requirements of the Town and Section 3.1.
2. The Town will work with School Boards or other educational institutions to establish a wide-range of alternative educational opportunities to support life-long learning and skills **development**, including apprenticeship, co-operative learning and adult education to meet the needs of the Town's population and work force.
3. The provision of social **infrastructure**, such as daycare facilities, shall be encouraged within larger **development** proposals. The Town may facilitate the provision of social **infrastructure** through bonusing policies that allow for increased **development** height and density where a developer provides certain social **infrastructure** facilities.



3.2.2 PARKS AND OPEN SPACE SYSTEM

The Town's **Parks** and Open Space System includes the playgrounds, **parks**, sports fields, and other public open spaces that provide residents with access to **recreation**, events/programming, greenspace and nature. Spaces used for gathering that are open to the public play an equally important role in defining the public realm. The Town's residents need opportunities for passive and active enjoyment of the outdoors throughout the day and night and during all times of the year. These places provide a degree of sociability by establishing places where civic engagement can take place, where people can gather and meet and which support community social connectivity.

It is a policy of the Town that:

1. **Parks** and Open Spaces shall be generally permitted in any land use designation. Larger, more complex and significant **Parks** and Open Spaces, shall be recognized as a "Major Open Space Area", as identified on Schedule A.
2. The Town will endeavour to undertake a Parks Plan to help guide and evaluate current and future open space needs as well as to identify priority areas in the Town.
3. The Town shall secure the maximum benefit of the *Planning Act* with respect to parkland dedication from **development**. Parkland dedication shall be conducted in accordance with Section 6.3.11.2 of this Plan. The Town will determine the classification of **Park** to be provided based on the overall size of the lands to be dedicated and the Town's needs.
4. There are four different classifications of **parks** including Community Parks, **Neighbourhood Parks**, Parkettes, and Pocket Parks. The design of these spaces shall work seamlessly between the public and private realms, be developed based on input from the public and other providers of **parks** and open spaces such as school boards, and function as an extension of both as they transition to the other.
 - a. **Community Parks** service a group of neighbourhoods, providing a range of recreational opportunities, should be well connected to the larger community, and often contribute to the Town's **Natural Heritage System**. They may range in size and types of facilities offered, and serve as a focal point within the community. Active and passive recreational opportunities such as sports playing fields, tennis courts, skateboard **parks** and shelters are typically provided in Community Parks. These **parks** range from over 3 hectares to 10 hectares. In the Town, they are generally located along the waterfront or in key strategic locations and contribute to the Town's **Natural Heritage System**. Should any new Community Parks be proposed, they should incorporate any Natural Heritage Features that may exist and should include ample pedestrian access and forms of **active transportation**. These **Parks** will be designed by the Town and constructed by the proponent of **development**.
 - b. **Neighbourhood Parks** consist of open space and soft landscaping and include more active uses such as fields and playgrounds, but may also

include passive uses such as walking, or wildlife observation.

Neighbourhood Parks serve as the focal point of a neighbourhood, provide active and passive **recreation** opportunities, and offer a local gathering space within walking distance of local residents and neighbourhood commercial activities. **Neighbourhood Parks** should generally be located along local roads and linked to the Town's greenspace network, or adjacent to other open space lands such as valleys or forests. These **parks** are typically over 1 hectare in size and provide a range of passive and recreational uses. These **parks** will be designed and constructed by the proponent of **development**.

- c. Parkettes (or tot lots) are small **parks** that are located within short walking distances of residents, usually within 400m or a 5-minute walk. They provide central green spaces as well as social gathering places within neighbourhoods. These **parks** typically offer predominantly passive **recreation** and provide potential locations for mail and local information kiosks. They can also offer minor active **recreation** opportunities within a local residential or mixed-use neighbourhood. Parkettes can improve connectivity within neighbourhoods, provide interesting focal points, enhance built form and contribute to community **character**, providing a place for residents to interact, children to play and social events to occur. Parkettes shall be 0.5 hectare to 1 hectare in size. In a more urban environment, these **parks** may take on a different texture such as hard landscaped plazas, with landscaping that can address increased pedestrian use and relate to more urban built form. These **parks** will be designed and constructed by the proponent of **development**.
 - d. A Pocket Park is a small **park** accessible to the general public. These **parks** are typically created on a small or irregular piece of land and are most common in urban contexts such as the Downtown and Waterfront Area. Although they are too small for physical activities, pocket parks provide greenery, a place to sit outdoors or act as a general meeting place for residents, and may include children's playground facilities. They can also contribute to place making by being located around a monument, a historic marker or public art project. Pocket parks shall be less than 0.4 hectares in size. These **parks** will be designed and constructed by the proponent of **development**.
5. The Town shall promote appropriate recreational **development** in Community and **Neighbourhood Parks** that provide opportunities for active, passive and programmed community **recreation** and leisure, and that contribute to the preservation and protection of open space and the **natural environment**. However, additional opportunities may exist in other areas or classifications of **parks**.
 6. The Town shall work cooperatively with various government ministries, resource agencies, and non-governmental authorities to promote natural resource-based recreational opportunities.



7. In areas suitable for **recreation**, public open space shall be encouraged in the waterfront area. The recreational resources of the waterfront area shall be protected and enhanced. Land in the waterfront area in the ownership of the Town shall be maintained and enhanced for public access to the water's edge and for public access to publicly owned properties.
8. The Town shall encourage private **recreation development** to complement public recreational opportunities, and encourage and support involvement by private **recreation** groups within the area.
9. The Town shall assess the feasibility of acquiring additional private land within the waterfront area for public **park** or open space uses and maintain its current inventory of parklands.
10. The Town shall promote the provision of pedestrian, cycling and multi-use trail linkages and the integration of recreational and **parks** and open space uses.
11. That the Town will endeavour to work with the County on monitoring and providing input on the Simcoe County Trails Strategy that identifies an overall strategy for a connected network of off-road pathways and trails through natural areas.
12. That the Town will work with the County of Simcoe and other lower-tier governments to identify and implement an inter-regional system of trails that would provide an enhanced level of connectivity.
13. The Town's **parks** shall respond to and support the various recreational needs of the Town.
14. The Town shall undertake programs to acquire new **parks**, improve existing **parks** and facilities and provide public **parks** to meet the needs of the community, as well as to address existing **park** deficiencies.
15. Where **parks** are located adjacent to existing and proposed Neighbourhood Areas, appropriate measures may be taken to minimize potential adverse effects associated with **recreation** activity areas and parking areas.
16. The Town's **parks** and open spaces shall provide accessible venues for a diverse range of both structured and unstructured, active and passive leisure pursuits for children, teens, adults and older persons to pursue activities of personal interest, skills **development**, and volunteering active engagement in community life.
17. The Town's **parks** and open spaces shall provide venues to protect and **conserve** valued natural resources, such as wetlands, waterfronts, and other natural features vital to a healthy and sustainable ecology and **natural environment**, as well as to recognize and sustain valued historical and heritage venues that have contributed to both the community's historical development and identity.
18. **Parks** and open spaces shall provide lands that contribute to the greening and beautification of the Town via both natural and planted materials and venues, and shall create unique identifiers and focal points for the community.
19. **Parks** and open space lands may be provided by conveyance in accordance with the provisions of the *Planning Act* and through other actions by public authorities.

All lands conveyed as part of parkland dedication must be suitable for public recreational uses and acceptable to the Town in accordance with the *Planning Act*.

20. New **development** may be required to incorporate an integrated walkway and bicycle path and trail system, interconnecting residential neighbourhoods, commercial areas, schools, public buildings, and major **recreation** facilities.
21. The retention and expansion of **parks** and open spaces is encouraged subject to the lands ownership, location, and existing conditions. Prior to acquiring new **parks**, the property owner will be required to provide a Record of Site Condition (RSC) to demonstrate that the lands are suitable for use as parkland and open space.
22. Municipal outdoor spaces shall take into account the Simcoe County Positive Aging Strategy.
23. A system of pedestrian and bicycle trails may be developed providing internal circulation within Neighbourhood Areas, as well as to the larger community and the Downtown and Waterfront Area. Trail design elements shall be sympathetic to the surrounding environment.
24. The Town, with support from other agencies and organizations, shall seek opportunities to create linked open spaces through the integration and protection of:
 - a. **Natural Heritage Features and Areas** in public ownership;
 - b. abandoned rail lines in public ownership;
 - c. existing municipal rights-of-way;
 - d. established and proposed service and **utility** corridors;
 - e. existing **park** and open space lands;
 - f. sidewalks and pathways;
 - g. linkages provided through the draft plan of subdivision approvals process;
 - h. agreements with private landowners;
 - i. retention or acquisition of access easements; and
 - j. land acquisition.
25. The Town may establish design principles to accommodate parking at strategic locations along the linked open space system.
26. The Town shall encourage residential, commercial, industrial, and institutional developers to connect with and provide opportunities to expand the trail and **parks** and open space system.
27. When any lands designated as Major Open Space Area are under private ownership, this plan does not intend that these lands will necessarily remain as Open Space indefinitely. This Plan also does not imply that the Open Space Areas are free and open to the public or that such lands will be purchased by the Town of Penetanguishene.



Urban Forestry

28. The treed urban landscape is an integral part of the Town's **green infrastructure**. Properly planned and managed, the treed urban landscape provides **significant** ecological, social, and economic benefits, including but not limited to; improved air and water quality; reduced erosion and storm water runoff; energy **conservation**; improved health; enhanced liveability; reduced noise; heritage value; and increased property values.
29. The Town shall encourage the planting and preservation of native trees and other hardy non-invasive vegetation throughout the Town.
30. The Town may develop a community-wide Urban Forestry Management Plan with particular attention to protecting the community's stock of existing trees, supporting the growth of new trees, and expanding the Town's tree canopy.

Public Trees

31. Public Trees shall be deemed to be those trees located on Town-owned or County-owned lands.
32. The Town shall establish and maintain an inventory of Town trees. Any inventory prepared by the County on County Forests shall be shared with the Town for information purposes.
33. The Town shall manage and enlarge the inventory of Town trees as opportunity and budget permits. Where County Forests may be expanded, the County shall engage with the Town as early as possible.
34. The Town shall maintain the "Commemorative Tree Planting Program" as opportunity and budget permits.

Private Trees-Existing Lots

35. The Town shall encourage good stewardship of urban trees through management and further planting of trees on private lands and shall consider participation in private, Provincial and Federal tree planting programs as they become available.

Public Trees / Private Trees-New Development

36. The Town shall ensure that tree preservation plans, including replacement plans for those trees which cannot be saved, are integrated into site layout and design plans during the approvals review process.
37. The Town shall maintain a list of acceptable native trees.
38. The Town shall require that all new **developments** provide a robust plan for the planting of trees.

3.3 COMMUNITY IMPROVEMENT

The Community Improvement provisions of the *Planning Act* give the Town a range of tools to proactively stimulate community improvement, rehabilitation and revitalization. In designated Community Improvement Project Areas, the preparation

of Community Improvement Plans shall provide the Town of Penetanguishene with various powers to maintain and promote attractive and safe living and working environments through community improvement. This includes the authority to offer incentives to stimulate or leverage private and/or public sector investment.

It is a policy of the Town that:

1. Community improvement shall be accomplished through the:
 - a. ongoing maintenance, rehabilitation, **redevelopment** and upgrading of areas characterized by deficient/obsolete/deteriorated buildings and social, community or recreational services, land use conflicts, deficient municipal hard services, or economic instability;
 - b. establishment of programs to encourage private sector **redevelopment** and rehabilitation that addresses identified economic development, land development, environmental, housing, and/or social development issues/needs;
 - c. designation by by-law of Community Improvement Project Areas, the boundaries of which may be the entire Town, or any part of the Town;
 - d. preparation, adoption and implementation of Community Improvement Plans, pursuant to the *Planning Act*; and
 - e. designation of the entire Town as a Community Improvement Area.
2. The designation of Community Improvement Project Areas shall be based on one or more of the following conditions being present:
 - a. buildings, building facades, and/or property, including buildings, structures and lands of cultural heritage value or interest, in need of preservation, restoration, repair, rehabilitation, or **redevelopment**;
 - b. **brownfield** or derelict properties in need of remediation and **redevelopment**;
 - c. non-conforming, conflicting, encroaching or incompatible land uses or activities;
 - d. deficiencies in physical **infrastructure** including, but not limited to, the sanitary sewer system, storm sewer system, and/or watermain system, roads, parking and transit facilities, sidewalks, curbs, **streetscapes**, and/or street lighting;
 - e. poor road access and/or traffic circulation;
 - f. deficiencies in community and social services including, but not limited to, public open space, municipal **parks**, **neighbourhood parks**, indoor/outdoor recreational facilities, and public social facilities;
 - g. inadequate mix of housing types;
 - h. known or perceived environmental contamination;
 - i. poor overall visual quality, including but not limited to, **streetscapes** and urban design;
 - j. high commercial vacancy rates;



- k. shortage of land to accommodate widening of existing rights-of-ways, building expansions, parking and/or loading facilities;
 - l. other **barriers** to the repair, rehabilitation or **redevelopment** of underutilized land and/or buildings;
 - m. any other environmental, social or community economic development reasons.
3. Community Improvement Plans may be prepared and adopted to:
- a. encourage the remediation and **redevelopment** of **brownfield** or derelict properties and/or buildings;
 - b. encourage the renovation, repair, rehabilitation, remediation, **redevelopment** or other improvement of lands and/or buildings;
 - c. encourage residential and other types of **infill** and **intensification**;
 - d. upgrade and improve municipal services and public **utilities** such as sanitary sewers, storm sewers, watermains, roads and sidewalks;
 - e. encourage the preservation, restoration, **adaptive reuse** and improvement of **significant** buildings with a cultural heritage value or interest;
 - f. encourage the construction of a range of housing types and the construction of **affordable** housing;
 - g. improve traffic circulation within the Community Improvement Project Areas;
 - h. encourage off-street parking and provide municipal parking facilities where feasible and appropriate;
 - i. promote the ongoing viability and revitalization of the Downtown and Waterfront Area as the focus of pedestrian-oriented retail, civic, cultural, entertainment and government uses;
 - j. promote sustainable **development** and energy efficiency;
 - k. improve environmental conditions;
 - l. improve social conditions;
 - m. promote cultural **development**;
 - n. facilitate and promote community economic development; and
 - o. improve community quality, safety and stability.
4. Priority for the designation of Community Improvement Project Areas and the preparation and adoption of Community Improvement Plans shall be given to those areas where:
- a. the greatest number of conditions (as established in Section 3.3) are present; and/or
 - b. one or more of the conditions (as established in Section 3.3) are particularly acute; and/or
 - c. one or more of the conditions (as established in Section 3.3) exist across the Town.

5. In order to implement Community Improvement Plans within designated Community Improvement Project Areas, the Town may undertake a range of actions, including:
 - a. the municipal acquisition of land and/or buildings within Community Improvement Project Areas, and the subsequent:
 - i. clearance, grading, or environmental remediation of these properties;
 - ii. repair, rehabilitation, construction or improvement of these properties;
 - iii. sale, lease, or other disposition of these properties to any person or governmental authority; and
 - iv. other preparation of land or buildings for community improvement.
 - b. provision of public funds such as grants, loans and other financial instruments;
 - c. application for financial assistance from senior level government programs;
 - d. participation in any senior level government programs that provide assistance to private landowners for the purposes of community improvement;
 - e. provision of information on municipal initiatives, financial assistance programs, and other government assistance programs; and
 - f. supporting heritage **conservation** through the *Ontario Heritage Act*.
6. All **developments** participating in programs and activities contained within Community Improvement Plans shall conform with the policies contained in this Plan, the Zoning-By-law, Property Standards By-laws, and all other related municipal policies and by-laws.
7. The Town shall be satisfied that its participation in community improvement activities will be within the financial capabilities of the Town.

3.4 CULTURAL HERITAGE RESOURCES

Cultural heritage resources are an important component of the Town's history and community identity and shall be preserved and enhanced. The Town's **cultural heritage resources** may include: buildings, structures, monuments or artifacts,, areas of unique or rare settlement composition, **streetscape**, landscape, or archaeological resources that have been determined to have cultural heritage value or interest. It is the intent of the Town to support the **conservation** of these **cultural heritage resources** for the benefit of the community.

The Town supports public awareness, participation and involvement with Indigenous Communities in the preservation, restoration and utilization of **heritage resources**, through the implementation of the following policies.



3.4.1 ARCHAEOLOGICAL RESOURCES

The Town recognizes that there may be archaeological remains of pre-contact, Indigenous Communities, and historic habitation, or areas containing archaeological potential within the Town.

It is a policy of the Town that:

1. Areas of archaeological potential shall be determined through the use of Provincial or County screening criteria, or archaeological potential mapping as may be developed by the County or Town through an Archaeological Management Plan developed by a licensed archaeologist.
2. For a proposed **development** within an area of archaeological potential, an archaeological assessment, prepared by a licensed archaeologist, shall be required prior to final planning approval. Indigenous Communities shall be consulted on archaeological assessment reports prepared by licensed archaeologists and shall be in compliance with guidelines set out by the Province, as well as licensing requirements developed under the *Ontario Heritage Act*.
3. Where **archaeological resources** are identified, the Town recognizes that there may be a need for archaeological preservation on site or rescue excavation of **significant archaeological resources** as a result of **development** proposals. The Town may consider archaeological preservation on site, in consultation with Indigenous Communities and a licensed archaeologist, to ensure that the integrity of the resource is maintained. The Town may also maintain the integrity of **archaeological resources** by enacting a Zoning By-law, under Section 34(1) 3.3 of the *Planning Act* to prohibit incompatible land uses and/or the erection of buildings or structures on land that is a site of a **significant archaeological resource**.
4. The Town, on the advice of the Province or County, may undertake the preparation of an Archaeological Management Plan for all or a portion of the Town. The Plan will identify and map known archaeological sites registered with the Provincial Archaeological Sites Database, as well as areas within the Town having archaeological potential. The Management Plan may also outline policies, programs and strategies to protect **significant** archaeological sites.
5. The Town shall ensure adequate archaeological assessment and consult Indigenous Communities and appropriate government agencies, including the Province, when an identified, marked or unmarked cemetery is impacted by **development**. The provisions of the *Ontario Heritage Act* and the *Funeral, Burial and Cremation Services Act* shall apply.

3.4.2 MARINE ARCHAEOLOGICAL RESOURCES

The Town recognizes that there may be marine archaeological remains from the pre-contact period through to the modern era up to the last 50 years. These marine **archaeological resources** may include the remains of Indigenous Communities and other explorers, colonists, and Indigenous peoples' ships, boats, vessels, artifacts

from the contents of boats and belongings of crew or passengers, weaponry, parts of ship construction, old piers, docks, wharfs, fords, fishing traps, dwellings, aircraft, and other items of cultural heritage value. The remains may currently be, or at one time, submerged under water.

It is a policy of the Town that:

1. In considering applications for waterfront **development**, the Town shall ensure that **cultural heritage resources**, both on shore and in the water, within the Town's jurisdiction are not adversely affected. When necessary, the Town shall require appropriate archaeological assessments (land and/or marine) and satisfactory measures to mitigate any **negative impacts** on **significant cultural heritage resources**. The Town shall consult with Indigenous Communities, the Province and other appropriate agencies to determine the requirement for archaeological assessments for **development applications** that may impact **archaeological resources** outside of municipal jurisdiction.

3.4.3 CULTURAL HERITAGE LANDSCAPES AND BUILT HERITAGE RESOURCES

It is a policy of the Town that:

1. The Town shall encourage the identification, preservation, management, and use of **significant built heritage resources** and **cultural heritage landscapes** and may use the *Ontario Heritage Act* to do so.
2. The Town may choose to designate certain properties under Part IV or districts under Part V of the *Ontario Heritage Act*.
3. The Town may use any government programs available to assist in the implementation of heritage **conservation** policies. Where appropriate, the Town shall co-operate with Indigenous Communities and other levels of government, as well as private agencies and individuals in the **conservation** of **cultural heritage resources** in the Town. The Town shall co-ordinate its heritage plans and programs with heritage plans and programs of other levels of government and Indigenous Communities.
4. The Town may support an owner of a property designated under the *Ontario Heritage Act* through tax reliefs and/or programs to supplement the cost of maintenance, preservation, restoration or alteration of such designated property, on such terms and conditions as Council or Committee may prescribe.
5. The Town may restore, **rehabilitate**, enhance and maintain heritage properties owned by the Town in fulfillment of the heritage policies. Where feasible, relevant by-laws, programs and public works undertaken by the Town should further the heritage policies of this Plan.
6. The Town will work to prevent the demolition, destruction, or inappropriate alteration or use of **heritage resources** and encourage the **adaptive reuse** and an investigation of the potential of repurposing of the heritage properties prior to entertaining the demolition of any building or structure.



7. The Town shall seek the acquisition of easements on properties with heritage significance in order to ensure the preservation of these properties in perpetuity.
8. The Town shall ensure that each Town-owned heritage resource which is sold, transferred or leased to another owner or lessee is subject to a heritage easement agreement which will guarantee its preservation and maintenance, and which shall be used in a manner that respects its heritage significance. When appropriate, the Town may require a heritage restoration agreement which shall require that certain restoration works be undertaken by the new owner or lessee to a standard acceptable to the Town.
9. The Town may prepare and maintain a cultural heritage database and/or heritage management plans for planning purposes, resulting in inventories of **significant** heritage buildings, heritage districts, and **cultural heritage landscapes** within the Town.
10. The Town shall maintain a list of properties worthy of designating under the *Ontario Heritage Act* and endeavour to have these properties designated. Signage shall be erected to indicate that a property is a designated heritage property.
11. The Town may undertake a cultural heritage master plan which may address matters such as:
 - a. **cultural heritage resource** mapping and inventories;
 - b. identification and evaluation of **cultural heritage resources**, cultural facilities and organizations;
 - c. strategies for conserving and enhancing these identified resources;
 - d. programs to foster interpretation and promotion; and
 - e. education and public participation in cultural heritage **conservation**.
12. To ensure that heritage properties remain in their context, the relocation of heritage buildings or structures is discouraged.
13. The preservation of cultural landscapes in the Town, such as hedgerows, stone fences or tree lines shall be encouraged.

3.4.4 HERITAGE COMMITTEE

The Town's Heritage Committee operates pursuant to the *Ontario Heritage Act* to advise and assist Council on matters related to the Act and other matters of heritage **conservation**. Additionally, Council may elect to expand the role of the Heritage Committee to advise and assist Council on other matters of cultural heritage **conservation**.

It is a policy of the Town that:

1. The Heritage Committee prepare and monitor an inventory of **heritage resources** within the Town, and generally advise on heritage matters. The Town will consult its Heritage Committee on decisions to designate a property under Part IV of the *Ontario Heritage Act*.

2. The Heritage Committee is responsible for monitoring properties on the municipal registry and recommending new properties to be added to the register. The following criteria may be used in determining the value or interest of **heritage resources** included, or proposed to be included in the inventory:
 - a. The property has design value or physical value because it
 - i. is a rare, unique, representative or early example of a style, type, expression, material or construction method;
 - ii. displays a high degree of craftsmanship or artistic merit; or
 - iii. demonstrates a high degree of technical or scientific achievement.
 - b. The property has historical value or associative value because it
 - i. has direct associations with a theme, event, belief, person, activity, organization or institution that is **significant** to a community;
 - ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture; or
 - iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is **significant** to a community.
 - c. The property has contextual value because it
 - i. is important in defining, maintaining or supporting the **character** of an area;
 - ii. is physically, functionally, visually or historically linked to its surroundings; or
 - iii. is a landmark.
3. The Town may also seek the advice of local historical societies and genealogical societies in addressing cultural heritage matters.

3.4.5 DEVELOPMENT POLICIES SPECIFIC TO CULTURAL HERITAGE RESOURCES

It is a policy of the Town that:

1. New **development** and **redevelopment** shall **conserve heritage resources** and shall, wherever feasible, incorporate these resources into any plan that may be prepared for such new **development** or **redevelopment** within the Town.
2. A Heritage Impact Assessment shall be prepared by a qualified professional where proposed **development** and/or **site alteration** may impact a **protected heritage property** or **cultural heritage resource**.
3. The Town shall encourage the **conservation** and protection of **cultural heritage resources** or the mitigation of adverse effects on **cultural heritage resources** through conditions of consent and subdivision approval and agreements. Where potential impacts to known **cultural heritage resources** are considered to be minor, as determined through consultation with Town staff and the Province, and, as needed, a licensed archaeologist, the requirements for a Heritage Impact Assessment or Archaeological Assessment may be waived.



4. In areas considered to have cultural heritage value or interest, the Town shall encourage the preservation of the architectural or historical buildings or sites to be included in proposals for **redevelopment, intensification** or **infill**.
5. The Town may consider amendments to the Zoning By-law, including increased density provisions, which would facilitate the restoration of a historical facility.
6. The Town shall, when appropriate for specific **development** proposals, consider excluding designated **heritage resources** from the parking requirements of the Zoning By-law to facilitate the retention of **heritage resources**.
7. The Town shall ensure that it has accurate and adequate architectural, structural and economic information to determine the feasibility of rehabilitation and reuse when considering demolition applications for designated heritage properties.
8. The Town shall ensure that all **cultural heritage resources** to be demolished or significantly altered are documented for archival purposes with a history, photographic record and measured drawings prior to demolition or alternation and that such documentation will be the responsibility of the applicant in consultation with the Heritage Committee and the Province.
9. The Town shall ensure that **development** and **site alteration** on land adjacent to a designated **heritage resource** is evaluated and that it is demonstrated, through the preparation of a Heritage Impact Assessment conducted by a qualified professional, that the **heritage attributes** of the designated **heritage resource** will be **conserved**. Mitigating measures and/or alternative **development** approaches may be required to **conserve** the **heritage attributes** of the **heritage resource** affected by the adjacent **development** or **site alteration**. Where potential impacts to known **cultural heritage resources** are considered to be minor, as determined through consultation with Town staff and the Province, and, as needed, a licensed archaeologist, the requirements for a Heritage Impact Assessment or Archaeological Assessment may be waived.

3.5 ECONOMIC DEVELOPMENT

The Town has undertaken a **significant** amount of work related to Economic Development, of which include strategies such as workforce development, partnerships, tourism development and downtown revitalization. These initiatives are vital to the development of policy in this Plan and to assist in managing land use decisions and achieve a healthy and prosperous economic future for the Town. These strategies include a Downtown Improvement Area, Downtown Beautification Program, and strategic partnerships such as the Economic Development Corporation of North Simcoe.

Further, the Town has a robust and strong **employment area**, which helps drive employment and economic development opportunities in the Town. The challenge will be to ensuring that the Plan responds to evolving economic conditions by maintaining an appropriate planning framework to accommodate evolving land use needs. The Town encourages economic development in a manner that balances social, cultural, **natural environment** and other initiatives.

This Section of the Plan addresses broad areas and influences of economic activity, including the locations of economic activity, tourism, the Town's waterfront, and retail uses. Furthermore, economic development policies relating to **employment areas**, and retail and services are identified throughout this Plan.

3.5.1 LOCATIONS OF ECONOMIC ACTIVITY

Economic activity takes many forms. However, some forms of economic activity have locational requirements that need to be met in order to provide an optimal environment for economic success. Key strategic properties should also be protected for employment needs beyond the life of the new OP. This Plan focuses specific types of economic activity in the environment best suited to their success.

It is a policy of the Town that:

1. The Town shall promote opportunities for economic activity by adopting different strategies for different parts of the Town in an effort to focus specific economic activities in close proximity to the resources, amenities and forms of existing **development** they require to thrive.
2. Employment uses that generally require **significant** amounts of water, generate **significant** amounts of traffic or wastewater, or for other similar reasons, should be located in proximity to other **heavy industrial** uses or along major roads, and shall be directed to the **Employment Areas** where an appropriate level of municipal services are provided, in accordance with Section 3.5.1. Where lands are not available to accommodate the proposed use, the Town shall work with the proponent to determine an appropriate location for the proposed use.
3. Commercial, retail and major office employment uses shall be encouraged in the Downtown and Waterfront Area and **Mixed Use** and Commercial Area to strengthen the Main Street as the Town's economic corridor.
4. The Town recognizes the importance of employment uses in the Rural Area to the economy, which is permitted to continue provided the impacts on sensitive uses are mitigated, it uses less than 4,500 L/day of water, has **individual on-site sewage services** with a design capacity of less than 10,000 L/day, and it receives Site Plan Approval.
5. The Town shall support the use of Community Improvement Plans to proactively stimulate community improvement, rehabilitation and revitalization of areas in need of improvement.
6. The Town shall support the expansion and **development** of transportation, parking and telecommunications **infrastructure** to increase the locational advantage of existing and proposed business and employment uses.

3.5.2 TOURISM

The Town may prepare a tourism strategy to promote tourism **development**. The Town of Penetanguishene offers a range of tourism assets and opportunities, which includes Georgian Bay, with a focus around the Town Dock and parc Rotary Champlain Wendat Park. Further, the Town has an avid boater, cycling and



snowmobile population which utilize the Town's natural setting for **recreation** activities.

It is a policy of the Town that:

1. The Town may develop a tourism strategy to identify the Town's tourism assets and opportunities to promote and enhance tourism.
2. Tourism uses shall be encouraged in close proximity to areas of natural and recreational amenity, areas of natural, cultural, and built heritage appreciation, community facilities, and the downtown and waterfront areas, where appropriate.
3. The Town may promote the maintenance and improvement of existing tourism and tourist destination-oriented uses in the Town and encourage the establishment of additional tourism opportunities in the form of overnight accommodation facilities, and appropriate entertainment and recreational attractions in the Downtown and Waterfront Area.
4. The Town recognizes and supports the **development** of tourism uses within the waterfront area that will encourage visitor stops, provided such uses do not detract from the principal functions and uses of these areas. Such initiatives may include support for:
 - a. promotion of connected multi-purpose trail systems in parts of the Town with natural amenities;
 - b. tourist-recreational activities associated with the waterfront area and initiatives to enhance the area within the Downtown and Waterfront Area designation;
 - c. new and existing tourism related attractions such as a craft market, artisan market, farmers market, summer theatre and outdoor festivals, particularly if such uses are designed as a campus/cluster of activities and located to encourage interaction with the Downtown and Waterfront Area;
 - d. establishment of Heritage Districts to promote **cultural heritage resources**, particularly in the Downtown and Waterfront Area; and
 - e. **bed and breakfast establishments**, hotels/motels and other similar types of accommodation in accordance with the policies of this Plan.
5. The Town shall support the **development** and promotion of scenic, recreational and educational parkways with well signed and interesting attractions along the waterfront area and throughout the Town that celebrate its cultural and **built heritage resources**.
6. The Town shall encourage the maintenance and improvement of accommodations for tourists, including hotels, motels, **bed and breakfast establishments** and camping facilities.

3.5.3 GREEN ENERGY & GREEN EMPLOYMENT

The Town recognizes the Province's *Green Energy Act*. In an effort to support the Provincial goal to build a green economy, and to achieve local goals and objectives for an economically strong and diverse Penetanguishene, the Town shall support green energy and creation of "green" jobs.

It is a policy of the Town that:

1. The Town shall diversify its local energy supply by encouraging the **development of renewable energy projects**, where feasible, and where they will not cause harm to public health and safety, or the **natural environment**.
2. The Town shall facilitate the **development of renewable energy projects** by participating in the consultation process for proposals. The Town shall ensure that proponents have access to information such as the location of water works, sanitary sewers, and **utilities**.
3. The Town shall aim to attract economic growth by exploring and promoting opportunities for the **development of renewable energy projects** provided they are scaled and compatible with adjacent uses, including but not limited to:
 - a. large-scale energy facilities;
 - b. community-based energy projects involving the Town, local residents, registered charities, not-for-profit groups, and co-ops; and
 - c. individual generating systems as accessory structures.
4. The Town may give priority to **development applications** that incorporate renewable energy components.
5. The Town may explore opportunities to generate its own energy from renewable sources as a revenue generation method, or to power municipally-owned facilities.
6. The Town shall seek and promote financing opportunities for **renewable energy projects**, such as incentive programs.
7. The Town shall contribute to building community support for **renewable energy projects** by encouraging and participating in education and awareness initiatives, and demonstration projects.
8. The Town shall promote innovation in the growth of the local energy and environmental industry sectors.
9. The Town shall encourage and explore opportunities to attract economic growth through the **development** of environmental industries that produce environmental goods and services, including clean or resource-efficient technologies. This may be achieved by exempting or relieving some or all of applicable Development Charges, bonusing under Section 37 of the *Planning Act* based on the environmental benefit that is being proposed.

3.6 ENERGY EFFICIENCY & CONSERVATION

Energy efficiency and **conservation** is an important element of sustainable Town policy. Energy **conservation** reduces the energy consumption and energy demand which reduces the requirements for generation and, depending on the source, impacts on the environment. The reduced energy demand allows for a more sustainable approach to the management of energy use and could provide additional opportunities for local renewable energy production.



By reducing greenhouse gas (GHG) emissions, energy **conservation** is an important part of lessening climate change. Energy **conservation** facilitates the replacement of non-renewable resources with renewable energy. Energy **conservation** is often the most economical solution to energy shortages, and is a more environmentally-kind alternative to increased energy production.

It shall be a policy of the Town that:

1. The Town shall contribute to and promote a culture of **conservation** among all public, private, and community groups and local citizens and aim to reduce energy use in all sectors.
2. The Town may establish sector-specific targets for energy use reductions.
3. In accordance with Section 3.5.3 of this Plan, the Town shall contribute to and show leadership by considering energy **conservation** and efficiency within its municipal culture, decision making, and operations.
4. The Town shall also pursue opportunities to engage, collaborate and partner with local community groups and private businesses to identify and implement goals, programs, and initiatives related to energy **conservation** and efficiency.
5. The Town may prepare a Conservation and Demand Management Plan (as required) in accordance with the *Green Energy Act*.
6. In accordance with the Green Energy and Green Employment policies in Section 3.5.3, the Town shall support the increased availability of cleaner and more efficient sources of energy to all sectors, and shall aim to attract economic growth in the **development of renewable energy projects** and green industries.
7. The Town shall support district energy projects as an efficient method of heating and cooling buildings.
8. The Town shall encourage the design and **development** of neighbourhoods and buildings that **conserve** energy in accordance with Section 3.9.1 of this Plan.
9. The Town shall promote and encourage business and homeowner participation in programs that reward or incentivize investments in energy efficient technologies.

3.7 FUTURE STUDY AREAS

Throughout the Town there are areas and sites identified on Schedule B1 that require special policies, and further study to determine how the lands should be used. Successful implementation of this Plan depends to a large degree on whether its policies can guide local **development** and action in a variety of contexts over the next 20 years. Future Study Areas are proposed to ensure that planning is sensitive to local conditions within a specific area. The Future Study Areas overlay provides an additional layer of policies to help protect certain areas from **development** until supported by future studies. Further, these areas were assessed on the basis of their **development** potential, and significance to the Town.

The Future Study Areas overlay includes interim policy provisions, which will continue to apply until a Secondary Plan, in accordance with Section 6.3.1, is completed and

approved to conform to the provisions of the Official Plan, and any applicable County or Provincial policies, bylaws or regulations. This overlay shall require that a number of studies or phasing requirements be met prior to **development** of these lands. These may include, but are not limited to, detailed Secondary Plan, Official Plan Amendment, Zoning By-law Amendment, and, as determined by the Town, transportation impact assessment, market analysis, urban design guidelines and overall community design plans.

It is a policy of the Town that:

1. The locations of Future Study Areas are illustrated on Schedule B1. The Future Study Areas are intended to permit **existing uses**, while protecting the lands for future **development**. Prior to any **development** occurring, the proponent and/or the Town, as the case may be, shall demonstrate, through a detailed Secondary Plan, the following:
 - a. Coordination between the various land owners;
 - b. Access to Town services and if not, a functional servicing report identifying the preferred means of servicing, in accordance with Section 5.3;
 - c. Access to a road maintained year-round by the Town, and confirmation that any impacts from traffic generated can be mitigated in accordance with Section 5.1;
 - d. Confirmation of the Town's growth management objectives in accordance with Section 2.
 - e. Confirmation that the overall phasing strategy for **development** and associated **infrastructure** is appropriate.
 - f. Confirmation that Natural Heritage Features, Areas or functions, sourcewater, or any other **significant** environmental features identified in this Plan shall not be impacted, in accordance with Section 3.13;
 - g. There is no risk to public health and safety in accordance with Section 3.12;
 - h. A Planning Rationale Report demonstrating that the proposed use of land is appropriate for the subject lands and cannot be located in any other area of the Town, in accordance with the policies of the proposed land use designation; and
 - i. Official Plan and Zoning By-law Amendment that would accompany the Planning Rationale Report redesignating the lands to an alternative land use.

3.8 HOUSING

Housing is an important building block of a healthy, inclusive, and complete community. There are many factors that affect supply and demand in the housing market, and only some of them can be managed by the Town. The Town may influence the location, timing and scale of **development** through the provision of **infrastructure** and the review of residential **development** proposals. It is desirable to have close cooperation between all levels of government and the private sector in



order to provide for sufficient, diverse and **affordable** housing, and a stable residential housing market.

3.8.1 SUPPLY OF HOUSING

Managing the supply of housing is instrumental to encourage an appropriate range of attainable housing in the Town. Increasing the diversity of housing types and tenures, as well as, **affordable** housing options is key to improving the overall quality of life in the Town. Much of the Town's existing supply of housing is comprised of single detached dwellings, with a limited supply of semi-detached and townhouse dwellings. As the Town's demographics evolve, so too will the demand for a varied supply of housing. As such, the Town will endeavour to work with the **development** community increase the availability of other housing products to meet existing and future demands.

It is a policy of the Town that:

1. Based on the population projections in Section 2.1.1, the Town's populations will experience modest growth to 2031 and the need for additional lands designated to accommodate this growth is not necessary within the horizon of this Plan. Under this scenario, the Town has the lands available to accommodate residential growth for a minimum of 10 years through **intensification** and **infill development**, and on lands which are designated and available for residential **development**. Moreover, the Town also has a 3-year land supply for residential units in draft approved and registered plans, or in cases of residential **intensification** and **redevelopment**, land appropriately zoned in the Zoning By-law and available for **development** or **redevelopment**.
2. The Town will work in coordination with the County and proponents to ensure that a full range of housing types and densities are provided to meet the anticipated demand and demographic change. All forms of housing required to meet the social, health and well-being of current and future residents, including those with special needs shall be encouraged.
3. That the Town will negotiate agreements with the public and private sectors to address the provision of **affordable** housing through the draft plan of subdivision and condominium approval process. For example, negotiating a percentage of new subdivisions to accommodate a higher density housing form (semis, towns, and multiples).
4. Encourage the **development** of a full range of unit types and sizes to respond to changes in household composition over time.
5. Support the diversification of the housing stock by encouraging:
 - a. A greater share of townhouse and townhouse units;
 - b. A mix of unit sizes to accommodate both family households and an increasing number of non-family and seasonal **dwelling units**;
 - c. A mix of housing types including laneway housing, secondary **dwelling units, garden suites**, and others types deemed appropriate;

- d. Higher density residential **development** along major arterial roads, and especially above retail and commercial stores in the Downtown and Waterfront Area.

3.8.2 ATTAINABLE & AFFORDABLE HOUSING

The provision of housing that is attainable and **affordable** to low and moderate-income households will be a priority. **Affordable** housing, including both rental and ownership, is a key component of the providing a housing opportunities for current and future residents. Increasing opportunities for **affordable** and attainable housing will improve market accessibility for current and future residents of the Town.

It is a policy of the Town that:

1. The Town work with proponents of **development** to ensure that a minimum of 10% of housing to be developed is **affordable** as defined in this Plan and that an appropriate supply of attainable and **affordable** housing is maintained.
2. The Town shall encourage the provision of **affordable** and attainable housing through:
 - a. supporting increased residential densities in appropriate locations and a full range of housing types, adequate land supply, **redevelopment** and residential **intensification**, where practical;
 - b. providing **infrastructure** in a timely manner;
 - c. supporting the reduction of housing costs by streamlining the **development** approvals process;
 - d. negotiating agreements with the public and private sectors to address the provision of affordably-priced housing through the draft plan of subdivision and condominium approval process;
 - e. considering innovative and alternative residential **development** standards that facilitate **affordable** housing and more compact **development** form; and
 - f. consider developing a Municipal Housing Strategy with annual housing targets, mixes of housing types, affordability thresholds and related data.
3. The Town may adopt a Municipal Housing Facilities By-law to develop subsidized housing under the *Municipal Act* and may be classified as a Community Facility in accordance with the policies of this Plan. In an effort to facilitate **affordable** housing the Town may:
 - a. enter into capital facility agreements and/or partnerships with both private and non-profit organizations for **affordable** housing; and
 - b. use available grants and loans, including tax-equivalent grants or loans to encourage the construction of **affordable** housing.
4. The Town shall encourage innovative and appropriate housing **development** that exhibits design and adaptability characteristics, and may represent non-traditional additions to the Town's housing stock.



5. The Town shall actively discourage the conversion of **affordable** rental housing stock to a condominium if such conversion results in a reduction in the amount of rental housing available to an unacceptable level and the Town's vacancy rate is below 3%. However, regardless of the current vacancy rate, a conversion shall be considered provided the following conditions have been met:
 - a. 75% of the existing tenants in a **development**, which is proposed to be converted, have signed an agreement to purchase their units.
 - b. when an application has been made for condominium approval, all tenants shall be given notice by the developer, by registered mail, that the **development** is being considered for condominium approval. All existing tenants are to be given first right to purchase their units at a price no higher than that price for which the units are offered to the general public.
 - c. the proposed condominium **development** is inspected, at the expense of the developer, by a qualified professional engineer licensed in Ontario, and a report is submitted to the Town, describing the condition of the building and listing any repairs and improvements required to ensure that it complies with all applicable Provincial and Municipal regulations. These repairs and improvements shall be made a condition of draft approval.
 - d. Parkland is dedicated, in accordance with Section 6.3.11.2, where no parkland was previously dedicated at the time of construction.
6. The Town shall encourage that different forms of **affordable** housing be considered when opportunities for **redevelopment** become available. This includes the **redevelopment** of existing single-use and underutilized areas with full municipal services, such as shopping plazas, business and employment sites and older commercial and Neighbourhood Areas, especially where the land is in close proximity to population-related services. Special attention will be given to the design of buildings, the landscaping treatment and features of the site to ensure that the proposed **redevelopment** is physically compatible with the adjacent uses.
7. The Town may consider preparing an Affordable Housing Strategy to examine opportunities for more **affordable** housing to be provided in the Downtown and Waterfront Area and in other areas of the Town as determined by Council.
8. The Town shall develop zoning provisions that are sufficiently flexible to permit a broad and varied range of housing forms, types, sizes and tenures in locations with full municipal services.
9. The Town shall first consider surplus municipal land for **affordable** forms of housing. Furthermore, the Town shall work with other levels of government to make surplus land available to providers of **affordable** housing at little or no cost.
10. The Town shall consider opportunities for permitting additional units in existing dwellings.
11. The Town recognizes the value of older residential neighbourhoods and shall support their maintenance and improvement through measures such as participation in Federal and Provincial government programs.

12. The Town shall encourage the **development** of low-income housing geared towards older persons, which may include lower maintenance housing types such as condominiums and townhouses.

3.8.3 SPECIAL NEEDS HOUSING

The Town intends to improve access to housing for those people with special needs, including **assisted housing** for low-income people, housing for older persons, as well as various forms of supportive housing, including group homes and emergency/transitional housing, subject to the policies of this Plan.

It is a policy of the Town that:

1. The provision of **special needs housing** is encouraged through:
 - a. Establishing provisions that outline a strategy for providing **special needs housing** through collaboration with the Town, County, and its providers;
 - b. Working with providers of **special needs housing** and housing developers to ensure that adequate opportunities for new **special needs housing** can be provided;
 - c. Working with providers to assist in establishing **green building** design; and
 - d. Working with providers to assist in obtaining community garden areas for residents to reduce the costs associated with travel and the purchasing of food.
2. The Town shall support community agencies interested in pursuing additional funding from the Provincial government to address identified needs for **special needs housing**.
3. Permit appropriately-scaled **special needs housing** in any land use designation that permits residential uses, provided there is no correctional component. Should there be a correctional component, they shall be zoned appropriately in the Zoning By-law to recognize the intended use.
4. The Town shall support the distribution of **special needs housing** provided by community groups.
5. The Town shall work with County and other agencies and providers of housing for those people with special needs to assist in identifying lands that are available and suitable for **special needs housing**.
6. Group homes are defined as a single housekeeping unit in a residential dwelling in which three to ten residents (excluding staff or the receiving family) live as a unit under responsible supervision. The home is licensed or approved under provincial statute, shall be compatible with adjacent uses, and shall not have any correctional purpose. Facilities housing ten or more residents shall be treated as an institutional use, and not a residential use, in the Zoning By-law.
7. When reviewing any proposal for the purposes of establishing, through new construction or conversion of existing structures, a group home, hostel, temporary shelter, emergency shelter or other similar form of special needs shelter, the Town shall be satisfied that:



- a. the traffic generated from the facility can be adequately accommodated by the road network and will not have a **significant** impact on **adjacent land** uses, particularly residential uses;
 - b. the facility is of a design which maintains the scale, density, appearance, **character** and continuity of existing land uses in the surrounding area and immediate neighbourhood;
 - c. the land, buildings and structures for the proposed facility conform to the provisions of the Zoning By-law, including those related to parking requirements, ensuring that on-site parking is sufficient to meet the needs of residents, support staff and visitors; and
 - d. where appropriate, a licence has been granted by the licensing Provincial or Federal agency.
8. Aging-in-place for older persons shall be encouraged so that:
- a. individuals living in a non-healthcare environment, will have access to municipal services and amenities so that they may carry out their daily life without having to relocate as their circumstances change; and
 - b. where the above is not suitable due to the physical or mental condition of the individual, independent living, assisted living and skilled nursing is to be encouraged in residences for older persons, such as in a continuing care retirement community.
9. Long-term care facilities, and other supportive housing forms, that meet the needs of the community shall be encouraged in any non-rural land use designation that permits residential uses.
10. The Town shall endeavour to provide a **barrier**-free environment where possible.
11. The Town shall have regard for the requirements of the *Ontarians With Disabilities Act* and establish an Accessibility Committee which shall:
- a. Prepare an Accessibility Plan, and review it annually, covering the identification, removal and prevention of **barriers** to persons with disabilities in by laws and policies, programs, practices and services.

3.8.4 SECONDARY DWELLING UNITS

Secondary **Dwelling Units** are defined as separate and complete **dwelling units** that are contained either within the structure of a residential dwelling or in an **accessory structure** on the same **lot**. The policies of Section 4 of this Plan determine in which land use designation a Secondary **Dwelling Unit** shall be permitted.

It is a policy of the Town that:

- 1. A maximum of one Secondary **Dwelling Unit** shall be permitted per lot within a single-detached or semi-detached dwelling or an **ancillary** structure. Proposals may be evaluated by the Town on a case by case basis where a Secondary **Dwelling Unit** is proposed within a townhouse dwelling. Where another special housing form exists on the lot, including but not limited to a **garden suite** or

another **dwelling unit**, or the proposal would contravene zone requirements, a **Secondary Dwelling Unit** may not be permitted.

2. Appropriate municipal sanitary sewage, stormwater management and potable water services, parking and access will be provided, all to the satisfaction of the Town.
3. The exterior design of any proposed unit in terms of height, massing, scale and layout will be consistent with the residential land uses in the area.
4. The siting of the unit and any related features will have a minimal effect on light, view and privacy of adjacent yards.
5. **Development** of a **Secondary Dwelling Unit** shall be incidental to the permitted primary **dwelling unit** and shall not exceed 49% of the total habitable floor space of the primary **dwelling unit**.

3.8.5 GARDEN SUITES

Garden suites, which are also commonly referred to as “granny flats”, are detached **Secondary Dwelling Units** that take the form of a small movable building without an attached axle, physically separate from the primary **dwelling unit** with which it is associated, and contain bathroom and kitchen facilities.

The following shall be the policy of the Town in the **development** of **garden suites**:

1. A **garden suite** is generally discouraged within the Downtown and Waterfront Area, unless the **lot** is of an appropriate size, as determined in the Zoning By-law.
2. A single **garden suite** may be permitted on a **lot** of an appropriate size as determined in the Zoning By-law and approved through **Site Plan Control**. Where another special housing form, including a **Secondary Dwelling Unit** exists on the lot, as determined by the Town, a **garden suite** unit may not be permitted. In addition, prior to Site Plan Approval, the Town shall be satisfied that:
 - a. appropriate municipal sanitary sewage, stormwater management and potable water services, and access will be provided, all to the satisfaction of the Town;
 - b. the exterior design of any proposed unit in terms of height, massing, scale and layout will be consistent with the residential land uses in the area; and
 - c. the siting of the unit and any related features will have a minimal effect on light, view and privacy of adjacent yards.

3.8.6 LANEWAY HOUSING

Laneway houses are detached **Secondary Dwelling Units** that gain their primary access from a public laneway.

The following shall be the policy of the Town in the **development** of laneway houses:

1. A laneway house may only be permitted where the **lot** is of an appropriate size, as determined in the Zoning By-law.



2. A laneway house shall be approved through **Site Plan Control**. In addition, prior to Site Plan Approval, the Town shall be satisfied that:
 - a. appropriate municipal sanitary sewage, stormwater management and potable water services, parking and access will be provided, all to the satisfaction of the Town;
 - b. the exterior design of any proposed unit in terms of height, massing, scale and layout will be consistent with the residential land uses in the area; and
 - c. the siting of the unit and any related features will have a minimal effect on light, view and privacy of adjacent yards.

3.9 MUNICIPAL CORPORATE SUSTAINABILITY

The Town of Penetanguishene recognizes that there are certain actions that the municipality can take to contribute to and show leadership/stewardship in **sustainability**.

It is a policy of the Town that:

1. The Town will consider the following when acquiring goods and services and when making capital investments:
 - a. energy **conservation** and efficiency;
 - b. water **conservation** and efficiency;
 - c. material consumption, and waste production/diversion/reuse;
 - d. whether a contractor or consultant or service provider is local/regional; and
 - e. whether goods are manufactured locally/regionally.
2. The Town will consider undertaking audits and retrofits to improve the energy efficiency of municipally-owned buildings and **infrastructure** (including traffic and street lights). Retrofits should only be undertaken in historic buildings where possible without compromising the historical integrity of the building.
3. The Town will consider ensuring that all new municipal or municipally funded building projects and/or major renovations to buildings owned or funded by the municipality exceed or are consistent with the Green Site Design and Building Standards established by Section 3.9.2 of this Plan. Historic buildings shall be exempt in cases where the historical integrity of the building will be compromised as a result of meeting the criteria.
4. The Town will endeavour to try to meet a portion of its energy needs from local renewable energy sources.
5. The Town will consider the pursuit of opportunities to engage, collaborate and partner with local community groups and private businesses in order to address issues of environmental concern. This may involve the identification of **sustainability** goals, programs, initiatives, and the **development** and implementation of Town-wide programs related to air quality and climate change.
6. The Town will consider actions that contribute to and promote a culture of **conservation** among all public, private, and community groups and local citizens

and aim to reduce greenhouse gas emissions and air pollution in all sectors, and reduce material consumption and waste production and to increase waste diversion and reuse in all sectors (including multi-residential).

7. The Town will consider establishing sector-specific targets for greenhouse gas emissions and air pollution reductions.
8. In accordance with Section 3.9 of this Plan, the Town shall contribute to and show leadership by considering air quality and climate change within its municipal culture, decision making, and operations.
9. In accordance with the Green Energy and Green Employment policies in Section 3.5.3, the Town will consider how it can support the increased availability of renewable energy sources to all sectors, and shall aim to attract economic growth in the **development** of all scales of **renewable energy projects** and green industries in an effort to address the use of fossil fuels and, more broadly, climate change.
10. The Town will endeavour to support and participate in education/awareness programs and activities related to the local environment and **sustainability**, including energy and water **conservation** and efficiency, material consumption, waste production/diversion/reuse, and air quality. Programs and activities may be aimed at both municipal staff and/or local residents.
11. In accordance with Section 5.3.5 of this Plan, the Town will endeavour to contribute to and show leadership by considering reductions in material consumption and waste production and increases in diversion and reuse within its municipal culture, decision-making, and operations.
12. The Town shall encourage all sectors to reduce material consumption and waste production, and to participate in diversion and reuse programs.
13. The Town will endeavour to emphasize the responsibility of the municipality, developers, residents, and commercial, institutional, and industrial establishments to minimize environmental impact as a result of solid waste and to bear the costs of doing so.

3.9.1 SUSTAINABLE NEIGHBOURHOOD DEVELOPMENT STANDARDS

Many of the policies of this Plan aim to promote improved energy efficiency, water efficiency, and air quality in order to achieve local goals and objectives for a sustainable, healthy, and vibrant Town. The design and **development** of neighbourhoods that are based on the principles of smart growth and **green building** will achieve many of these goals. Leadership in Energy and Environmental Design for Neighbourhood Design (LEED ND) is an approach to neighbourhood location and design that embraces these principles. LEED ND is a rating system prepared by the Canadian Green Building Council (CaGBC) that provides a tool for assessing and rewarding environmentally superior **development** practices. This and other tools/systems for sustainable neighbourhood design and **development** are supported and encouraged by the Town of Penetanguishene.



It is a policy of the Town that:

1. The Town shall encourage the design of compact and complete neighbourhoods that are consistent with **sustainability** principles. In keeping with the LEED ND rating system, at a minimum, the following criteria should be addressed in the design and **development** of new residential subdivisions:
 - a. Housing and job opportunities are located within proximity to each other;
 - b. Streets are walkable and interconnected through a modified grid pattern;
 - c. Residents have access to civic and public spaces, and **recreation** facilities;
 - d. Various densities are achieved;
 - e. Opportunities for alternative and **active transportation** are promoted and the need for vehicular trips is minimized;
 - f. Energy and water efficiency is achieved through the **development of green buildings** (as described in Section 3.9.2 of this Plan);
 - g. Energy efficiency is achieved through the solar orientation of streets and buildings;
 - h. Access to transit is increased, where applicable;
 - i. Water-efficient landscaping incorporates native species; and
 - j. Light emissions are reduced and directional, low-level lighting is used.
2. The Town shall encourage urban agriculture initiatives such as community gardens, edible landscaping and roof top gardens in all land use designations and zones.
3. The Town shall support and may give priority to **development applications** for new neighbourhoods that propose innovation and market transformation in their design, including but not limited to:
 - a. Urban agriculture and local food production;
 - b. Community kitchens, food co-ops and community food centres;
 - c. Innovative stormwater management;
 - d. Innovative wastewater management;
 - e. Additional innovations and technologies in sustainable **infrastructure**;
 - f. On-site renewable energy generation;
 - g. District heating and cooling;
 - h. Innovative green spaces to reduce the urban heat island effect; and/or
 - i. Other innovative practices and technologies.

3.9.2 GREEN SITE DESIGN & BUILDING STANDARDS

Improved energy efficiency, water efficiency, and air quality can also be achieved by the **development** of buildings that are designed based on environmental practices, standards, and technologies. Similar to LEED ND, Leadership in Energy and Environmental Design New Construction and Major Renovations (LEED Canada - NC) provides an industry accepted definition for “**green building**” and provides a set

of environmental performance criteria, which is supported and encouraged by the Town of Penetanguishene.

It is a policy of the Town that:

1. The Town shall encourage all new industrial, commercial, institutional, and higher density residential buildings, including renovations, to be consistent with **sustainability** principles. In keeping with the LEED NC rating system, at minimum, the following criteria should be addressed in the design and **development**, or renovation, of buildings:
 - a. Facilities for **active transportation** and/or access to public transportation is provided;
 - b. Site disturbance is minimized by reducing the **development** footprint and by protecting and restoring open space;
 - c. Light emissions are reduced and directional, low-level lighting is used;
 - d. Water-efficient landscaping incorporates native species;
 - e. High efficiency appliances and fixtures are used;
 - f. Durable building materials that include recycled content, and/or are reused, and/or are extracted or manufactured regionally are used;
 - g. Low-emitting materials such as (paints and coating, carpets, and adhesives) are used; and
 - h. Buildings are designed and oriented to maximize daylight and views.
2. The Town may give priority to **development applications** that are built to a minimum LEED Canada - NC certification level “Silver” (or greater), and/or that propose innovation and market transformation in their design, including but not limited to:
 - a. Innovative stormwater management;
 - b. Innovative wastewater management;
 - c. On-site renewable energy generation;
 - d. Innovative green spaces to reduce the urban heat island effect, such as green roofs; and/or
 - e. Other innovative practices and technologies.

3.10 NATURAL HERITAGE FEATURES & AREAS

The Town, County, and Province encourage the protection and enhancement of **Natural Heritage Features and Areas**. The **significant Natural Heritage Features and Areas** are lands that represent the legacy of the natural landscape of the area and as a result have important environmental and social value. Natural Heritage Features, Areas, or Functions in the Town have been identified on Schedule A. The Town will work to **conserve**, restore and enhance them, wherever possible. The Plan divides **Natural Heritage Features and Areas** as follows:

- » **Wetlands;**



- » Provincially **Significant**
- » Locally **Significant Wetlands** 2.0 Hectares or Larger
- » Habitat of **endangered species** and **threatened species**;
- » **Significant Wildlife Habitat**;
- » **Fish habitat**;
- » **Significant** Valleylands;
- » **Areas of Natural and Scientific Interest**
- » **Significant Woodlands**; and
- » Linkage Areas.

It shall be the policy of the Town that:

1. Delineation of **Natural Heritage Features and Areas** is based on data or criteria provided by the Town's Natural Heritage Study. These features shall be protected for the long-term and given due consideration in the **development, redevelopment** and alteration of land within the identified areas. The delineation of these features may be determined and/or refined through the preparation of a detailed **Environmental Impact Study (EIS)**, as described in Section 3.10.8.
2. The Town shall encourage that, wherever possible and appropriate, trees or natural vegetation be replanted at a 2:1 ratio to replace tree or natural vegetation removal that have been approved by the Town through the **development** approvals process. Other ecological off-setting or compensation measures may be considered where deemed appropriate and beneficial to the **natural heritage system** by the Town, in consultation with the Severn Sound Environmental Association and any other applicable authority. The Town shall encourage the **conservation** or replanting of roadside and fence-line shrubs and trees, and riparian area vegetation, wherever possible and appropriate in the context of new **development**. Financial compensation for tree loss is not considered as the preferable means of appropriate mitigation for **development**.
3. The Town shall use the Province's most recent Natural Heritage Reference Manual as a guideline for the completion of an **EIS**, referenced in Section 3.10.8, to ensure that **development** proposals are consistent with Provincial policies and the Town's Natural Heritage policies.
4. When considering **development** proposals, the Town shall encourage the exploration of opportunities for creating new habitats, natural vegetation regeneration, conserving natural landforms and functions for protecting and enhancing groundwater and **surface water** resources, and for promoting environmental education and interpretation.
5. The Town requires the protection of species at risk, either aquatic or terrestrial, and implementation of species recovery strategies. The Town shall support the implementation of the relevant findings of recovery strategies (provincial and/or federal).
6. Where components of **Natural Heritage Features and Areas** are held in private ownership, nothing in this Plan shall require that these lands be free and

available for public use, and the identification of land shall not oblige the Town or other public agencies to purchase the land.

7. When considering applications or initiating projects or works under the *Drainage Act* or *Ontario Water Resources Act* for drainage works, the Town, in consultation with the Province, shall be satisfied that the works will be engineered and constructed to ensure no **negative impact** on Natural Heritage Features, Areas and functions. Such considerations may include completion of an **EIS** or an environmental evaluation/appraisal carried out under the *Drainage Act*.

3.10.1 WETLANDS

3.10.1.1 Provincially Significant Wetlands

Provincially **Significant Wetlands** refer to both inland and **coastal wetlands** in the Town and include St. Andrew's Lake, Penetang Marsh, Sucker Creek, and **Coastal Wetlands**. These lands are designated on Schedule A as EP and, as such, the following policies apply:

1. **Development** and **site alteration** shall not be permitted in Provincially **Significant Wetlands** (PSWs). PSWs and the contiguous land adjacent to the PSW shall be protected from **development** and **site alteration** or anything that may adversely impact the sensitive resource. The contiguous land adjacent to PSWs represents an area where **development** or **site alteration** may have a **negative impact** on the feature or area. This area shall generally be considered as approximately 120 metres.
2. **Development** and **site alteration** shall not be permitted on land adjacent to a PSW, unless the **ecological function** of the **adjacent land** has been evaluated and it has been demonstrated that there will be no **negative impacts** on the natural features or on their ecological and/or **hydrologic functions** that cannot be adequately mitigated. Prior to considering **development** and/or **site alteration**, the Town, in consultation with the Ministry of Natural Resources and Forestry or other applicable agencies, shall be satisfied that an **EIS** demonstrates that there will be no **negative impacts** on the PSW and the sustaining ecological and/or **hydrologic functions**.
3. The boundaries of PSWs shall be defined based on an evaluation undertaken in accordance with Provincial procedures, which may be amended from time to time. The boundaries of PSWs may be refined without an amendment to this Plan provided approval is obtained from the Province. The removal of a PSW from Schedule A shall require an amendment to this Plan.

3.10.1.2 Locally Significant Wetlands 2.0 Hectares or Larger

1. Locally **Significant Wetlands** (LSWs) that are 2 hectares or larger are identified with an Environmental Protection Overlay on Schedule B1.



2. **Development** and **site alteration** shall not be permitted within, and potentially on lands adjacent to, an LSW subject to a scoped **wetland** evaluation undertaken by a qualified professional that determines the quality and significance of the LSW. Should the qualified professional determine that protection measures and/or additional study are required, **development** or **site alteration** may not be permitted unless an **EIS** is prepared. The **EIS** shall evaluate the **ecological function** of the features and associated **adjacent land** and demonstrate that **development** will not negatively impact the natural feature or its ecological and/or **hydrologic function**. For the purposes of this policy, the extent of **adjacent land** shall be defined as 120 metres.
3. The boundaries of LSWs, included within the Environmental Protection Overlay as identified on Schedule B1, are defined based on an evaluation undertaken in accordance with Provincial procedures, which may be amended from time to time. Modification or refinement of a LSW boundary may be undertaken without an amendment to this Plan; however, if the **wetland** evaluation determines that the **wetland** no longer qualifies as being locally **significant**, an amendment to Schedule B1 will be required to remove this resource.

3.10.2 HABITAT OF ENDANGERED SPECIES & THREATENED SPECIES

1. In accordance with common practices to protect the associated features from disturbance, the Habitat of **Endangered Species** and **Threatened Species** are not illustrated on the schedules of this Plan. Habitat of **Endangered Species** and **Threatened Species** shall be defined based on data or criteria from Provincial and Federal authorities.
2. The Ministry of Natural Resources and Forestry approves the identification of Habitat of **Endangered Species** or **Threatened Species**. The Town shall, in consultation with the Province, determine the areas to which the policies related to the Habitat of **Endangered Species** and **Threatened Species** shall apply.
3. **Development** and **site alteration** shall not be permitted in the Habitat of **Endangered Species** and **Threatened Species** except in accordance with Provincial and Federal requirements.
4. **Development** and **site alteration** shall not be permitted on land adjacent to the Habitat of **Endangered Species** and **Threatened Species**, unless the **ecological function** of the **adjacent land** has been evaluated and it has been demonstrated that there will be no **negative impacts** on the natural features or on their **ecological functions** that cannot be adequately mitigated. For the purposes of this policy, the extent of **adjacent land** will be defined as 120 metres. An **EIS** shall be required for all **development** proposals within 120 metres of the Habitat of **Endangered Species** and **Threatened Species**. Prior to considering **development** and/or **site alteration** on **adjacent lands** within 120 metres or abutting areas, the Town, in consultation with the Ministry of Natural Resources and Forestry, will be satisfied that the **EIS** demonstrates that there will

be no **negative impacts** on the habitat values upon which the species depend directly and indirectly, and any related **ecological functions**.

3.10.3 FISH

The Town recognizes that the health of the aquatic environment is a fundamental indicator of the health of the overall ecosystem. The harmful alteration, disruption or destruction of **fish habitat** is prohibited under the *Fisheries Act*. With respect to **Fish Habitat**, the following policies shall apply:

1. **Development** shall only be permitted provided that it does not harmfully alter, disrupt or destroy **fish habitat**. Through a **fish habitat** mitigation/compensation assessment, in consultation with the Town and the authority having jurisdiction, it is the Town's objective to secure no net loss of **fish habitat**, and where possible, secure a net gain of **fish habitat**.
2. Any **development** or change in land use within or adjacent to an existing **fish habitat** area, as identified as Environmental Protection Overlay on Schedule B1, or potential **fish habitat** area along lands adjacent to any lake, river, stream, or **wetland**, shall be reviewed by the Town in consultation with the appropriate authority with respect to the potential impact. **Adjacent lands** shall be defined by the Town, in consultation with the Federal Government, and shall generally be 120 m from the edge of the **Fish Habitat**. Any such proposal may be subject to a scoped **EIS**, in accordance with Section 3.10.8, to determine if proposed **development** will adversely impact the **fish habitat**. If it is determined that **development** will impact the **fish habitat**, **development** shall not be permitted. If it is determined, through consultation with the Federal Government, that **development** will not impact **fish habitat** (example includes **development** on full municipal services and there is intervening **development** between site and the identified **fish habitat**) then the requirement for an **EIS** may be waived, in accordance with Section 3.10.8.
3. The Town may, subject to the requirements of the Ministry of Natural Resources and Forestry's Natural Heritage Resource Manual, determine the minimum vegetative buffer zone adjacent to existing or potential **fish habitat** areas where **development** is proposed. The recommended minimum natural vegetated cover adjacent to **fish habitat** is 30 metres for coldwater streams. Reduced setbacks may be permitted adjacent to warmwater (15 m) or coolwater (20 m) streams, as per the Ministry of Natural Resources' Natural Heritage Reference Manual and in accordance with provincial and federal requirements.
4. Where it has been determined by the authority having jurisdiction that the **development** or change in land use will affect the natural functions of the **fish habitat**, the preparation of a **fish habitat** mitigation/compensation assessment shall be required. The assessment shall be required to:
 - a. identify the nature and extent of potential impacts;
 - b. determine appropriate mitigative measures to protect the affected **fish habitat**;



- c. specify compensation for loss of **fish habitat** through near-site replacement of habitat, off-site replacement of **fish habitat** or an on-site increase of **fish habitat** capacity;
 - d. determine appropriate buffering and how such buffering will be protected in the future; and
 - e. address other matters as determined by the authority having jurisdiction.
5. Any requirements imposed through a **fish habitat** mitigation/compensation assessment shall be implemented by the proponent with input from, and to the satisfaction of the Town and the authority having jurisdiction.

3.10.4 SIGNIFICANT VALLEYLANDS

Portions of prominent ridges and valleylands are forested and thus also provide natural heritage functions; this forest cover may be helping to maintain stability of slopes. Proposed **development** in these areas should be carefully considered from both a natural heritage and **hazard** lands perspective. **Significant** Valleylands are natural areas that occur in a valley or other landform depression that have water flowing through or standing for some period of the year. Valleys are the natural drainage systems for the **watersheds** and as such, they provide an appropriate context for planning and evaluating water related resources.

1. **Significant** Valleylands shall be defined by the Town in consultation with the Province, and shall be subject to the policies of the underlying land use designation. Where valleylands are identified through consultation with the Province or by an **EIS** triggered by another policy of this Plan, they shall be subject to the policies of this Section and may be mapped accordingly on Schedule A through an amendment to this Plan.
2. **Development** or **site alteration** proposed in a **Significant** Valleyland shall be subject to the completion of an **EIS** prior to **development** or **site alteration**. Prior to considering **development** and/or **site alteration** on or within **adjacent lands** to a **Significant** Valleyland, the Town, in consultation with the Province, shall be satisfied that the **EIS** demonstrates that there will be no **negative impacts** on the habitat values upon which the species depend directly and indirectly, and any related **ecological functions**.
3. **Development** and **site alteration** shall not be permitted on land adjacent to a **Significant** Valleyland unless it has been demonstrated that there will be no **negative impacts** on the **Significant** Valleyland or on their **ecological functions**. For the purposes of this policy, the extent of **adjacent land** shall be 120 metres from the stable top of bank of the **Significant** Valleyland. In accordance with Section 3.10.8, an **EIS** shall be required for all **development** proposals on **adjacent lands** or abutting areas identified as being the **Significant** Valleyland.

3.10.5 AREAS OF NATURAL AND SCIENTIFIC INTEREST (ANSI)

ANSIs are areas of land and water containing natural landscapes or features, which have been identified as having values related to protection, appreciation, scientific study or education. The “Champlain Road Earth Science **ANSI**” and the “St. Andrews Lake Life Science **ANSI**” have been identified, mapped, and ranked by the Province. The boundaries of **ANSIs** have been shown on Schedule B1 as Environmental Protection Overlay of this Plan. **Development** and **site alteration** may be permitted within an **ANSI** subject to the following policies:

1. Applications for **development** and/or **site alteration** within an **ANSI** or within 120 metres of an **ANSI** must be accompanied by an **EIS** prepared in accordance with Section 3.10.8 of the Official Plan to determine the potential impacts on the **ANSI**.
2. Changes to the boundaries of an **ANSI** require the approval of the Province.

3.10.6 SIGNIFICANT WOODLANDS

Significant Woodlands are areas which are ecologically important in terms of species composition, age of trees and stand history. **Significant Woodlands** are functionally important due to their contribution to the broader landscape because of their location, size or extent of forest cover; and/or are economically important due to their site quality, species composition, or management history. **Wildlife habitat** is one of the primary **ecological functions** provided by **Significant Woodlands**. **Wildlife habitat** is an area where plants, animals and other organisms live, and find adequate amounts of food, shelter, water and space needed to sustain their populations. All plants and animals have individual habitat requirements, which vary for different periods in their life cycles.

1. **Significant Woodlands** are identified as an Environmental Protection Overlay on Schedule B1 of this Plan.
2. **Development** or **site alteration** proposed in a **Significant Woodland** feature shall be subject to the completion of an **EIS** prior to **development** or **site alteration**. **Development** or **site alteration** in a **Significant Woodland** feature shall not be permitted unless it has been demonstrated that there will be no **negative impacts** on the natural features or on their **ecological functions**.
3. **Development** and **site alteration** shall not be permitted on land adjacent to a **Significant Woodland** feature unless it has been demonstrated that there will be no **negative impacts** on the **Significant Woodland** feature or on their **ecological functions** that cannot be adequately mitigated. For the purposes of this policy, the extent of adjacent land shall be 120 m from the edge of the **Significant Woodland**. Subject to the policies of Section 3.10.8, an **EIS** shall be required for all **development** proposals on lands adjacent to an identified **Significant Woodland**.
4. Prior to considering **development** and/or **site alteration** on or within **adjacent lands** of a **Significant Woodland**, the Town, in consultation with the Province,



will be satisfied that the **EIS** demonstrates that there will be no **negative impacts** on the habitat values upon which the species depend directly and indirectly, and any related **ecological functions**.

3.10.7 LINKAGE AREAS

Linkage Areas protect critical natural and open space connections between **Natural Heritage Features and Areas**, including woodlands, **wetlands**, and along rivers and streams. The purpose of Linkage Areas is to maintain, and where possible improve or restore, the ecological integrity of the **Natural Heritage Feature or Area** and are identified as an Environmental Protection Overlay on Schedule B1.

It shall be the policy of the Town that:

1. The diversity and connectivity of natural features in an area, and the long-term **ecological function** and biodiversity of **natural heritage systems**, should be maintained, restored or, where possible, improved, recognizing linkages between and among **natural heritage features and areas**, **surface water features** and **ground water features**.
2. The **quality and quantity of water** shall be protected, improved or restored by maintaining linkages and related functions among **ground water features**, **hydrologic functions**, **natural heritage features and areas**, and **surface water features** including shoreline areas.

3.10.8 ENVIRONMENTAL IMPACT STUDIES

The Town shall apply the following policies to the preparation and review of an **Environmental Impact Study (EIS)**. Under circumstances where an **EIS** is required, the study and specific scope of the **EIS**, shall be prepared to the satisfaction of the Town, in consultation with the Ministry of Natural Resources and Forestry and any other applicable agencies; however, to assist proponents, the Town may prepare the Guidelines or Terms of Reference to identify the scope of the **EIS** in consultation with the foregoing agencies.

It shall be the policy of the Town that:

1. The Town shall use aerial photography as one of the tools to establish the baseline from which the alteration will be assessed.
2. A peer review, which shall be paid for by the proponent, will be required.

3.10.8.1 Environmental Impact Study Policies

1. The Town shall require that an **EIS** be undertaken and completed by qualified professionals in the field of ecology, terrestrial and/or aquatic biology, environmental planning and/or relevant earth sciences.
2. The scope and extent of an **EIS** shall be established and approved by the Town prior to its preparation. The scope shall be based on the nature of the **development** proposal, which may be defined in the Guidelines or Terms of Reference for the preparation of the **EIS**.

3. The scope and extent of an **EIS** may also be determined in consultation with the proponent's qualified professional, as defined above, based on local investigation. Should local investigation and/or study determine that the boundaries of any lands identified on Schedule B1 as being within an Environmental Protection Overlay may be modified or removed, modification or refinement may be undertaken without an amendment to this Plan.
4. The Town shall have consideration to the Province's Natural Heritage Reference Manual to establish the specific scope of any particular **EIS**.
5. In circumstances where there is a low likelihood of impact on the **natural environment**, and intervening **development** between the land subject to the planning or building permit application(s) and the feature triggering the **EIS** requirement, the Town may waive the requirement for the **EIS**.
6. In the preparation and review of an **EIS**, the Province may be consulted on an as-needed basis.
7. The Town shall review and accept an **EIS** prior to declaring a **complete application** under the *Planning Act*, depending on the nature of the approval. If the impact of the proposed use on the **Natural Heritage Features and Areas** cannot be completely mitigated, then the **development** shall not be permitted.

3.11 MINERAL AGGREGATE RESOURCES

There are limited **significant mineral aggregate resources** in the Town of Penetanguishene; however, should any be discovered, the resources that are available should be protected from the encroachment of incompatible land uses. Given the layout of the Town, any attempts at extraction must be carefully considered and as much of the **mineral aggregate resources** will be made available as close to local markets as possible.

It is a policy of the Town that:

1. New pits and quarries are not contemplated by the policies of this Plan; however, the consideration of new pits and quarries shall require the submission of an Official Plan Amendment supported by a Planning Justification Report to ensure that impacts from the proposed use is mitigated. New uses will be recognized through an amendment to the Zoning By-law.
2. Existing pits and quarries (or other extraction sites) are identified on Schedule B1, and are permitted to expand subject to fulfilling the requirements of this Plan, an Official Plan amendment if expanding into a new land use designation, a Zoning By-law amendment if expanding into a new zone category, Site Plan Approval if expanded outside of the current licensed aggregate area that has been approved by the Ministry, and any other requirement deemed appropriate by the Town and, where applicable, the Province.



3.11.1 WAYSIDE PITS & QUARRIES, PORTABLE ASPHALT PLANTS & PORTABLE CONCRETE PLANTS

1. **Wayside pits and quarries, portable asphalt plants and portable concrete plants** used for public authority projects shall be permitted without requiring an amendment to this Plan or the Zoning By-law, but shall not be permitted adjacent to or within **Natural Heritage Features and Areas** or in proximity to **sensitive land uses** (i.e. residential, open space, or institutional land uses). Utilization of aggregate from existing sites and **wayside pits and quarries** will be encouraged.
2. **Wayside pits and quarries, portable asphalt plants and portable concrete plants** used for public authority projects shall be subject to **Site Plan Control** in accordance with the policies of this Plan.
3. Concession or temporary construction and marshalling yards used for public authority projects shall be permitted without requiring an amendment to this Plan or Zoning By-law, but shall not be permitted adjacent to or within **Natural Heritage Features and Areas** or in proximity to **sensitive land uses**.
4. Concession or temporary construction and marshalling yards used for public authority projects shall be subject to **Site Plan Control** in accordance with the policies of this Plan.
5. The Town shall ensure that the necessary statutory and municipal approvals are obtained prior to permitting asphalt plants and concrete plants, whether temporary or permanent.

3.12 RISKS TO PUBLIC HEALTH & SAFETY

3.12.1 NATURAL HAZARDS

It is the intent of the Town to protect life and property by respecting natural and human-made **hazards**, which may represent constraints to **development**. New **development** should only take place in areas that are not susceptible to **hazards**. **Hazard** lands are lands that have inherent environmental **hazards** such as flood susceptibility, erosion susceptibility, instability and other physical conditions, which are severe enough, if developed upon, to pose a risk to occupants of loss of life, property damage and social disruption.

3.12.1.1 Flood Hazards

Areas that are susceptible to **flooding hazards** are subject to the following policies.

It is a policy of the Town that:

1. There is currently no **regulatory flood** mapping in the Town that details which lands are susceptible to **flooding hazards**. However, all lands abutting Penetang Harbour and Severn Sound that fall below 178 metres above sea level (masl) are generally considered to be subject to **flooding hazards**. In addition to

the elevation, and depending on the slope of the property, a setback of 15 metres from the limit of the **hazard** shall be implemented to accommodate for wave uprush and other water-related **hazards**. Should it be determined that the location of the flood elevation has changed, the Town shall amend this Plan and the Zoning By-law, as required.

2. **Development** shall be directed away from areas within or adjacent to **flooding hazards** including any waterbody, river, or stream system.
3. **Development** may be permitted on an existing **lot** of record below the flood elevation provided sufficient information accompanies the application in the form of a report prepared by a qualified engineer demonstrating that:
 - a. the proposed **development** and its occupants shall be protected from the **flooding hazards**;
 - b. the potential upstream and downstream impact of the **development** proposal shall not significantly affect the hydrology or hydraulics of the **flood plain**;
 - c. that adequate flood proofing standards are incorporated in the **development**;
 - d. that the **development** is limited to uses which by their nature must locate within the floodplain, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows; and
 - e. that during times of flooding:
 - i. safe egress and ingress for persons and vehicles is provided;
 - ii. no new **flooding hazards** are created and existing ones are not aggravated;
 - iii. **development** and **site alteration** is undertaken in accordance with **floodproofing standards, protection works standards, and access standards**; and
 - iv. no adverse environmental impacts shall result.
4. In response to a **development** proposal there is no obligation by the Town to either to change the delineation of or to purchase any area flood limit.
5. The following shall be considered in the review of **development** proposals within proximity to the flood limit, and the Town may consult the Province on technical aspects in this regard:
 - a. the existing physical **hazards**;
 - b. the potential impacts of these **hazards**;
 - c. the proposed methods by which these impacts may be overcome in a manner consistent with accepted engineering and resource management practices and techniques;
 - d. the costs and benefits in economic, social and ecological terms of any engineering works or resources management practices needed to overcome these impacts; and
 - e. protection of **Natural Heritage Features and Areas** identified in Section 3.10.



6. Under no circumstance shall **development** be permitted to locate in a **flood plain** or on lands that are susceptible to a **flooding hazard** where the use is:
 - a. an institutional use associated with hospitals, nursing homes, pre-school, school nurseries, child 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 standards**, or erosion;
 - b. 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 standards**, and/or erosion; and
 - c. uses associated with the disposal, manufacture, treatment or storage of **hazardous substances**.

3.12.1.2 Unstable Soils & Steep Slopes

There is land subject to **hazards** due to steep slopes, unstable soils and/or erosion in locations other than **flood plains** or the shoreline area. **Development** of such areas may be considered provided that the existing or potential **hazards** can be overcome by accepted engineering and resource management practices and techniques, including setbacks from the stable top of bank.

It is a policy of the Town that:

1. **Development** shall not be permitted within areas susceptible to erosion and other **hazard** areas, except where approved by the Town and an appropriate engineering evaluation of the erosion potential and/or slope stability has occurred.
2. Uses prohibited from locating in an **erosion hazard** including:
 - a. an institutional use associated with hospitals, nursing homes, pre-school, school nurseries, child 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 standards**, or erosion;
 - b. 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 standards**, and/or erosion; and
 - c. uses associated with the disposal, manufacture, treatment or storage of **hazardous substances**.
3. The stable top of bank shall be determined by a qualified professional, in consultation with the Town.
4. The required setback shall reflect the degree, severity and extent of the **hazard**.

5. The **erosion hazard** (slope setback) shall be determined using an allowance for slope stability, an erosion allowance based upon the 100-year erosion rate, and an erosion protection allowance.
6. The Town may require a geotechnical study or engineering analysis in order to determine the feasibility of proposed **development** in the above mentioned areas. A minimum setback may be included in the implementing Zoning By-law.
7. The following shall be considered in the review of **development** proposals within **hazard** areas associated with unstable slopes, and the Town will consult the Province in this regard:
 - a. the existing physical **hazards**;
 - b. the potential impacts of these **hazards**;
 - c. the proposed methods by which these impacts may be overcome in a manner consistent with accepted engineering and resource management practices and techniques;
 - d. the costs and benefits in economic, social and ecological terms of any engineering works or resources management practices needed to overcome these impacts; and
 - e. protection of **Natural Heritage Features and Areas**.

3.12.1.3 Wildland Fire Hazards

There are lands that may be subject to wildland fire **hazards** due to proximity to **hazardous forest types**. **Development** of such areas may be considered provided that the existing or potential risks are mitigated and approved by the Province.

It is a policy of the Town that:

1. **Development** will generally be directed to areas outside of lands that may be susceptible to wildland fire **hazards**, as identified by the Province, due to the presence of **hazardous forest types**. However, **development** may be permitted where the risk is mitigated in accordance with **wildland fire assessment and mitigation standards** as identified by the Province.
2. On lands susceptible to wildland fire **hazards**, proponents submitting a planning application may be required, as identified by the Province, to undertake a site review to assess the risk of high to extreme wildland fire behaviour on the subject lands and **adjacent lands** (to the extent possible). If **development** is proceeding where high to extreme risk for wildland fire is present, proponents are required to identify measures that outline how the risk will be mitigated, which will be implemented through **Site Plan Control**.
3. Wildland fire mitigation measures shall not be permitted within any Provincially **Significant Wetlands** designated as Environmental Protection Area on Schedule A.
4. Wildland fire mitigation measures shall not be permitted in **significant wildlife habitat, coastal wetlands, or significant ANSI's** unless it has been



demonstrated that there will be no **negative impacts** on the natural features or their **ecological functions**.

3.12.1.4 Emergency Preparedness

Emergency situations are unpredictable and can happen anywhere and anytime. These could include naturally caused events such as storms or health emergencies, technological failures such as power outages or human caused actions such as a terrorist event. The Town has in place a coordinated emergency management program and response plan.

It is a policy of the Town that:

1. The Emergency Response Plan will be updated to coordinate emergency management measures and best practices for disaster response including a flood and wildland fire **hazards** warning system prepared in consultation with applicable agencies.

3.12.2 HUMAN-MADE-HAZARDS

3.12.2.1 Potentially Contaminated Sites

The historic use of land in the Town has resulted in the potential for some land to be contaminated as a result of previous activities. These sites represent a potential **hazard** to human health, ecological health and the **natural environment**, but also represent opportunities for potential **redevelopment** and reintegration into the community, if they are properly remediated to suit a new use of the site.

It is a policy of the Town that:

1. The Town shall work with various agencies and landowners on the identification of contaminated sites, or land adjacent to known or suspected contaminated sites, their remediation, and appropriate **redevelopment**, in accordance with Provincial regulations and procedures and the policies of this Plan.
2. For land with an historic use which may have resulted in site contamination or land adjacent to known or suspected contaminated sites, a Record of Site Condition will be prepared in accordance with the policies of this Plan, as part of the **development** approvals process to determine whether contamination exists, its extent where it does exist, and to demonstrate that where necessary, the site has been remediated and is suitable for the intended use.
3. The Town shall encourage owners of potentially contaminated sites to remediate their sites so that they may be reintegrated into the community and optimized for future land uses.

3.12.2.2 Brownfields and Site Remediation

Brownfield sites are abandoned, underutilized or active properties where previous or current **development** activities such as waste disposal sites, transfer facilities or activities involving fuel and chemicals have led to environmental contamination of the

soil or groundwater. In order to minimize the risk on human and ecosystem health, **brownfield sites** must be remediated before they can be redeveloped. Former waste disposal sites are lands previously used for the disposal of waste materials by burial. The Town will support the reuse and **redevelopment of brownfield sites** and former waste disposal sites for community improvement in accordance with provincial legislation and guidelines and in a manner that protects human and ecosystem health and safety.

It is a policy of the Town that:

1. The remediation and reuse of **brownfield sites** and former waste disposal sites will be encouraged and supported.
2. Land uses will be restricted, where appropriate, on **brownfield sites** and former waste disposal sites subsequent to clean-up and subject to satisfactory approval of all technical studies.
3. Environmental site assessments and a record of site condition prepared by a qualified person are required in accordance with the *Environmental Protection Act* and its regulations, for any **redevelopment of a brownfield site**.
4. A record of site condition, confirmed by the Province, be submitted for all land conveyances to the Town. Conveyances of minor road widenings may be exempt from the requirement of a record of site condition.
5. Where **development, redevelopment or site alteration** is proposed within 500 metres of a known or suspected former waste disposal site, as shown on Schedule B1, the following requirements shall be completed to the satisfaction of the Town and the Province:
 - a. determination of the actual D-4 Assessment Area;
 - b. submission of technical studies prepared by qualified persons identifying the level of contamination and remediation measure and post clean up conditions as required by legislation; and
 - c. implementation of cleaning and remediation measures in accordance with provincial criteria, the policies of this Plan and technical study recommendations.
6. Use of any closed Waste Disposal Sites shall be in accordance with the Provincial Certificate of Approval/Environmental Compliance Approval.
7. The 500 metre D-4 Assessment Areas shown on Schedule B1 may be evaluated to determine if it may be reduced in accordance with the requirements of the Province's D-4 Guidelines and in consultation with the Ministry of Environment, Conservation and Parks. However, where **significant** impacts are encountered beyond the influence area, the area may be extended beyond the pre-requisite 500 metres.
8. New County or Town-owned Waste Disposal Sites for the purposes of landfilling waste are not contemplated within the horizon of this Plan. Waste Disposal Sites not related to the landfilling of waste such as transfer stations, organic waste facilities, etc. shall be subject to a siting process in accordance with County and Provincial policies, regulations and guidelines.



3.12.2.3 Environmental Procedures for Potentially Contaminated Sites

1. The **development** or **redevelopment** of potentially contaminated sites shall be assessed and remediated in a manner consistent with the *Environmental Protection Act* and relevant regulations, and the relevant Provincial guidelines and procedures.
2. Provincial regulations, as amended from time to time, establish the required criteria for site remediation and/or standards for Risk Assessments. Provincial regulations also specify the circumstances under which Records of Site Condition (RSC) are required for certain changes of land use. The Town shall adhere to these standards.
3. Proponents of application(s) for Official Plan amendment, Zoning By-law amendment, plan of subdivision and/or condominium or site plan approval shall be required to document the previous uses of the subject property and/or any properties that may have been impacted by or have impacted the subject property, to assist in the determination of the potential for site contamination. At the Town's discretion, applications for minor variance and consent may also be required to document previous uses to assist in the determination of the potential for site contamination.
4. When considering applications for **development** which include sites, either known to be, or suspected of being, contaminated, the Town may require a Record of Site Conditions (RSC) for such sites. This study, which is the responsibility of the applicant, shall be in accordance with the *Environmental Protection Act*.
5. As a condition of approval, the Town will require that remediation, where required, is undertaken to the appropriate standards of the Province, as specified in the *Environmental Protection Act* and in its companion document Soil, Ground Water and Sediment Standards for use under the *Environmental Protection Act*, or according to any other regulatory requirements of the Province, as amended from time to time.
6. A Record of Site Condition may, at the Town's discretion, be a required condition of approval under this Plan. In addition to changes of use prescribed by the *Environmental Protection Act* as uses for which a Record of Site Condition is mandatory (a change of use to a more **sensitive land use**), the Town may require a RSC to be filed where the application does not involve a change of use to a more **sensitive land use** as defined in the *Environmental Protection Act*. This requirement is to ensure, to the Town's satisfaction, that any remediation, or risk assessment and risk management, necessary to permit the intended use is to satisfaction of the Province. In such instances, final approval of the application, or waiving of conditions of approval, is contingent on Province acknowledgment of the RSC as well as any Certificate of Property Use issued by the Province in respect of the property.
7. Where the Town is deeded land for public highways, road widenings, **parks**, stormwater management, easements, or for any other purpose, the Town may

require that such transfers are conditional upon the verification, satisfactory to the Town, that the environmental condition of the property meets provincial legislation, regulations and guidelines. Where required by the Town or by the Province, this may include the filing of a Record of Site Condition on the Environmental Site Registry by a Qualified Person as defined by legislation and regulation, and its acknowledgement by the Province.

8. If an approval for Official Plan amendment is granted by the County of Simcoe or an approval is granted by the Town for a plan of subdivision and/or condominium, Zoning By-law amendment or a site plan, conditions of approval may be imposed/established for planning applications, including but not limited to the following:
 - a. Conditions of site plan approval; or
 - b. Holding provisions of the Zoning By-law,to ensure that satisfactory verification of suitable environmental site condition is received prior to the issuance of any Building Permits for the site.
9. The Town shall not consider an RSC until the applicant provides confirmation of acknowledgement by the Province.

3.12.3 OTHER ENVIRONMENTAL HAZARDS

3.12.3.1 Air Quality & Climate Change

1. The Town encourages Provincial and Federal initiatives to develop and enforce improved emission standards for motor vehicles and industrial operations.
2. The Town supports government programs and encourages industries to substantially reduce the production of chemical products known to have **negative impacts** on air quality.
3. The presence of trees improves air quality and reduces energy use through shading and protection as well as having aesthetic value. The Town may prepare and adopt an urban forestry program for the maintenance and planting of trees.
4. The Town may undertake tree planting, landscaping, and naturalization initiatives, where appropriate, on Town property to improve air quality.
5. The Town is committed to a program of replacing trees that must be removed from Town road allowances.
6. The Town shall strive to create a compact and walkable urban form consisting of **mixed uses** and efficient **active transportation** networks that encourage cycling and walking.

3.12.3.2 Noise, Vibration, Odour & Other Contaminants

1. Noise, vibration, odour and other contaminants resulting from industrial activity can impact **adjacent land** uses, and the residents, businesses and visitors of the Town. Managing noise, vibration and odour levels in the Town is important to ensuring the health and well-being of the Town, and in managing appropriate



relationships between **sensitive land uses**, land uses that emit noise, vibration and/or odour, and certain elements of the transportation network.

2. New residential or other sensitive uses shall not be located in noise sensitive areas unless noise abatement techniques identified in an acceptable noise impact assessment are employed to reduce the noise to comply with the Province sound level criteria/guidelines.
3. New residential or other sensitive uses shall not be permitted in any area where it is anticipated that noise, vibration, odour or other contaminants from vehicular traffic or from the nature of the use will exceed Provincial sound level criteria and/or guidelines.
4. Only those new commercial or employment uses that can meet the Province's sound level criteria shall be permitted.
5. The **development** of new employment uses shall have regard for the Provincial guidelines respecting separation distances between industrial uses and sensitive uses. In locating any **sensitive land use** in the vicinity of any established or approved employment use, the Town shall have regard for the relevant Provincial guidelines and may require the submission of a noise impact assessment.
6. For any proposed **development** of a **sensitive land use** in proximity to a railway right-of-way, a stationary noise source, and/or a Provincial Highway, a noise and vibration study shall be required to be prepared by a proponent through a qualified acoustical consultant in accordance with the appropriate Provincial guideline to the satisfaction of the Town, and/or other jurisdiction prior to **development** approval. The recommendations of the approved noise and vibration report shall be incorporated in the **development** agreement for implementation, as approved. The cost of noise and vibration studies and any other required supporting documentation shall be borne by the proponent. Costs incurred by the Town in engaging peer review consultants to evaluate the proposal and supporting submissions shall be reimbursed by the proponent.
7. The Town shall support initiatives of agencies to develop standards, regulations and procedures to prevent spillage of toxic materials. The Town shall support agencies and firms in the **development** of appropriate methods and capability to deal with spills with due speed and diligence. Additional safety measures for the storage, transportation and use of toxic materials shall be encouraged.
8. **Development** proposals for uses that involve the storage or processing of hazardous materials shall demonstrate, to the satisfaction of the Town, that they will comply with all relevant Provincial and/or Federal regulations.

3.13 WATER RESOURCES

It is a policy of the Town that:

1. The Town shall work cooperatively with the approval authority in dealing with land management issues within **watersheds** draining to any of the watercourses in the municipal boundary as well as those that extend beyond the Town boundaries into other jurisdictions.

2. The Town shall support appropriate flood control management programs of the approval authority.
3. The Town shall encourage the protection and restoration of **Natural Heritage Features and Areas** to improve the quality and quantity water resources.
4. Under the very limited circumstances where permitted by this Plan, **development applications** proposing 5 or more units/lots and that propose to make use of a private groundwater source shall be required to submit a detailed hydrogeological study to determine the suitability of the lands for groundwater extraction. The hydrogeological study shall be prepared to the satisfaction of the Town, in consultation with the Province.
5. The Town shall require the use of stormwater management facilities downstream of new **developments**, where appropriate, to mitigate **development** impacts on stormwater quantity and quality. The Town shall promote naturalized and unfenced stormwater management facilities, constructed with gentle slopes. Applications for **development** shall be required to be supported by a stormwater quality/quantity management study. The planning and design of stormwater facilities should be undertaken in accordance with the Province's Stormwater Management Planning and Design Manual.
6. In cooperation with the private sector and the community, the Town shall encourage the reduction of water consumption levels through the promotion of the efficient use of water and may specify appropriate water **conservation** measures within existing and new **development**.

3.13.1 SOURCE PROTECTION

The South Georgian Bay Lake Simcoe **Source Protection Plan (Source Protection Plan)** has been developed to protect existing and future supplies of municipal drinking water. The **Source Protection** policies contained in this Section have been developed to protect both the quality of drinking water and the quantity of drinking water for existing and future residents and businesses of the Town. As a note, all terms not defined within the Official Plan related to **Source Protection** are subject to the definition in the **Source Protection Plan**.

It is a policy of the Town that:

1. In accordance with Section 40 of the *Clean Water Act*, all decisions under the *Planning Act* and *Condominium Act* must conform to the **significant** threat policies as set out in the **Source Protection Plan**, as of July 1, 2015. The **Source Protection** policies of this Official Plan intend to focus on protecting water before it enters the drinking water treatment system.
2. The Town obtains its municipal drinking water from three well supplies: the Payette Well Supply which contains a total of three wells; the Robert Street Well Supply which contains a total of two wells; and the Lepage Well Supply which contains a total of two wells. The Source Protection Area Overlays and Issues Contributing Areas are included on Schedule B2 of the Official Plan. The Wellhead Protection Areas (WHPAs) A through E relate to water quality



considerations while WHPAs Q1 and Q2 relate to water quantity considerations. Highly Vulnerable Areas (HVAs), **Significant** Groundwater Recharge Areas (SGRAs) and an Issues Contributing Area (ICA) are also identified on Schedule B2 (there are currently no WHPA-E's in the Town of Penetanguishene). The Source Protection Overlay designations include the following:

- a. Wellhead Protection Area A (WHPA-A): 100 metre radius surrounding a well.
- b. Wellhead Protection Area B (WHPA-B): Two (2) year travel time for water to enter the well.
- c. Wellhead Protection Area C1 (WHPA-C1): Ten (10) year travel time for water to enter the well.
- d. Wellhead Protection Area D (WHPA-D): Twenty-Five (25) year travel time for water to enter the well.
- e. Wellhead Protection Area E (WHPA-E): The vulnerable area for groundwater supplies which are under the direct influence of **surface water**. The area is calculated based on a two hour travel time of **surface water** to the well. (There are currently no WHPA-E's in the Town of Penetanguishene.)
- f. Wellhead Protection Area Q1 (WHPA-Q1): Wellhead Protection Area Q1: An area delineated through a Tier 3 Water Budget and Water Quantity Risk Assessment as being the combined area that is the cone of influence of the well and the whole of the cones of influence of all other wells that intersect that area.
- g. Wellhead Protection Area Q2 (WHPA-Q2): An area delineated through a Tier 3 Water Budget and Water Quantity Risk Assessment as being the area that includes the WHPA-Q1 and any area where the future reduction in recharge would **significant** impact that area.
- h. Highly Vulnerable Aquifer (HVA): An aquifer that can be easily changed or affected by contamination from both human activities and natural processes as a result of (a) its intrinsic susceptibility, as a function of the thickness and permeability of overlaying layers, or (b) by preferential pathways to the aquifer. The Director's rules will permit the use of various methods, such as the Intrinsic Susceptibility Index (ISI), to determine those aquifers that are highly vulnerable. Ontario's ISI defines a highly vulnerable aquifer as having a value of less than 30. An ISI is a numerical indicator that helps to indicate where contamination of groundwater is more or less likely to occur as a result of surface contamination due to natural hydrogeological features. The ISI is the most commonly used method of index mapping and was the prescribed method set out in the provincial 2001/2002 Groundwater Studies.
- i. Significant Groundwater Recharge Area (SGRA): These are areas on the landscape that are characterized by porous soils, such as sand or gravel, that allows the water to seep easily into the ground and flow to an aquifer. A recharge area is considered **significant** when it helps maintain the water level in an aquifer that supplies a community with drinking water.

- j. Robert Street Issues Contributing Area: The area of land where drinking water threats may contribute to a known drinking water issue. In the Robert Street Issues Contributing Area, Trichloroethylene (TCE) is determined to be an issue and the area for which the source of TCE is determined is called the issues contributing area.
3. The Source Protection Area Overlays and Issues Contributing Areas may be updated without the need for an amendment to the Official Plan, provided a study is undertaken by the Source Protection Authority to refine these areas.
 4. The transition policies of the **Source Protection Plan** shall apply to threat activities that have been applied for under the *Planning Act*, *Condominium Act* or *Building Code Act*, prior to July 1, 2015.
 5. No *Planning Act* Application may be made and no Building Permit or Change of Use Permit under the Ontario Building Code may be issued to establish a use that is detailed by policy RLU-1 of the **Source Protection Plan**. The Zoning By-law shall detail these uses as set out in policy RLU-1 and provide direction for the Risk Management Official (RMO) to review the use and provide written notice in accordance with the *Clean Water Act*.
 6. The following uses are prohibited in WHPA-A to WHPA-D vulnerable areas where they would be a **significant** drinking water threat:
 - a. waste disposal sites within the meaning of Part V of the *Environmental Protection Act* (excluding storage of wastes described in clauses (p), (q), (r), (s), (t), or (u) of the definition of hazardous waste (O.Reg 347) and storage of hazardous or liquid industrial waste)
 - b. large (more than 10,000 L) on-site sewage systems
 - c. agricultural source material storage facilities
 - d. non-agricultural source material storage facilities
 - e. commercial fertilizer storage facilities
 - f. pesticide storage facilities
 - g. road salt storage facilities
 - h. snow storage facilities
 - i. fuel storage facilities
 - j. Dense Non-Aqueous Phase Liquid (DNAPL) storage facilities
 - k. organic solvent storage facilities
 - l. outdoor confinement or farm animal yard in WHPA-A
 7. The Risk Management Official (RMO) shall be responsible for determining when an existing or future use or activity is, or may be, a **significant** drinking water threat in accordance with the *Clean Water Act*; and whether the use or activity is prohibited or regulated through a risk management plan in accordance with the **Source Protection Plan**.
 8. All non-residential land uses, are designated for the purposes of Section 59 of the *Clean Water Act*. Any applications made under the *Planning Act* for non-residential uses that would be a **significant** threat to drinking water that is submitted on lands within the WHPA or ICA as shown on Schedule B2, must



include a Notice from the Risk Management Official (RMO) as part of a **complete application**. The determination of whether a non-residential use would be a **significant** threat is based on the location criteria and the intensity of use criteria (minimum scale requirement) outlined in the **Source Protection Plan**.

9. Prior to filing an application under the *Planning Act*, an applicant proposing a new use within a WHPA or ICA shall pre-consult with the Town and/or the Risk Management Official to determine if the proposed use would be a **significant** threat to drinking water. The Town and the Risk Management Official should determine which studies are required for the application and identify the scope of issues and/or technical requirements that need to be addressed before such a use is permitted.
10. The Risk Management Official is an individual appointed by the Town under Part IV of the *Clean Water Act*. The Risk Management Official shall be responsible for determining whether uses are considered **significant** threats to drinking water and shall be responsible for the preparation of Risk Management Plans.
11. The Town may assist the Source Protection Authority and the Province in their endeavour to educate those engaged in applying, handling or storing of materials that could potentially lead to a **significant** threat to drinking water. In cooperation with the Town Risk Management Official, Council may undertake public education and outreach programs as required by the South Georgian Bay Lake Simcoe **Source Protection Plan**.
12. A Highly Vulnerable Aquifer (HVA) is an aquifer used as a water supply for a well where the aquifer is particularly susceptible to contamination due to the proximity of the aquifer to the surface or to the type of materials found in proximity to the aquifer.

HVAs are identified on Schedule B2 of this Plan. Where **development** or **site alteration** is proposed in an HVA, the Town shall encourage the use of mitigative measures in order to protect, improve or restore HVAs.
13. A Significant Groundwater Recharge Area (SGRA) is an area where an aquifer is recharged by natural processes such as infiltration of rainfall or by human activities such as stormwater management.

SGRAs are identified on Schedule B2 of this Plan. Where **development** or **site alteration** is proposed in an SGRA, the Town shall encourage the use of mitigative measures such as **low impact development** in order to protect SGRA's.

New **development** shall protect, improve or restore predevelopment infiltration rates in SGRAs.
14. Through **Site Plan Control**, consideration shall be given to minimizing the potential impact of the application of road salt within vulnerable areas and where possible, should:
 - a. Minimize the amount of impervious surface area requiring the application of salt during winter
 - b. Design site grading and drainage to reduce ponding
 - c. Direct run-off outside of vulnerable areas or to storm sewers; and

- d. Provide for quality control measures to limit migration of sodium chlorides in storm run-off
15. The design of new stormwater management facilities in vulnerable areas shall minimize the risk of contaminating drinking water by encouraging grading and drainage designs that reduce ponding and direct any run-off outside of vulnerable areas, where it would be a low, moderate, or **significant** drinking water threat.
16. Where a **development** proposal is located within a vulnerable area and includes stormwater management facilities, a Stormwater Management Plan shall be required as part of a **complete application** to ensure that the design of the new facilities minimizes the risk to drinking water and directs the discharge to lands outside of vulnerable areas.
17. Where services and capacity exists, the Town will enact a By-law that mandates connecting to the municipal waste water system in vulnerable areas where an on-site sewage system is a **significant** drinking water threat.
18. Where possible, new private communal sewage services or **municipal sewage services** should be located outside of vulnerable areas where it would be a **significant** drinking water threat. Where a **development** proposal includes new private communal sewage services or municipal sewage services, a Master Environmental Servicing Plan (MESP) shall be required as part of a **complete application**.
19. In the area where a future small on-site sewage system would be a **significant** drinking water threat, new **development** may be permitted only where the **lot** size for any proposed **development** that would include a small on-site sewage treatment system is based on the most current version of Province's guidelines for individual on-site servicing. **Lots** of record that existed prior to July 1, 2015, are exempted.
20. The Town shall prohibit new small on-site sewage systems within the WHPA-A in the Robert Street Issue Contributing Area.
21. In areas in the Robert Street Issues Contributing Area, outside of the WHPA-A where a future small on-site sewage system would be a **significant** drinking water threat, new **development** may be permitted only where the **lot** size for any proposed **development** that would include a small on-site sewage treatment system is based on the most current version of Ministry of Environment and Climate Change's guidelines for individual on-site servicing. **Lots** of record that existed prior to July 1, 2015, are exempted.
22. Any non-residential **development** or multi lot/unit residential **development** within a WHPA-Q1 that proposes to remove water from an aquifer without returning the water to the same aquifer that has a moderate or **significant** risk level shall require an amendment to this Plan, and the following must be demonstrated:
 - a. The taking of water would not cause draw down impacts beyond a safe level and not preclude the Town from maintaining their municipal wells above a safe level of drawdown under the scenarios tested in the Tier 3 Risk Assessment as part of the **Source Protection Plan**.



- b. That the increased water removal is sustainable as determined by the Ministry of the Environment and Climate Change in accordance with the **Source Protection Plan** and the *Ontario Water Resources Act*.
- 23. Within a WHPA-Q2 area with a moderate or **significant** risk level, the Town shall only permit new major **development** (excluding single detached residential, barns and non-commercial structures that are accessory to an agricultural operation) that may reduce the recharge of an aquifer where it can be demonstrated through the submission of a hydrogeological study that the existing water balance can be maintained through the use of best management practices such as **low impact development**. Where necessary, implementation and maximization of off-site recharge enhancement within the same WHPA-Q2 area to compensate for any predicted loss of recharge from the **development** shall occur.
- 24. The use of best management practices, such as low impact design, shall be required for **development** or **site alteration** in WHPA-Q2 areas assigned a moderate or **significant** risk to maintain pre-development recharge rates for non-major **developments** or **site alterations** that would be a **significant** drinking threat

The image features a solid orange background with a white line-art map of a city grid. The map shows a dense network of streets and blocks, with some larger, irregular shapes representing parks or undeveloped areas. In the top left corner, there is a white horizontal scale bar. The text 'LAND USE FRAMEWORK' is printed in a bold, white, sans-serif font across the upper left portion of the map.

**LAND USE
FRAMEWORK**

4

Page intentionally left blank



4. LAND USE FRAMEWORK

The land use designations and structure provides a principal means of implementing the Plan's goals and objectives, as well as creating a complete and vibrant community. The land use policies are a fundamental component of the Plan and are intended to reinforce and general policies indicated in Section 3. Indeed, the Plan are intended to direct, where and under what circumstances, housing, retail, office and other employment uses, **parks** and open spaces, as well as natural and cultural heritage and mineral extraction may occur within the Town. It also directs the overall build form and **character** within the Town, to ensure that current and future uses are at an appropriate scale and respectful of the surrounding context.

This is further delineated by the establishment of the following nine primary Land Use designations as identified on Schedule A:

1. Neighbourhood Area;
2. Downtown & Waterfront Area;
3. Mixed-Use & Commercial Area;
4. Employment Area;
5. Provincial Institutional Area;
6. Major Open Space Area;
7. Shoreline Residential Area;
8. Rural Area; and
9. Environmental Protection Area.

Each designation outlined on Schedule A, is linked to the land use policies discussed throughout this chapter. The policies contained within this chapter apply on an area-wide basis within the boundaries of each land use designation.

In addition, to these land use policies, overlays provide an additional structure and framework for more detailed land use policies to guide **development**. These overlays are outlined on Schedule B1 to this Plan.

4.1 USES PERMITTED IN ALL LAND USE DESIGNATIONS

It is the policy of the Town that:

1. The following uses are permitted in all designations, except in the Environmental Protection Area designation unless otherwise stipulated below:
 - a. Publicly-owned and operated community facility, including a library, community centre, **recreation** centre, long-term care facility, and **special needs housing**;
 - b. Schools and associated **infrastructure**
 - c. fire, police and emergency service facility;



- d. electrical, gas, oil, and telecommunication transmission/distribution facilities (permitted in all designations provided there are no **negative impacts** to Natural Heritage Features, Areas, or their Functions);
- e. publicly-owned parking facility;
- f. publicly-owned parkland and public **recreation** use;
- g. cemetery;
- h. municipal transportation facility; and
- i. municipal service including an underground service, and **utility**, operation and maintenance facility.

4.2 NEIGHBOURHOOD AREAS

The Town's Neighbourhood Areas are generally characterized by low density residential uses as well as some medium-density residential and a range of service uses and facilities. Access to local convenience retail, community facility uses, and open spaces provide an important characteristic of these areas. It is essential to encourage greater access and pedestrian experience to these facilities.

New **development** will be accommodated in **Designated Greenfield Areas** as well as through **infilling** on existing **lots** of record and the rounding-out of existing **development** patterns in the **Delineated Built Boundary**. Should opportunities for **intensification** occur in the Neighbourhood Areas in accordance with Section 2.2, the policies of this Plan will ensure that the **character** of these neighbourhoods is preserved. The provision of **affordable** housing is a vital characteristic of Neighbourhood Areas

Within Neighbourhood Areas, neighbourhood-scale commercial uses and community facilities such as public schools and places of worship may be situated in appropriate, accessible locations on arterial roads to help facilitate access for residents..

It is a policy of the Town that:

1. The **character** and identity of existing residential neighbourhoods shall be sustained and enhanced.
2. The Town's existing housing stock shall be preserved and maintained, supplemented by various forms of residential **intensification** such as **infilling** and the creation of accessory **dwelling units**, where appropriate.
3. A range of residential accommodation by housing type, tenure, size, and location are provided to help satisfy the Town's housing needs.
4. The provision for a range of innovative and **affordable** housing types, zoning standards and subdivision designs shall be encouraged.
5. To the extent feasible, existing trees of desirable species shall be retained and incorporated into the landscaping plans for new **development**.



6. The Town may prepare **development** standards and require architectural control plans to be reviewed on the basis of residential **development** proposals providing compact design and improved affordability.
7. Compatibility with the existing housing stock and the **character** of the area shall be maintained in accordance with Section 3.1.
8. New residential **development** shall occur adjacent to the existing **development** and in a compact form, characterized by a mix of densities that allow for the efficient use of land, **infrastructure**, and **public service facilities**.
9. New **development** shall be encouraged to adopt a high quality of design that is reflective of the **character** of the Town of Penetanguishene and supportive of the existing area.
10. MDS I shall not apply to **development** within the Town.

4.2.1 PERMITTED USES

Subject to the Land Use and Built Form policies of Section 4.2.2, the following uses shall assist in guiding **development** permitted within Neighbourhood Areas, recognizing that a more definitive list shall be provided in the Zoning By-law.

Residential Uses

1. Low-density residential uses.
2. A home occupation in a **dwelling unit**.
3. Medium density residential uses, including triplex dwellings, fourplex dwellings, row or block townhouse dwellings, converted dwellings containing more than two **dwelling units**, and **small-scale** apartments.
4. Existing single detached dwellings may be converted to multiple **dwelling units** provided the external design of the building does not substantially change.
5. **Bed and breakfast establishments**.
6. A Secondary **Dwelling Unit**.

Neighbourhood Commercial Uses

7. Neighbourhood commercial uses such as convenience stores, personal service establishments, **small-scale** eating establishments, and other similar convenience commercial uses that serve the day-to-day needs of the area shall be permitted subject to **locational criteria**.

Community Facility Uses

8. Community facility uses, such as hospitals, clinics and treatment facilities, elementary schools, secondary schools, post-secondary educational facilities, government offices, places of worship, cemeteries, and government-operated institutions, child care centres, nursing and retirement homes, museums and other cultural facilities shall be subject to the policies of Section 4.2.2 and 3.2.
9. **Special needs housing** or similar housing facilities for older persons including nursing homes and long-term care and senior's facilities shall be developed in

accordance with the medium density residential policies of Section 4.2.2. and the **special needs housing** policies of Section 3.8.3.

10. **Ancillary uses** which are of an appropriate scale and intended to service the main permitted use, such as a variety store, gift shop, restaurant/cafe/tertia, financial institution, pharmacy, or residence.

Parks and Open Space Uses

11. Cemeteries, fairs or exhibition grounds, marinas, community **parks**, **neighbourhood parks**, Town-wide **parks**, private **recreation** areas, and other private open space lands, and other public **park** uses shall be permitted, in accordance with the policies of Section 4.2.2 and 3.2.
12. The **conservation** and enhancement of land and/or the environment, as well as the provision of active and passive outdoor recreational and educational opportunities shall be permitted, particularly on land exhibiting environmental sensitivity or containing Natural Heritage Features, provided that there are no **negative impacts** or degradation to the natural features of the site.

Accessory Uses

13. Uses accessory to any of the foregoing uses.

4.2.2 LAND USE & BUILT FORM POLICIES

It is a policy of the Town that:

Residential Uses

1. Medium density residential uses shall be subject to the following criteria:
 - a. the density, height and **character** of the **development** shall be compatible with adjacent uses but shall not exceed three storeys;
 - b. the height and massing of the buildings at the edge of the medium density residential **development** shall have regard to the height and massing of the buildings in any adjacent low/medium density residential area and may be subject to additional setbacks, height restrictions, or landscaping to provide an appropriate transition;
 - c. the **development** shall have direct access to a road maintained year-round by the Town;
 - d. the watermains, sanitary sewers, and stormwater management facilities shall be capable of accommodating the **development**, or the proponent shall commit to upgrading services at no cost to the Town;
 - e. the **development** is adequately serviced by **parks** and school facilities;
 - f. the **development** shall be designed and landscaped, and buffering shall be provided to ensure that the visual impact of the **development** on adjacent uses is integrated;



- g. all required parking shall be provided on the site, and cash-in-lieu of required parking in accordance with the policies of Section 5.2.8 of this Plan, shall not be accepted by the Town;
 - h. in **developments** incorporating **small-scale** apartments, block townhouse dwellings and similar medium profile residential buildings, on-site recreational facilities or amenities such as private open space or playground equipment may be required;
 - i. except for a triplex dwelling, fourplex dwelling or other similar medium density **developments**, a report on the adequacy of the road network to accommodate the expected traffic flows, and the adequacy of water and sewer services may be required to be prepared by the proponent and approved by the Town; and
 - j. medium density residential uses may be subject to **Site Plan Control**, in accordance with the policies of Section 4.2.2.1 of this Plan.
2. A home occupation shall not change the residential **character** of the building and lot, and residential remains the principal use. The use shall be compatible with the surrounding residential uses. Sufficient parking shall be made available on-site.
 3. **Bed and Breakfast establishments** shall provide all of the required parking on the same lot, subject to criteria in the Zoning By-law.

Neighbourhood Commercial Uses

4. **Neighbourhood commercial uses** shall be subject to the following criteria:
 - a. no more than one commercial structure or building shall be permitted on any site or in any one location;
 - b. the building height shall be limited to one storey unless residential apartments are located on the upper floor(s), in which case the maximum building height shall be compatible with the surrounding residential uses;
 - c. landscaping, fencing, berming and other screening shall be provided adjacent to residential land uses where appropriate;
 - d. all required parking shall be provided on the site, and cash-in-lieu of required parking shall not be accepted by the Town;
 - e. driveway access shall be approved by the Town; and
 - f. the use shall be subject to **Site Plan Control**, in accordance with the policies of Section 6.3.6 of this Plan.

Community Facility Uses

5. Community Facility **development** proposed in the Neighbourhood Area shall be consistent with the urban design policies of this Plan.
6. Existing school sites represent important community focal points throughout the Town. The Plan recognizes that some of the existing secondary and/or elementary school sites may offer opportunities for **redevelopment** should they become surplus.

7. Should the surplus school site lands becomes available, the Town may endeavor to acquire the lands and prepare a comprehensive **development** plan in consultation with the public. The comprehensive **development** plan shall be implemented through an Official Plan Amendment and/or Zoning By-law Amendment, which encompasses the entire landholding and examines the following options:
 - a. The use of the site to meet housing targets, particularly for **special needs housing**; and
 - b. The use of the site for a suitable alternative purpose.
8. Specific **development** standards for permitted uses and **ancillary uses** shall be included in the Zoning By-law and may include floor space limitations, parking requirements, and limitations on signage and advertising.
9. Any proposal to add or enlarge a Community Facility Use shall be evaluated on the basis of:
 - a. the impact on and the compatibility with the uses surrounding the site; and
 - b. the adequacy of social and physical services, including roads to accommodate the proposed use.
10. Adequate off-street parking areas shall be provided in accordance with the provision of the Zoning By-law, and access to parking areas shall be limited and designed to provide maximum safety for pedestrian and vehicular traffic.
11. Community Facility Uses shall be located where there is direct access to a Major Road to discourage traffic from using local roads.
12. The profile of the **development** shall relate to the adjacent buildings and uses and result in a gradual transition in terms of the profile of buildings, where applicable and appropriate.
13. The site shall be designed to be accessible to all persons within the community, including the elderly and those persons with physical disabilities.
14. Appropriate landscaping and buffers shall be provided to enhance the physical separation between the use and adjacent sensitive uses, where applicable and appropriate.

Parks and Open Space Uses

15. **Development** in **parks** and open spaces shall also be subject to the policies of Section 3.2.2 for the management of the **parks** and open space uses, and Sections 3.10 and 3.12 and Schedules A and B to determine any Natural Heritage Features and functions and/or Natural **Hazards**, which may be a constraint to **development**.
16. The retention and expansion of **parks** within the **Parks** and Open Space Area is of a high priority and shall be encouraged subject to the lands ownership, location, and existing conditions. Prior to acquiring new **parks**, the completion of an Environmental Site Assessment shall be required to determine the level of contamination, if any.



17. Where the **Parks** and Open Space Area is applied to privately owned lands, it shall not imply that the lands are free and open to the general public. There shall be no obligation for the Town, or any other public agency, to purchase the lands.

4.3 DOWNTOWN AND WATERFRONT AREA

The Downtown and Waterfront Area reflects the historical core of the Town of Penetanguishene as a service and cultural centre. This Area represents the broadest diversity of land uses, greatest level of activity, and highest quality of design that reflects the historical **character** and culture of the Town. Achieving the desired mix of uses shall be achieved by encouraging **intensification** and the **redevelopment** of existing vacant and underutilized sites where it is feasible and practical. The Downtown and Waterfront Area is considered as the Town's key Strategic Growth Area to accommodate **intensification** in accordance with Section 2.1.2.

It is a policy of the Town that:

1. The Town may undertake a comprehensive retail support strategy for the community to consider the requirements for retail and commercial **development** within the Downtown and Waterfront Area, and/or any other secondary locations as determined by the Town.
2. A **Retail Market Impact Study** may be completed to the satisfaction of the Town to assist the Town in determining the impact of a proposed major retail use(s) will have on the planned function of the Town's commercial structure. A **Retail Market Impact Study** shall:
 - a. identify the type and size of retail facility that is warranted or will be warranted by a certain year;
 - b. provide updated information on the performance of the Town's retail sector or sub-sector that may potentially be impacted by the proposal, and identify the impact of the proposed **development** on other retail locations within the Downtown and Waterfront Area;
 - c. assess the availability and suitability of the Downtown and Waterfront Area as a location for the proposed **development**; and
 - d. enable the Town to identify the specific requirements and limitations which shall be included in the amendment to this Plan, Zoning By-law amendments, site plans and agreements, or otherwise made a condition of approval.
3. New **development applications** within the Downtown and Waterfront Area shall indicate how **development** on an individual property may be coordinated and integrated with other properties within the surrounding Area.

4.3.1 PERMITTED USES

Subject to the Land Use and Built Form policies of Section 4.3.1.2, the following uses shall assist in guiding the broad range of **development** permitted within the Downtown and Waterfront Area, as identified on Schedule A, recognizing that a more definitive list shall be provided in the Zoning By-law:

Residential Uses

1. Low-density residential uses.
2. A Secondary **Dwelling Unit** in accordance with Section 3.8.4.
3. Medium density residential uses including triplex dwellings, fourplex dwellings, row or block townhouse dwellings, converted dwellings containing more than two **dwelling units**, **small-scale** apartments (up to and including 3 storeys), and other similar medium profile residential buildings.
4. High density residential uses including low-rise (above 3 stories) and mid-rise (above 4 storeys) apartment buildings; multiple-attached dwellings and other similar high profile residential buildings.
5. Residential units above ground-floor commercial uses.
6. **Special needs housing**, group homes, or similar housing facilities for older persons including nursing homes and long-term care facilities shall be permitted in accordance with Section 3.8.3.

Commercial Uses

7. A full range of commercial and retail establishments, which are intended to serve the needs of the Town-residents and individuals travelling into the Town requiring a high-level of services, including hotels, restaurants, animal hospitals, medical clinics/offices, commercial **recreation** uses, **private clubs**, funeral homes, child care centres, business and professional offices, eating establishments, service and convenience retail and similar types of uses, food stores, drug stores, banks and other financial institutions, specialty retail stores, beer and liquor stores, personal service shops, and hardware uses.
8. A publicly-owned Marina including any accessory facilities related thereto.

Community Facility Uses

9. Places of worship, neighbourhood community, and cultural centres shall be permitted in accordance with Section 4.2.2.
10. Elementary schools, secondary schools, post-secondary institutions, and child care centres shall be permitted in accordance with Sections 4.2.1.
11. Tourism and recreational uses shall be permitted including but not limited to museums, arts centres, libraries, and other similar community facility uses.

4.3.2 LAND USE & BUILT FORM POLICIES

It is a policy of **the** Town that:



1. New development in the Downtown and Waterfront Area shall ensure that proper building frontage is maintained and that the proposed uses do not negatively impact the planned function of the area.
2. The height and massing of the building shall have regard to the height and massing of the buildings on any adjacent property and may be subject to additional setbacks, height restrictions, or landscaping to provide an appropriate transition. In general, new **developments** shall not exceed 5 storeys. Where **development** is proposed to exceed 5 storeys, the proponents shall submit detailed designs of the proposed **development** and identify any potential impacts on adjacent **developments**, including but not limited to shadow-casting, parking, traffic, and noise.
3. For residential units, the **development** shall be adequately serviced by **parks** and school facilities.
4. In addition to the requirements in Section 5.2.8, appropriate parking standards for the Downtown and Waterfront Area shall be established in the Zoning By-law.
5. For **developments** incorporating **small-scale** apartments, block townhouse dwellings and similar medium profile residential buildings, on-site recreational facilities or amenities such as private open space or playground equipment may be required.
6. For **developments** with a potential to impact the traffic patterns of the area, a report shall be provided by the proponent identifying the adequacy of the road network to accommodate the expected traffic flows, in association with policies in Section 5.2.
7. Within outlying areas of the Downtown and Waterfront Area and areas that abut or are in proximity to residential uses, the height, density and massing of the **development** shall be compatible with the adjacent low density residential uses through the use of appropriate transitions including but not limited to lower building heights, additional setbacks and buffers, building treatments, location of parking, and landscaping. Residential uses shall not be adversely impacted by new **developments**, which may include but not be limited to traffic/parking, noise (including deliveries), lighting, and shadow-casting. Proponents shall demonstrate how the proposed **development** will be integrated into the area and if there are **negative impacts** that cannot be mitigated through landscaping, building orientation, etc, the **development** may not be approved.
8. Proposals for new retail uses with a gross **floor area** exceeding 2,000 m² shall be subject to the following policies:
 - a. a planning rationale report shall be completed to assess the impact of the larger-scale retail use in relation to the planned function of the area within the Downtown and Waterfront Area designation and impacts on adjacent uses, as well as any other matters determined by the Town. A **Retail Market Impact Study** shall be completed in accordance with the policies of Section 4.2.2 of this Plan;

- b. a traffic impact study shall be completed in accordance with the specific requirements of the Town and the County, as appropriate;
 - c. a servicing and stormwater management plan shall be completed in accordance with the specific requirements of the Town and the Province, as appropriate; and
 - d. an Urban Design Strategy and Architectural Control Plan may be completed, subject to the policies of Section 4.3.1 of this Plan and to the satisfaction of the Town that, demonstrates a high-level of design to ensure a positive image of the Town is exhibited at street-level, requires the **development** to be built to the street edge or to the established building line, ensures the **development** fits within the existing **streetscape** by using the adjacent and nearby facades as precedent setting features, providing architectural and urban design treatments satisfactory to the Town.
9. A consistent building height of two to three storeys shall be encouraged along the established building lines to maintain the continuity of the street and consistent roof lines, and ensure that buildings are presented at a pedestrian scale.
 10. Where a commercial building is proposed over one storey, upper floors shall accommodate residential units.
 11. To the extent feasible, new **development** shall minimize the obstruction of views of natural features and landmarks

4.4 MIXED-USE & COMMERCIAL AREAS

Lands identified as **Mixed Use** & Commercial are located within the areas identified on Schedule A. These areas include service commercial uses, of which include retail stores, entertainment, restaurants and personal service uses. The retail formats are often large, and typically have uses such as warehouse and wholesale outlets, automotive uses, retail stores, groceries stores. Given the emphasis on vehicular traffic, access and parking are critical to the success of these Areas.

These uses are located along the Town's Major Roads and are considered as a Strategic Growth Area in accordance with Section 2.1.2. It is in the intent of this Plan to help transform and encourage a wider range of **mixed uses** to these areas, which may include higher density retail, office as well as residential uses. By diversifying the range of uses permitted, the Town has the opportunity to encourage the **development** of a complete community, where residents have the option to use non-automotive modes of travel to and fro **Mixed Use** & Commercial Areas.

It is a policy of the Town that:

1. The Town may undertake a comprehensive retail strategy for the community to consider the requirements for retail and commercial **development** within the Mixed-Use and Commercial Area, and/or any other secondary locations as determined by the Town.



2. A **Retail Market Impact Study** may be completed to the satisfaction of the Town to assist the Town in determining the impact of proposed retail use(s) will have on the planned function of the Town's commercial structure. A **Retail Market Impact Study** shall:
 - a. identify the type and size of retail facility that is warranted or will be warranted by a certain year;
 - b. provide updated information on the performance of the Town's retail sector or sub-sector that may potentially be impacted by the proposal, and identify the impact of the proposed **development** on other retail locations within the Commercial and Mixed-Use Area;
 - c. assess the availability and suitability of the Commercial and Mixed-Use Area as a location for the proposed **development**;
 - d. demonstrate to the satisfaction of the Town that the proposed retail uses will not have a detrimental impact on the planned function of the Town's commercial structure, particularly the Downtown and Waterfront Area; and
 - e. enable the Town to identify the specific requirements and limitations which shall be included in the amendment to this Plan, Zoning By-law amendments, site plans and agreements, or otherwise made a condition of approval.
3. New **development applications** within the **Mixed Use** and Commercial Area shall indicate how **development** on an individual property may be coordinated and integrated with other properties within the surrounding Area.

4.4.1 PERMITTED USES

Subject to the Land Use and Built Form policies of Section 4.4.2, the following uses shall assist in guiding the broad range of **development** permitted within the **Mixed Use** and Commercial Area, as identified on Schedule A, recognizing that a more definitive list shall be provided in the Zoning By-law:

Residential Uses

1. Existing low-density residential uses legally existing on the date of adoption of this Plan.
2. A Secondary **Dwelling Unit** in accordance with Section 3.8.4.
3. Medium residential uses shall be permitted including triplex dwellings, fourplex dwellings, row or block townhouse dwellings, converted dwellings containing more than two **dwelling units**, **small-scale** apartments (up to and including 3 storeys), and other similar medium profile residential buildings.
4. High density residential uses including low-rise (above 3 stories) and mid-rise (above 5 storeys) apartment buildings; multiple-attached dwellings and other similar high profile residential buildings.
5. Residential units above ground-floor commercial uses.

Commercial Uses

6. Commercial uses such as business and professional offices, eating establishments, service and convenience retail and similar types of uses.
7. A full range of commercial and retail establishments shall be permitted, which are intended to serve the needs of the Town-residents and individuals travelling into the Town requiring a high-level of services, including hotels, restaurants, animal hospitals, medical clinics/offices, commercial **recreation** uses, private clubs, funeral homes, child care centres, food stores, drug stores, banks and other financial institutions, specialty retail stores, personal service shops, and hardware uses.

Community Facility Uses

8. Places of worship, neighbourhood community, and cultural centres shall be permitted in accordance with Section 4.4.2.
9. Elementary schools, secondary schools, post-secondary institutions, and child care centres shall be permitted in accordance with Sections 3.2.1 and Section 3.4.
10. **Special needs housing**, group homes, or similar housing facilities for older persons including nursing homes shall be permitted in accordance with Section 3.8.3.
11. Tourism and recreational uses, including but not limited to museums, arts centres, libraries, and other similar community facility uses.

Accessory Uses

12. Uses accessory to any of the foregoing uses.

4.4.2 LAND USE & BUILT FORM POLICIES

It is a policy of the Town that:

1. The height, massing, orientation and layout of buildings shall reinforce the **character** of the adjacent streets, the corridor, and utilize a high-level of design.
2. The form and design of new **development** shall complement any **significant** natural features such as river valleys, ravines, wooded areas and parklands that form part of, or are located adjacent to, the site.
3. To the extent feasible, existing trees of desirable species shall be retained and incorporated into the landscaping plans for new **development**.
4. To the extent feasible, new **development** shall minimize the obstruction of views of natural features and landmarks.
5. Emphasis shall be placed on the promotion of a high standard of design for new buildings.
6. The relocation or replacement of incompatible land uses and the **redevelopment** of derelict properties shall be encouraged.
7. A coordinated approach shall be taken to the planning and design of **streetscape** improvements along and in proximity to the corridor, including the



upgrading of building facades, signage, sidewalks, lighting, parking areas and landscaping.

8. In pedestrian traffic areas, new **development** shall include street oriented features that provide for the enhancement of the pedestrian environment, such as canopies, awnings, street furniture, landscaped setbacks and sitting areas.
9. The design and positioning of new buildings shall have regard for the impact of the proposed **development** on year-round sunlight conditions on adjacent properties and streets. In reviewing proposed **developments**, access to sunlight for adjacent properties shall be maximized to enhance the potential for energy **conservation** and the amenity of nearby and adjacent Neighbourhood Areas and open space areas, such as parkettes and outdoor plazas.
10. Landscaping shall be used to **conserve** energy and water, enhance the appearance of building setback and yard areas, contribute to the blending of new and existing **development** and screen parking, loading, garbage and service facilities from adjacent properties and streets.
11. Where a proposed **development** consists of a grouping of buildings, or within an existing grouping of buildings, the buildings shall be positioned in a way to define functional and secure pedestrian spaces and be oriented to the local street.
12. The design of new buildings shall be accessible to handicapped persons and older persons.
13. Parking and loading facilities and driveways shall be located and designed to facilitate manoeuvrability on site, between adjacent sites where appropriate, and to reduce the traffic flow disruption resulting from turning movements to and from the property. The consolidation of access points to the street shall be encouraged.
14. To the extent feasible, the design and positioning of new buildings shall minimize the loss of privacy for adjacent residential properties.
15. Where residential **development** is affected by adverse noise conditions, the use of urban design features such as building orientation, location of outdoor open space relative to the noise sources and noise attenuation measures shall be encouraged subject to Section 4.6.9.2 of this Plan.
16. To encourage the reduction, re-use and recycling of waste, new **development** shall incorporate waste handling, composting and recycling facilities into their site design.
17. New **developments** shall be designed to minimize energy and water use and where feasible, to provide for the **conservation** of building materials through re-use, recycling and renovation.

4.4.3 SITE SPECIFIC POLICY AREAS

4.4.3.1 Site Specific Policy Area 1

On lands identified as Site Specific Policy Area 1 (SSPA1) on Schedule B1 the following is a policy of the Town:

1. A marina shall be permitted;
2. Commercial establishments that are destination-oriented such as, motels, hotels, restaurants, commercial **recreation** uses, are permitted in accordance with Section 3.5.1.
3. Residential uses in accordance with Sections 4.3.1 and 4.3.2 are permitted.
4. Uses accessory to any of the permitted uses in the SSPA1 shall be permitted.
5. Any expansions or new **development** shall be subject to the Community Design and Built Form policies of Section 3.1 and Community Improvement policies of Section 3.3.

4.5 EMPLOYMENT AREAS

The Town's **Employment Areas** are vital to the local economic well-being and the long-term growth of jobs. **Employment Areas** are intended to accommodate industrial, manufacturing, logistics and related uses that require separation from **sensitive land uses**. Currently, employment lands are generally focused east and west around Fuller Avenue, north of Thompson Road, east of Dufferin Street, and south of Cambridge Street. The intent of the **Employment Areas** are to ensure that there are sufficient lands to accommodate a full range of employment uses while ensuring land use conflicts are minimized and separation distances are adhered to. The designated **Employment Areas** are identified on Schedule A to this Plan.

Businesses increasingly require flexibility to compete on a local, regional and increasingly global scale. This designation provides a place in the Town for current and future business and industrial operations, not able to locate elsewhere in the Town.

It is a policy of the Town that:

1. The location of **Employment Areas** are designated on Schedule A. In accordance with the policies of Section 4.5.2, **Employment Areas** shall be the focus of employment growth and shall accommodate a range of heavy, light, and **prestige industrial** uses.
2. **Employment Areas** shall promote economic development and competitiveness by:
 - a. providing a range and mix of employment uses to provide for a diversified economic base;
 - b. maintaining a range and choice of suitable sites for employment uses to support a wide range of employment activities and related uses to accommodate both local and regional markets;
 - c. ensuring that certain employment uses are protected from intrusion by incompatible **sensitive land uses**;
 - d. providing an appropriate level of transportation **infrastructure**;
 - e. directing employment related traffic to arterial roads, and away from local residential streets to the extent possible; and
 - f. protecting **significant Natural Heritage Features and Areas**.



3. A proposal to create a new **Employment Area** shall only be considered through a **municipal comprehensive review** undertaken by the County; however, boundaries may be slightly refined and rounded out as the Town deems appropriate and shall not require an amendment to this Plan, provided no net increase of Employment Lands has occurred.
4. **Employment Areas** shall be protected and preserved for employment uses and the Town shall discourage the conversion of **Employment Areas** for other uses. The conversion of lands from **Employment Areas** to non-employment uses shall only be considered through a **municipal comprehensive review** undertaken by the County.

4.5.1 PERMITTED USES

Subject to the Land Use and Built Form policies of Section 4.5.2, the following uses shall assist in guiding the broad range of **development** permitted within **Employment Areas**, recognizing that a more definitive list shall be provided in the Zoning By-law.

1. The predominant use of land shall be a wide range of employment and heavy and **light industrial** uses, subject to the policies of Section 4.5, including manufacturing, operations related to the forest products and agriculture industry, research and design laboratories, logistics operations, warehousing, distribution, offices and related industrial and business **park** uses, in addition to **ancillary** commercial uses serving the **Employment Area**. **Employment Areas** shall not support institutional uses or destination-oriented commercial and shopping uses.
2. Retail and Commercial uses associated with and clearly **ancillary** to the main employment use.
3. Uses accessory to any of the permitted uses.

4.5.2 LAND USE & BUILT FORM POLICIES

It is a policy of the Town that:

1. Those uses that create or potentially create extreme environmental stress as a result of air, noise, and/or vibration emissions, and/or the generation and/or handling of solid or liquid wastes shall only be considered if they meet the Provincial Guidelines and an impact assessment is submitted that is satisfactory to the Town.
2. Industrial uses that require open storage of goods and materials such as manufacturing, processing, assembling, repairing, wholesaling, warehousing, trucking and storage shall be permitted, however, the open storage shall be screened such that it is not visible from any adjacent **sensitive land uses** and on roads.
3. For uses that exhibit any or all of the following characteristics, a study shall be prepared in accordance with the relevant Provincial Guidelines to demonstrate that the proposed use is compatible with any nearby potentially incompatible or sensitive uses:

- a. long production hours and shift operations/unusual hours of operation;
 - b. **outdoor storage** of goods and materials;
 - c. frequent shipment of products and/or materials;
 - d. large volumes of traffic at off-peak hours; and/or
 - e. likelihood of nuisances, such as noise, odour, dust, lighting or vibration.
4. An appropriate separation distance, based upon the relevant Provincial Guidelines related to land use compatibility, shall be established between an industrial land use and any **sensitive land use**. This separation distance shall be enforced through a site-specific amendment to the Zoning By-law and **Site Plan Control** through the use of a minimum building setback applied to any industrial use adjacent to an established, planned, or approved **sensitive land use**.
 5. Deviation from established separation distances shall require detailed supporting studies of the potential impacts on the **sensitive land use** by the industrial use, and vice-versa, and any recommended mitigation measures.
 6. Separation distances between **sensitive land uses** and industrial uses, or for industrial uses abutting residential areas, shall be implemented through the Zoning By-law, as a condition of draft plan approval and/or through **Site Plan Control** and may include measures such as:
 - a. restrictions on outside storage;
 - b. building orientation, design and setbacks;
 - c. landscaping and screening;
 - d. access controls;
 - e. road improvements and widenings; and
 - f. restrictions on the range of permitted uses.
 7. Adequate off-street parking and loading facilities shall be provided for all permitted uses for employees and visitors. Vehicle access shall be oriented such that industry-related traffic shall be discouraged from using local roads where other options are available. Loading facilities and service areas shall be located to avoid conflict between pedestrian circulation, service vehicles and movement along the public rights-of-way and visibility from roadways.
 8. The provision of appropriate and adequate landscaping and/or other forms of buffering shall be provided to:
 - a. enhance all parking lots, and outdoor loading, storage and service areas; and
 - b. provide separation between the use and any adjacent use, where appropriate.
 9. Industrial uses shall be developed in such a manner to ensure protection and screening of **outdoor storage** areas from all adjacent roads.
 10. Access to a municipal road shall require approval from the Town.
 11. A high standard of site design and maintenance shall be required through **Site Plan Control** in accordance with Section 6.3.6.



4.6 MAJOR OPEN SPACE AREA

The Major Urban Open Space designation is used to identify parc Rotary Champlain Wendat Park, which will continue to provide a vital open space focal point to the Town. The intent of this designation is to **preserve** and enhance the natural, cultural and recreational features of the Park, and to ensure that these activities are in keeping with the Town's natural setting on Georgian Bay. This designation shall provide guidance for the preservation of parc Rotary Champlain Wendat Park for current and future residents and promote the **development** of greenway linkages connecting across the Town's Waterfront including the Trans-Canada Trail and other **parks** within the Town.

It is a policy of the Town that:

1. The lands designated as **Parks** and Major Open Space be protected and expanded as opportunities arise through **development applications** and/or in accordance with any Parks Plan
2. Any natural features designated as Major Open Space Area may include vegetation protection zones, **cultural heritage resources**, and enhancement lands and as such, assist in supporting ecological linkages and biodiversity nodes and provide for uses that are compatible with the Town's **Natural Heritage System**.

4.6.1 PERMITTED USES

Subject to the Land Use and Built Form policies of Section 4.6.2, the following uses shall assist in guiding **development** within Open Space Areas, recognizing that a more definitive list shall be provided in the Zoning By-law.

1. **Fish**, wildlife and forest management;
2. **Conservation** projects and flood and erosion control projects including stormwater management works;
3. Recreational uses;
4. Complementary commercial uses;
5. Active **recreation** and cultural facilities; and
6. Public **parks**.
7. Uses accessory to any of the permitted uses.

4.6.2 LAND USE & BUILT FORM POLICIES

It is a policy of the Town that:

1. **Development** within the Major Open Space Area shall also be subject to the policies of Sections 3.10 and 3.12 and Schedule B1 to determine any Natural Heritage Features, Areas and functions and/or Natural **Hazards**, which may constrain and/or prohibit **development**.

2. The Town shall encourage the linkage of Major Urban Open Space to other areas of the Town through pedestrian and cycling connections to encourage mobility.
3. The retention and expansion of **parks** within the Major Open Space Area, especially along the waterfront, is of a high priority and shall be encouraged subject to the lands ownership, location, and existing conditions. Prior to acquiring new **parks**, the completion of an Environmental Site Assessment may be required to determine the level of contamination, if any.
4. Where the Major Open Space Area designation is applied to privately owned lands, it shall not imply that the lands are free and open to the general public. There shall be no obligation for the Town, or any other public agency, to purchase the lands.

4.7 SHORELINE AREAS

New **development** should respect the unique **character** of Shoreline Areas, which are typically comprised of single detached dwellings with private water and wastewater servicing. These uses include single detached dwellings for year-round or seasonal use. In order to maintain the unique **character** of Shoreline Areas, new **development** shall be limited to **small-scale** subdivisions or **infilling** through consent as determined by the Town.

It is a policy of the Town that:

1. The existing **character** of this predominantly residential area shall be maintained;
2. Existing **development** is appropriately serviced with water and sewage services; and
3. The natural features of the shoreline area and the immediate shoreline shall be **conserved** and, where possible, enhanced.

4.7.1 PERMITTED USES

Residential Uses

1. Existing low-density residential uses legally existing on the date of adoption of this Plan shall.
2. A Secondary **Dwelling Unit** in accordance with Section 3.8.4.
3. **Bed and breakfast establishments**, subject to the policies of Section 4.7.3.
4. Home occupations.

Open Space Uses

5. **Fish**, wildlife and forest management;
6. **Conservation** projects and flood and erosion control projects including stormwater management works;
7. Low-intensity recreational uses;
8. Active **recreation** and cultural facilities; and



9. Public **parks**.

Accessory Uses

10. Uses accessory to any of the foregoing uses.

4.7.2 LAND USE & BUILT FORM POLICIES

It is a policy of the Town that:

Residential Uses

1. The creation of new **lots** may be permitted by consent or plan of subdivision subject to the following:
 - a. Direct access is provided to an open and maintained public road.
 - b. That a maximum of five new **lots** may be created by consent from one parcel of land, provided the Town is satisfied that a plan of subdivision is not required.
 - c. Adequate water and wastewater servicing.
 - d. The creation of new **lots** shall be subject to **Site Plan Control**. The Site Plan Agreement shall deal with such issues as the location of the building envelope, the driveway and the access to the shoreline. It is the policy of this Plan that the majority of the existing tree cover on new shoreline **lots** be preserved.
 - e. Notwithstanding subsection a. above, a consent may be granted on a Private Road for the purposes of separating two existing dwellings that are located on one **lot** of record.
2. New **infill development** or major **redevelopment** of **lots** in the Shoreline Area designation is required to meet the following requirements to the satisfaction of the Town;
 - a. The low density **character** of Shoreline Areas shall continue to be the predominant form of residential uses in the area. It is the intent of the Plan to protect the **character** of these areas, and provisions in the implementing Zoning By-law shall ensure that the scale, location and number of buildings, and **accessory buildings** are compatible with the area.
 - b. Residential **development** may occur as **infilling** between two existing residences. Where this form of **development** occurs, **lot** frontages and the density of **development** shall be in keeping with the **development** of **adjacent lands**.
 - c. There is no **negative impact** on the features and functions of **significant** natural features;
 - d. Any application for **development** or **site alteration** within 120 metres of the Georgian Bay shoreline shall be accompanied by a natural heritage evaluation that satisfies the requirements of the Town's Natural Heritage Study unless the application is in relation to the following:
 - i. forest, **fish** and wildlife, and **coastal wetlands** management;

- ii. stewardship, **conservation**, restoration and remediation undertakings;
 - iii. **existing uses**;
 - iv. flood or erosion control projects that are necessary in the public interest;
 - v. retrofits of existing stormwater management works but does not include the establishment of new stormwater management works;
 - vi. **infrastructure** if the need for the project has been demonstrated through an Environmental Assessment or other similar environmental approval and there is no reasonable alternative; and,
 - vii. low-intensity recreational uses including access to the lake that require very little terrain or vegetation modification and few, if any buildings or structures, including but not limited to the following:
 - 1. non-motorized trail use;
 - 2. natural heritage appreciation;
 - 3. unserviced camping on public and institutional land; and,
 - 4. **accessory uses** to existing buildings or structures.
 - e. The minimum vegetation protection zone in the existing settlements and shoreline built-up areas is 30 metres, or greater if determined appropriate by a natural heritage evaluation.
3. **Bed and Breakfast establishments** shall provide all of the required parking on the same lot, subject to criteria in the Zoning By-law.

4.7.3 SITE SPECIFIC POLICY AREAS

4.7.3.1 Site Specific Policy Area 1

On lands identified as Site Specific Policy Area 1 (SSPA1) on Schedule B1 the following is a policy of the Town:

- 1. A marina shall be permitted;
- 2. Commercial establishments that are destination-oriented such as, motels, hotels, restaurants, commercial **recreation** uses, are permitted in accordance with Section 3.5.1.
- 3. Existing Residential uses shall be permitted;
- 4. Uses accessory to any of the permitted uses shall be permitted.
- 5. Any expansions or new **development** shall be subject to the Community Design and Built Form policies of Section 3.1 and Community Improvement policies of Section 3.3.



4.8 PROVINCIAL INSTITUTION AREA

The Town of Penetanguishene is home to the Waypoint Mental Healthy Centre and the Central North Correctional Centre. These properties are owned and operated by the Province, and serve not only the Town, but also an interregional population and function. These institutions provide a valuable source of local and regional employment.

The lands are effectively outside the jurisdiction of the Town in terms of land use regulation. The intent of the designation is to recognize the presence of these institutions and include them as part of the overall land use distribution system of Town. This designation is not intended to provide direction to these institutions, but rather includes policies to encourage ongoing discussion and coordination between the Province and the Town.

It is a policy of the Town that:

1. The Town will co-ordinate and assist other levels of government and public and private agencies in providing community services and facilities;
2. Where new, or expansions of, existing Provincial Institutions are proposed, encourage them to be within their existing road network or have them accessible from Town roads; and
3. Provide adequate buffering between Provincial Institutions uses and adjoining residential uses.

4.8.1 PERMITTED USES

It is a policy of the Town that:

1. It is intended that all uses normally associated with the operation of a correctional facility, hospital, and mental health centre is permitted. This includes all correctional, administrative educational, residential and medical buildings, along with recreational and rehabilitee uses as may be required for patients and staff.

4.8.2 LAND USE & BUILT FORM POLICIES

It is a policy of the Town that:

1. That where new **development** is proposed within the Provincial Institution Area, the proponent shall consult with the Town on various matters related to, but not limited to, Natural Heritage, Cultural Heritage, transportation and access, and noise.

4.9 RURAL AREA

Lands within the Rural Area are typically unserved or partially serviced and predominantly contain rural residential uses, including single detached dwellings and associated home occupations and home industries, as well as Mineral Extraction

Operations, Rural Employment uses, camps, commercial forestry, recreational hunting, **small-scale** agricultural uses and hobby farms, and Natural Heritage Features.

When rural residential uses are dispersed throughout a rural area, it can create conflict with extraction, rural employment or agricultural uses. Rural employment uses are unserviced lands and include small shops and storage. These uses play an important role in fostering local entrepreneurship and business incubation. **Small-scale** operations should be adequately buffered and scaled for the size of the surrounding **lots**. Though multiple **lot** residential proposals will be directed to lands within the **Delineated Built Boundary** and **Designated Greenfield Areas** where existing **infrastructure** and services can accommodate such **development**, limited **development** may be permitted in rural areas in site specific locations.

This designation is also intended to accommodate and protect **mineral aggregate resources** within the Town, where possible, from any **development** which would prevent the future recovery of mineral aggregate supplies. The policies outlined below are designed to ensure the future supply of these materials to the general area, ensure the proper and orderly extraction of deposits, encourage efficient land management practices, minimize disruption and ensure rehabilitation of exhausted sites.

It is a policy of the Town that:

1. The Rural Area is illustrated on Schedule A. The Town is committed to the long-term protection of the **character** of the Rural Area.
2. Limited residential **development** shall occur in the Rural Area in accordance with the land division policies in Section 6.3.5.
3. In areas that are occupied by agricultural uses, all types, sizes and intensities of agricultural uses and normal farm practices are promoted and protected in accordance with Provincial regulations.
4. New or expanding livestock operations shall not be permitted as it may restrict the Town from accommodating future growth. Existing livestock operations may be permitted to continue.
5. Impacts from new or expanding aggregate extraction operations, mining exploration operations or mining sites on adjacent or nearby **sensitive land uses** that either exist or are planned shall be mitigated. Any **developments** shall be appropriately separated from **sensitive land uses** and may require the submission of technical studies in addition to the ones identified under the *Aggregate Resources Act* and/or *Mining Act*. Conversely, any new **development** of a **sensitive land use** in proximity to existing or planned aggregate extraction operations, mining exploration operations or mining sites shall meet Provincial requirements for separation distances. However, should an active extraction area cease or be modified, separation distances may be reduced in consultation with the appropriate authorities.



6. **Development** will be subject to policies of Section 3.10 and boundaries of Schedule B1 to determine any natural resources, Natural Heritage Features and Functions, which may be a constraint to **development**.

4.9.1 PERMITTED USES

Subject to the Land Use and Built Form policies of Section 4.9.2, the following uses shall assist in guiding the broad range of **development** permitted within Rural Areas, recognizing that a more definitive list shall be provided in the Zoning By-law.

1. Agriculture, forestry, and other resource-based uses that do not disrupt the uses in the Rural Area.
2. Limited Rural Industrial uses in accordance with Section 4.9.2.
3. Tourist commercial and private recreational uses including camps, hunting, fishing, and trapping shall be permitted on a site specific basis in the Zoning By-law.
4. Existing Pit and Quarry Operations.
5. Home occupations and home industries in association with a permitted residential use.
6. **Bed and breakfast establishments**, subject to the policies of Section 4.9.2.
7. A Secondary **Dwelling Unit** in accordance with Section 3.8.2.
8. Low-density residential uses.

Accessory Uses

9. Uses accessory to any of the foregoing uses.

4.9.2 LAND USE & BUILT FORM POLICIES

It is a policy of the Town that:

Residential Uses

1. Of the limited residential **development** permitted in the Rural Area, **development** shall only occur if it does not impact the **character** of the Rural Area, protects the wooded and scenic landscapes as well as ensure that no areas of **wildlife habitat** are adversely impacted, in accordance with Section 3.11.
2. That **lot** sizes proposed for the **development** shall be of an adequate size to accommodate a dwelling and only permit the removal of trees, etc. for a building envelope, and a driveway.
3. Any lands to be developed in the Rural Area shall generally have access to a public road maintained year-round by the Town, except in accordance with Section 5.2.
4. **Development** shall not be permitted in areas susceptible to flooding or any other **hazards** in accordance with Section 3.11.

5. The use meets the criteria established herein for the Minimum Distance Separation Formulae, separation distances from incompatible land uses, etc.
6. **Development** shall meet the servicing policies of Section 5.3.
7. **Bed and Breakfast establishments** shall provide all of the required parking on the same **lot**, subject to criteria in the Zoning By-law.
8. Any use proposed other than a single detached dwelling shall provide a servicing options report to the satisfaction of the Town.

Mineral Extraction Uses

1. Mineral Extraction resource areas shall be protected from **development** and activities that will adversely affect their expansion and continued use.
2. Mineral Extraction shall be protected for future use to ensure that these operations are able to meet the current and future needs.
3. Buffer zones and **development** be incorporated into new **development** to ensure the long term protection of the resource.
4. The establishment of a new pit or quarry or the expansion of an existing operation onto lands not zoned for such use shall require an amendment to the Zoning By-law.
5. All mineral extraction operations shall be remediated in accordance with the remediation plan registered under the *Aggregate Resources Act*.
6. All mineral extraction operations must be licensed by the Province and must meet the requirements of that Act. Through the licensing procedure, the Town may request that appropriate conditions be placed on the licence.
7. The establishment of any new Mineral Aggregate is not anticipated in the life of this Plan. However, should one be proposed, the proponent must provide sufficient information for the Municipality and any appropriate government agency to properly evaluate the proposal. Information the applicant must provide may include, but not necessarily be limited to, the following:
 - a. the type and location of any neighbouring land uses;
 - b. location of access routes, including consideration of upgrading of existing roads;
 - c. pit or quarry site plan;
 - d. reports from qualified professionals regarding noise, blasting, hydrogeology, drainage, environmental impact, archaeological assessment and any other relevant matters.
8. All mineral extraction operations must satisfy the requirements of the Province with respect to pumping and dewatering, water supply, wastewater, solid and liquid waste disposal, dust, and all emissions to the atmosphere, including noise and vibrations.

Agricultural Uses

9. Opportunities to support a diversified rural economy should be promoted by protecting locally-**significant** agricultural and other resource-related uses and



directing non-related **development** to areas where it will minimize constraints on these uses. Locally-**significant** agricultural and other resource-related lands will be identified and protected in the Zoning By-law and shall be an appropriate size to prevent fragmentation of lands.

Rural Industrial Uses

1. Those uses that create or potentially create extreme environmental stress as a result of air, noise, and/or vibration emissions, and/or the generation and/or handling of solid or liquid wastes will only be considered based on the submission of an impact assessment satisfactory to the Town.
2. Rural industrial uses located adjacent to the **Delineated Built Boundary** and/or **Designated Greenfield Area** will generally be limited to self-contained uses that produce and/or store a product where there is a low probability of **significant** emissions.
3. Rural Industrial uses shall have suitable sewage and water services available for the long-term and shall not use more than 50,000 L/day of water and has individual onsite sewage services with a design capacity of less than 10,000 L/day.
4. An appropriate separation distance, based upon the Province's relevant guidelines related to land use compatibility, will be established between a rural industrial land use and any **sensitive land use**. This separation distance will be enforced through a site specific amendment to the applicable Zoning By-law and **Site Plan Control** through the use of a minimum building setback applied to any rural industrial use building adjacent to an established or approved **sensitive land use**.
5. Rural industrial uses will be developed in such a manner to ensure protection and screening of **outdoor storage** areas from all adjacent roads.
6. Site design and maintenance will be approved through **Site Plan Control** in accordance with Section 6.3.6.
7. Where rural industrial/commercial uses are proposed, the following shall be met:
 - a. The proposed use will not create or add to a **negative impact** on the environment, adjacent or nearby **sensitive land uses**, or traffic patterns;
 - b. The proponent will demonstrate how outside storage, if any, and the storage and removal of on-site generated waste is to be accommodated;
 - c. The proponent will demonstrate how the traffic generated from the proposed use will impact the existing roads and how much will be generated;
 - d. For a use that may have the ability to compromise or contaminate the subject lands, the proponent will submit a remediation plan to be used upon the discontinuation of use to the satisfaction of the Town, and the applicable Ministry(ies); and
 - e. Upon filing an application for a rezoning, the proponent will submit a study that not only justifies the proposed use of land, but also demonstrates how the foregoing and any other requirements set out in this Plan will be met. If

a study or studies have not been submitted at the time of filing an application for rezoning, as indicated in Section 6.3.2, the Town may not accept the application and deem it incomplete.

4.10 ENVIRONMENTAL PROTECTION AREA

Penetanguishene contains a rich **natural heritage system** of rivers, streams, forests and natural areas. These lands have been designated as Environmental Protection Area (EP) on Schedule A and identified as an Environmental Protection Overlay (EPO) on Schedule B1 to this Plan. EP includes lands where **development** and **site alteration** are prohibited, including PSWs and **Fish Habitat**, for example, whereas EPO includes lands where **development** and **site alteration** may be permitted, subject to the preparation of an **EIS**, including **Significant Woodlands**, for example.

The Environmental Protection Area contains a high concentration of **key natural heritage features, key hydrological features** and landform **conservation** areas. Linkages between key features have been identified within this designation to ensure that these ecological connections are protected for the long term. Together, these areas will be protected to the highest extent through this designation from impacts resulting from **development** or adjacent **development**.

The diversity and connectivity of **key natural heritage features** in creating a system, and the long-term **ecological function** and biodiversity of **key natural heritage features**, should be maintained, restored or, where possible, improved, recognizing links or corridors between and among **natural heritage features and areas, surface water** features and groundwater features. The features may also have some passive recreational amenity for paths, trails, and education, and contribute to a continuous open space system.

4.10.1 PERMITTED USES

Subject to the Land Use and Built Form policies of Section 4.10.2, the following uses shall assist in guiding the broad range of **development** permitted within the EP designation, as identified on Schedule A;

1. **Fish**, wildlife and forest management;
2. **Conservation** projects and flood and erosion control projects;
3. Existing agricultural uses;
4. Low-intensity recreational uses, subject to the policies of Section 3.10 of this Plan;
5. **Parks** and Open Spaces; and
6. **Existing uses**.

Accessory Uses

7. Uses accessory to any of the foregoing uses.



4.10.2 LAND USE & BUILT FORM POLICIES

1. No **development** or **site alteration** within EP shall be permitted. However, should expansions to existing **development** within the EP designation be proposed, they shall be subject to the policies of Sections 3.10 and 3.12 regarding any Natural Heritage Features and functions and/or Natural **Hazards**, which may be a constraint to **development**.



INFRASTRUCTURE

5

Page intentionally left blank

5. INFRASTRUCTURE

5.1 MOVEMENT OF GOODS AND PEOPLE

As the Town of Penetanguishene grows, so will the demands for a strong and efficient **transportation system**. As part of the overall Official Plan review, key aspects of the Town's **transportation system** are being examined in the context of the Town's anticipated future growth. A viable transportation network is essential for the efficient movement of people and goods.

The Town provides for a range of systems and networks for the movement of goods and people, including roads, cycling and trails, water and air transportation and former rail corridors. The Town is accessed via County Road 93 from the south, which connects the community through the Town of Midland and on to Highway 400. The purpose of establishing a road classification system is to clearly define the role and function of each component of a road system to ensure adequate capacity for the movement of people and goods. Every effort shall be made to ensure an efficient and effective **transportation system** to encourage **active transportation**/healthy lifestyles and support economic development in the Town.

5.2 ROAD NETWORK

It is a policy of the Town that:

1. The following roads are identified on Schedule C.
 - a. County Roads;
 - b. Major Roads; and
 - c. Local Roads.
2. For the purpose of this Plan, Major and Local Roads are roads that are owned and maintained by the Town.
3. This Plan identifies the minimum right-of-way widths for roads; however, larger rights of way may be required due to topographic constraints, to accommodate daylight triangles, for transit and **active transportation infrastructure** or at major intersections to accommodate additional turning lanes.
4. Where additional land is required for road widening and extensions, such land shall be dedicated wherever possible, in the course of approving draft plans of subdivision or condominium, consents or site plan agreements, without amendment to this Plan. The dedication of such land will take into account the following:
 - a. the extent of the right-of-way that may be required as established in the policies of this Plan;
 - b. road widenings being taken equally on either side of the centre line of existing roads. However, unequal widenings may be required where factors, such as topography, historic building locations, grade separation, channelization, existing **development/infrastructure** or other unique conditions make the dedication of equal widenings infeasible;

- c. the need to provide acceleration and deceleration lanes, left-turn storage lanes, medians, traffic signals or other traffic control devices, sight triangles at intersections including intersections of a Major Public Road and/or any other traffic or road engineering consideration. The extent of the widening will be based on specific characteristics of the intersection and will be determined in accordance with accepted traffic engineering design criteria; and
 - d. other requirements as established by the Town.
5. Any proposals to widen, extend, realign or improve roads shall consider **Natural Heritage Features and Areas** and their Functions, and **cultural heritage landscape** factors and attributes of adjacent land, or by views created by the road. The Town may require a landscape assessment prior to approval or endorsement of any proposals to widen, extend, realign or improve roads.
 6. The preservation and reuse of abandoned transportation corridors for purposes that maintain the corridor's continuous linear characteristics shall be encouraged, whenever appropriate and feasible.
 7. Land use patterns, densities and mixing of uses shall be promoted, particularly within the Downtown and Waterfront Area and along the major roads in the Town thereby reducing the length and number of vehicle trips, complementing the increased level of pedestrian activity.
 8. Safe and convenient pedestrian interfaces with roads shall be prioritized.
 9. The impact of a **development** proposal on the **transportation system**, including the means of access, shall be examined through a traffic impact study. Only those **development** proposals that can be accommodated in the existing system shall be permitted. Where the **transportation system** is not adequate, the Town shall require, as a condition of **development** approval, that the proponent of the **development**:
 - a. improve the transportation to accommodate the proposed **development** to the satisfaction of the Town, without the Town incurring any costs;
 - b. make the necessary financial contributions for the required improvements; and/or
 - c. dedicate rights-of-way for the **development** of roads.

The cost of traffic impact studies and any other required supporting documentation shall be borne by the proponent. Costs incurred by the Town in engaging peer review consultants to evaluate the proposal and supporting submissions shall be reimbursed by the proponent.

5.2.1 COUNTY ROADS

It is a policy of the Town that:

1. Simcoe Road 93 is owned and maintained by the County of Simcoe. For **development** along Simcoe Road 93, which may be subject to additional Town and County of Simcoe requirements and standards, particular attention should be given to the orientation and design of any proposed **development** to ensure



it complements and contributes to the **character** of the area. Similarly, streetscaping elements such as special lighting, landscaping and street furniture are encouraged outside the right-of-way of Simcoe Road 93 to reinforce and enhance the **character** of the area.

2. All new **development** shall be set back a minimum of 15 metres from the edge of the right-of-way.
3. Where new **development** is abutting a County Road and a Major Road or a Local Road, the **development** is encouraged to gain access from a Major Road or Local Road where possible.

5.2.2 MAJOR ROADS

It is a policy of the Town that:

1. Major Roads, as designated on Schedule C, have a right-of-way of at least 20 metres and 2 to 4 lanes of traffic. These roads are intended to collect traffic from Local Roads, and serve as connections to Provincial Highways or between other Major Roads.
2. Road width, design and intersection improvements shall be designed so as to encourage through traffic to use these routes rather than Local Roads.
3. Notwithstanding Section 5.2.2.1, in the Downtown and Waterfront Area and other established areas of the Town, and in certain other circumstances, the Town may consider alternative **development** standards including reduced right-of-way widths.
4. On Major Roads within the **Delineated Built Boundary** or in **Designated Greenfield Area**, the Town shall encourage sidewalks on both sides of the street, as well as cycling lanes and transit **infrastructure** where sufficient right of way width is provided.
5. On Major Roads with two lanes in the Rural Area, the Town will endeavour to provide wide paved shoulders or of road trails for use by pedestrians, cyclists and slower moving farm vehicles where appropriate.

5.2.3 LOCAL ROADS

It is a policy of the Town that:

1. Direct access to Local Roads from abutting properties is permitted provided the access point is in a location where there are adequate sight lines considering the topography and the geometric design of the road.
2. Standards for new Local Roads will be determined by the Town's road standards for engineered design, layout, drainage and construction. Where new Local Roads are constructed as part of a **development**, the developer will be responsible for the cost of construction.
3. Local Roads, as designated on Schedule C, have a right-of-way of at least 16 metres and 2 lanes of traffic.

4. Existing Local Roads having substandard widths or engineering standards and when scheduled for reconstruction, may be reconstructed to currently accepted standards as determined by the Town.
5. On two lane Local Roads in the Rural Area, the Town will endeavour to provide wide paved shoulders or road trails for use by pedestrians, cyclists and slower moving farm vehicles where appropriate.

5.2.4 PRIVATE ROADS

It is a policy of the Town that:

1. For the purpose of this Plan, Private Roads are roads that are not owned or maintained by the Province, the County, or the Town or maintained by a Local Roads Board that service two or more properties in separate ownership.
2. **Development** on Private Roads and the creation of new Private Roads shall generally occur as roads internal to plans of condominiums; however, rounding out of existing **development**, or a consent to separate existing dwellings on a **lot** of record, may occur on existing Private Roads.
3. New Private Roads shall directly connect to a public road which is maintained year-round.
4. New or extended Private Roads must have a legal right of way established over the full length of the Private Road.
5. Direct access to existing Private Roads from existing abutting properties may be permitted provided the access point is in a location where there are adequate sight lines considering the topography and the geometric design of the Town.
6. Private Roads may be assumed by the Town once they have been upgraded to an accepted municipal standard. However, the Town is not obligated to assume any road even if it has been brought up to an accepted municipal standard. The Town will not be responsible for upgrading Private Roads.

5.2.5 HERITAGE ROADS

It is a policy of the Town that:

1. Notwithstanding the requirements of 4.2, the Town may choose to reduce or waive certain function requirements where a roadway has been defined as a heritage road, where it has been determined through an environmental assessment, area master plan, secondary planning study, or **development** planning approval process that a reduced right-of-way width is required to maintain existing neighbourhood **character** or to provide pedestrian friendly areas within neighbourhoods, and does not affect the safe operation of the roadway.
2. The Town shall identify, **conserve** and manage identified heritage roads and associated features. Heritage roads shall be defined as those roads which exhibit one or more of the following attributes:



- a. historical associations with a theme of human history that is representative of cultural processes in the **development** and use of land in the Town;
 - b. historical associations with the life or activities of a person, group, institution or organization that has made a **significant** contribution to the Town or County; and,
 - c. scenic amenity with a recognizable sense of position or place either viewed from within the road right of way or viewed from an exterior
3. The Town, in consultation with its Municipal Heritage Committee, may designate a heritage road or road allowance under the *Ontario Heritage Act*. The Town may also create a plan to examine the history, design, and any appropriate setbacks or other protection measure for heritage roads.
 4. Heritage roads shall be **conserved** and protected without jeopardizing health and safety with a presumption against any works or undertakings that would adversely affect identified **heritage attributes**. In particular, within the road right-of-way, the Town shall endeavour to retain and protect:
 - a. existing road surface widths where they contribute to the heritage **character** of the road;
 - b. existing trees and treelines;
 - c. other vegetation, plantings and features such as boulevards, hedgerows, ditches, grassed areas and fence lines; and,
 - d. transportation related heritage features, such as bridges, where they contribute to the special **character** of the road.
 5. Potential to adversely affect the **character** or attributes of a heritage road, such as the removal of distinctive tree lines and tree canopies, fencelines or hedgerows or the placement or introduction of berms, screens, gateway or entrance features or other unsympathetic **barriers**.

5.2.6 ROAD NETWORK DESIGN

It shall be a policy of the Town that:

1. The road network shall be designed and maintained in accordance with the following:
 - a. The road network as shown on Schedule C and further described in Section 5.2 to this Plan, shall be used as the basis for decisions relating to design standards for road standards for road construction, transit, bicycle and truck routes, road widenings and access policies.
 - b. The Town may re-classify roads by:
 - i. re-classifying an existing road to a higher classification where considered necessary, as traffic conditions change in response to **development**, through an amendment to this Plan; or
 - ii. re-classifying an existing road to a lower classification, which shall be permitted without an amendment to this Plan.

- c. The Town shall initiate construction and maintenance programs to improve the safety and operation of the road network.
 - d. Where new roads are proposed, or existing roads reconfigured, they shall follow a typical road pattern that recognize topography and natural heritage features.
2. The Town shall undertake a “road diet” exercise for every road reconstruction project.

5.2.7 COMPLETE STREETS

It shall be a policy of the Town that:

1. That the Town undertake the construction of new roads, or rehabilitation of existing roads, and **development** projects through the lens of complete streets and implement the recommendations of the County’s Complete Streets Environmental Assessment.
2. Complete Streets shall be designed in accordance with the following principles:
 - a. Streets shall provide for multiple means of transportation including vehicular, pedestrian, bicycle and transit;
 - b. Roads, crossings and utilize **active transportation** and best practices to reduce traffic speed;
 - c. Traffic calming measures may include, but are not limited to, special pavers at crosswalks, bump-outs to reduce the width of lanes at intersections, and speed bumps to reduce automotive speed;
 - d. **Streetscapes** shall be designed to enhance the pedestrian experience and the inclusion of mid-block connections are encouraged where appropriate in the Downtown and Waterfront Area;
 - e. The design of **Complete Streets** shall reinforce and promote the unique **character** of the Town through **streetscape** design;
 - f. Roadway and engineering standards will be updated to reflect the principle of **complete streets** and to promote pedestrian scale and the comfort and safety of pedestrian and cyclists. Where feasible, reduced right of way widths to accommodate different transportation modes such as a cycling, transit and pedestrians shall be encouraged;
 - g. Street trees shall be included in the design of all **streetscapes** to contribute to a high quality of landscaping and promote pedestrian comfort;
 - h. Sidewalks shall be designed to promote the pedestrian experience and where possible, enhance connectivity and accessibility throughout the Town;
 - i. Street furniture, lighting, and public art on or adjacent to sidewalks shall be designed and located to enhance the pedestrian experience, particularly along Main Street;



- j. Within the Downtown and Waterfront Area, the Town shall promote the provision of wide sidewalks to encourage the **development** of outdoor patios, transit stops and opportunities for **streetscape** animation;
- k. The design of street furniture, street lighting, signage, shall be coordinated to encourage a sense of place, the notion of a destination and promote the Town's unique cultural heritage;
- l. **Utility infrastructure** should be clustered or grouped, where possible, to minimize visual impact. Where possible, these **utility infrastructure** should be buried within the road allowance.

5.2.8 PARKING

The parking management policies focus on the promotion of efficiently planned, compact and accessible **development** for all modes of transportation. For every new **development** project undertaken in Penetanguishene, the Town is responsible for determining factors such as the size, location and how many parking spaces should be provided. Residents in the Town would like its downtown transition to be more walkable and, as such, the Town will seek new opportunities to address automobile parking including, but not limited to, shared facilities, providing any parking at the rear of buildings, removing on-street parking in favour of a larger public realm, and staggering on-street parking on one side of the road, and relocating other parking to existing underutilized **lots**.

It shall be a policy of the Town that:

1. Notwithstanding the policies in this Plan, all non-residential **development** in the Downtown and Waterfront Area, including the use of existing buildings, shall not be required to provide additional off-street parking. Access and egress to all off-street parking or loading spaces will be limited in number and designed to minimize danger to vehicular and pedestrian traffic.
2. The Town shall monitor future parking needs in the Downtown and Waterfront Area on an ongoing basis to ensure adequate on- and off-street parking needs are being met.
3. All new **development** or **redevelopment** outside of the Downtown and Waterfront Area shall be required to provide sufficient parking on-site (or on a nearby shared site) to accommodate the proposed use. If such parking cannot be provided, the Town at its sole discretion may collect cash-in-lieu pursuant to Section 40 of the *Planning Act* to be used expressly for the provision of additional parking spaces in an appropriately defined area.
4. Shared parking among residential, non-residential, and community facility uses may be promoted to provide for a more efficient use of fewer parking spaces.
5. Efficient site design practices will be promoted which focus on compact and accessible land **development** to minimize land consumption.

6. Opportunities to provide alternative modal choices such as cycling and walking will be promoted to reduce parking demand.
7. Design surface and above grade parking lots to address pedestrian access, bicycle and **barrier** free parking.
8. The municipality will review the design and layout of parking areas in accordance with the local parking guidelines.
9. Cash-in-lieu may be accepted where **development** cannot provide required off-street parking on the site due to site size constraints. The amount of cash-in-lieu shall be based on the difference between the number of spaces required and the number of spaces provided on site multiplied by the current space value. The value of a parking space may be adjusted from time to time to reflect the local economic conditions and shall be established by the municipality based on the land cost and the cost to construct a space. Cash-in-lieu will be used to assist in providing alternative off-street parking facilities.

5.2.9 CYCLING, TRAILS AND ACTIVE TRANSPORTATION

Active transportation which includes pedestrian movement, cycling and any other non-motorized modes of transportation, is a key component of the Town's transportation network. A shift towards active lifestyles and increasing demands for sustainable modes of transportation presents a need for a useful and accessible walking and cycling network in the Town. Trails and cycling systems provide a valuable function to the Town by facilitating access to **active transportation** opportunities such as walking, jogging, cycling, cross country skiing or snowshoeing. Trails and cycling **infrastructure** should serve to provide linkages between public amenities including greenspaces and destinations such as schools, **recreation** centres, shopping areas and the waterfront. The Town encourages the **development** and enhancement of pedestrian and shared use of non-motorized trails and bicycle routes.

It is a policy of the Town that:

1. The Town shall work towards providing safe bicycle and pedestrian paths, both separated from the roadway, on existing and proposed roads, on abandoned rail corridors, and within **parks** and open spaces, as appropriate.
2. The Town shall design, maintain, and adapt all **infrastructure** to ensure the safety for all users, particularly the most vulnerable including children, youth, the elderly and those with special needs.
3. The Town is encouraged to interconnect existing walking trails and bicycle paths and, where feasible and appropriate, provide continuous trail system linkages. Routes should provide continuous access between both the north and south-ends of the Town in Neighbourhood Areas, Major Open Space Areas, the Downtown and Waterfront Area, and **Mixed Use** and Commercial Areas.



4. The Town expand the **active transportation** network in the Town, including the **development** and implementation of trails;
5. That the Town consider a detailed Transportation Master Plan based on the conceptual road and trail network in the Official Plan, of which includes an **active transportation** strategy;
6. That the Town add new on and off-street bike lanes as part of any road reconstruction project on a major road provided the right-of-way is sized appropriately and traffic conflicts are minimized;
7. The Town shall promote accessible and convenient trail systems within a reasonable distance from the all of the Town's larger Open Space Areas, to and from the Downtown and Waterfront Area, and Community Facilities.
8. The Town shall require all Community Facilities to be designed and sited to promote **active transportation**.
9. The Town shall ensure that trail and path systems provide places to sit, and include the use of diverse paving, high quality landscape materials, and pedestrian scaled directional lighting.
10. The Town shall promote aesthetically pleasing trail systems, particularly for recreational purposes. Particular attention shall be given to trail systems associated with natural assets including the waterfront, **parks**, views and vistas and natural features.
11. The implementation of trail systems shall be feasible given the consideration of the costs and benefits associated with the route selection. This shall take into consideration healthy lifestyles, **sustainability**, and the quality of neighbourhood **character**.
12. The Town shall encourage the integration of bicycle path and walkway systems into the design of transportation facilities by including facilities such as sufficient and protected bicycle storage areas at places of employment and major community, institutional, educational, cultural and shopping locations, where appropriate including the Downtown and Waterfront Area and **Mixed Use** and Commercial Areas.
13. The Town is encouraged to implement and operate an effective trail system maintenance program.
14. The Town shall support the creation of an **active transportation** system, in accordance with all of the Major and Local Roads, as identified on Schedule C.

5.2.10 TRANSIT

A more liveable community includes encouraging higher transit usage to reduce dependence on the single occupant automobile. By improving the efficiency, reliability and frequency, transit becomes a more appealing alternative to automotive travel, especially for journeys to school, and work. The OP shall promote and facilitate planned transit systems and improvements, including conventional bus

service, enhanced bus service both locally, and with the Town of Midland and regionally with the County of Simcoe, Cities of Barrie and Orillia.

Transit use may be reinforced by appropriate urban design and improved connections between transit stops and surrounding **developments**. Linkages may also be improved between surrounding Neighbourhood Areas through enhanced pedestrian and cycling **infrastructure**. Strengthening this pedestrian and cycling mode connectivity to transit stops can improve the competitiveness of transit **infrastructure** and reduce automobile dependence. Furthermore, transit improvements should be encouraged to and from major Neighbourhood Areas, Community Facilities, **Employment Areas** and the Downtown and Waterfront Area. Coordination on a local, County-wide and Provincial scale is vital to ensure that transit systems meet the needs of current and future residents.

It is a policy of the Town :

1. To work with the County, Province, neighbouring municipalities, including Indigenous Communities to facilitate the implementation of planned transit services and public transit connections to major community destinations, including the Downtown and Waterfront area, **Mixed Use** and Commercial areas, Neighbourhood Areas, **Employment areas**, Provincial Institution Areas, and Major Open Space areas.
2. That all Town Major Roads should be designed to accommodate transit, through the provision of adequate right-of-way widths that can accommodate transit **infrastructure** facilities.
3. To work with the providers of public transit to ensure that their services are accessible to people of all ages and abilities.
4. To work with the County and Province to develop funding mechanisms to facilitate transit **development** in Penetanguishene.
5. That within the planning horizon of this Plan, the Town shall strive to improve the modal split between the number of trips made by personal motor vehicles and the number of trips made by transit.

5.2.11 MARINE SYSTEMS

The Town of Penetanguishene has a **significant** amount of traffic related to the five active marinas in the Town. The marinas are located around the Penetang Harbour, which flows into Georgian Bay, providing a **significant** draw for local and seasonal boater traffic to the Town. The Plan encourages the protection of existing facilities while seeking to bolster opportunities to increase connections between the Downtown and Waterfront Area, Neighbourhood Areas and the marinas.

It is a policy of the Town that:



1. The planning and **development** of docking, marina and associated facilities should be undertaken comprehensively and should consider such matters as the:
 - a. environmental impacts both during and after construction;
 - b. public use of and access to marina facilities;
 - c. most effective multimodal linkages with transportation facilities;
 - d. integration of functions into multi-use facilities;
 - e. coordination and conformity with Town planning policies, and other public policy matters, including prevailing Provincial policy;
 - f. land use impacts, land use compatibility, the appropriateness of the proposed location, and urban and site design considerations;
 - g. traffic impacts and the coordination of roads and parking;
 - h. stormwater management; and
 - i. economic and municipal fiscal impacts.

5.3 WATER, WASTEWATER, & STORMWATER SERVICES

Water and wastewater servicing supports the day-to-day needs of a community. This includes providing clean water for drinking, proper sewage treatment, stormwater management, and **utilities** for energy and telecommunication. It is critical that the Town ensure that **infrastructure** and land use policies are considered in a holistic manner in order for the town to grow in an orderly manner. This Section will discuss the Town's general policies with respect to water and waste water management practices.

5.3.1 MUNICIPAL WATER & SEWAGE SERVICES

It is a policy of the Town that:

1. Priority will be given to the **development** of land that is presently serviced by municipal piped water and sewage systems, or those areas that can most easily be serviced, at minimal expense.
2. Both municipal water supply and sewage systems shall perform within permitted operating standards. Prior to **development** approval involving **significant lot** creation and/or **development**, the Town may require the preparation and approval of a functional servicing report. Notwithstanding any land use designations, limitations on the capacity or operating performance of the municipal potable water and sewage systems will be a constraint to further **development**. The Town will continue to monitor treatment capacities and operational effectiveness of these municipal systems.
3. **Development** in proximity to the sewage lagoon shall adhere to the separation distances of the appropriate Provincial guidelines. Prior to the approval of any **development** of a **sensitive land use** in proximity to the lagoon, the Province will be consulted, and its guidelines shall be satisfied.

4. **Infilling** of vacant areas which are already provided with full water and sewage services is encouraged, and will be a criterion when evaluating proposed plans of subdivision and consents, with respect to the extension of services, **utilities** or the associated construction.
5. The application of a holding symbol in accordance with the policies of Section 6.3.2.1 of this Plan may be implemented until such time as municipal water and sewage systems are available.

5.3.1.1 Partial Services

It is a policy of the Town that:

1. **Partial services** will be discouraged except where they are necessary to address failed **individual on-site sewage services** and **individual on-site water services** in existing **developments**.
2. The Town shall ensure that municipal water systems perform within permitted operating standards. Prior to **development** approval involving **significant lot** creation and/or **development**, the Town may require the preparation and approval of a functional servicing report. Notwithstanding any land use designations, limitations on the capacity or operating performance of the municipal water systems will be a constraint to further **development**. The Town will continue to monitor treatment capacities and operational effectiveness of this municipal system.
3. Priority shall be given to the **development** of land that is presently serviced by municipal piped water systems, or those areas that can most easily be serviced, at minimal expense.
4. The Town may consider extension of municipal sanitary sewer services to address an existing sewage disposal or water quality problem that represents a **hazard** to public health and safety and provided that the Town is satisfied that there is positive public benefit from such action for residents of the Town.
5. Private sewage disposal may be provided by a septic tank and weeping tile system subject to the approval of the Town. A servicing report may be required to identify the most appropriate form of servicing to ensure environmental protection.
6. Communal servicing systems to service new **development** will not be permitted.
7. The Town shall not assume any communal servicing systems.
8. Holding tanks will not be permitted for new **development**. Holding tanks will only be permitted for existing **development** where the Town is satisfied that there is no other alternative to solving a deficiency with an existing septic system. Should a holding tank be permitted, the Town shall be satisfied that appropriate provisions are in place for disposal of hauled sewage at a facility that has received statutory approval from the applicable approval authority to receive hauled sewage. Holding tanks, if permitted to be used, must obtain necessary statutory approvals from the applicable approval authority.



9. Any **lot** affected by an application for consent or plan of subdivision will be sized such that there is sufficient area for all that apply, including attenuation of nitrates, space for a building envelope, sewage envelope, sewage system contingency area, and potable water supply.
10. The application of a holding symbol in accordance with the policies of Section 6.3.2.1 of this Plan may be implemented until such time as:
 - i. municipal water systems with sufficient uncommitted reserve treatment and distribution capacity are available; and
 - ii. the appropriate permits are received for the provision of private sanitary sewage systems.

5.3.2 PRIVATE WATER AND SEWAGE SERVICES

It is a policy of the Town that:

1. The primary means of sewage disposal outside of the existing servicing limits is the septic tank and weeping tile system. It is anticipated that private sewage disposal systems will continue to be the principal means of sewage disposal. Private sewage disposal may be provided by a septic tank and weeping tile system subject to the approval of the Town. A servicing report may be required to identify the most appropriate form of servicing to ensure environmental protection.
2. In areas outside of the established municipal sanitary sewer and potable water service areas, the Town may consider the extension of municipal sanitary sewer or water services, but only to address an existing sewage treatment/disposal or water quality problem that represents a **hazard** to public health and safety and provided that the Town is satisfied that there is positive public benefit from such action for residents of the Town. The Town will undertake any extensions, in accordance with the applicable requirements of the *Environmental Assessment Act*.
3. **Development**, including **lot** creation, on private servicing systems (water and/or sewage disposal) will generally be permitted in the Rural and Shoreline Areas. However, exceptions will be considered in areas not serviced by municipal water and/or sewage services on the basis of a site-specific amendment to the Zoning By-law, and satisfaction of the following criteria:
 - a. the **development** of the land and accommodation of a private servicing system will not preclude the ultimate extension of municipal water and sewage systems to service the lands;
 - b. at such time as **municipal water services** and/or **municipal sewage services** become available, the landowner, at their expense, will be required to connect to municipal water and/or sewage services and decommission the private services in accordance with provincial regulations.

- c. the topography, soil and environmental characteristics of the land is able to accommodate an appropriate private water and sewage system that will minimize adverse environmental impacts;
 - d. water and sewage servicing systems will satisfy the applicable **development** standards of the Town or Province; and
 - e. the proposed **development** is consistent with this Plan and Town objectives
4. Holding tanks shall not be permitted for new **development**. Holding tanks will only be permitted for existing **development** where the Town is satisfied that there is no other alternative to solving a deficiency with an existing septic system. Should a holding tank be permitted, the proponent shall ensure that appropriate provisions are in place for disposal of hauled sewage at a facility that has received statutory approval from the applicable approval authority to receive hauled sewage. Holding tanks, if permitted to be used, must obtain necessary statutory approvals from the applicable approval authority.
 5. Any **lot** affected by an application for consent or plan of subdivision will be sized such that there is sufficient area for attenuation of nitrates, space for a building envelope, sewage envelope, sewage system contingency area, and potable water supply.
 6. The application of a holding symbol in accordance with the policies of Section 6.3.2.1 of this Plan may be implemented until such time as the appropriate permits are received for the provision of private water and/or sewage systems.

5.3.3 SERVICING ALLOCATION AND PHASING

It is a policy of the Town that:

1. When unallocated servicing capacity does not exist for a proposed **development**, the Town shall defer the processing of the planning application until capacity is available, or until a servicing agreement is in place to ensure that such capacity shall be available to service the **development** within one year of the granting of the planning approval. Draft approved plans of subdivision may only proceed to registration if sufficient servicing capacity continues to exist.
2. The timing of **development** shall be based on the management of the geographic sequence and balance such that:
 - a. there is a logical extension of municipal services that avoids, where possible, large undeveloped tracts of land between the existing urban **development** area and the proposed **development**;
 - b. a compact form and pattern of **development** is maintained;
 - c. the impacts to **Natural Heritage Features and Areas** and watercourses have been considered and have been adequately mitigated or eliminated;
 - d. the provision of all municipal services, as appropriate, proceeds in an economically viable manner; and



- e. first priority is given to reserving servicing capacity for **infilling, intensification and redevelopment**.
3. When conditions of **development** approval, draft plan approval or otherwise, are not fulfilled within a reasonable time period for which **development** approval has been granted, the Town may not support the extension of **development** approval and assign the servicing allocation to other **developments** or areas of the Town, or hold the capacity in reserve. Prior to the lapsing of **development** approval the **development** proponent may request an extension to fulfill the conditions of approval. Provided the Town is satisfied with the merits of the request for an extension of **development** approval, the Town may choose to support an extension to the approval period. No extension shall be permissible if the draft plan of subdivision or condominium approval has lapsed before the extension is given.
4. The Town may insert a clause in the conditions of **development** approval, including conditions of draft plan approval, reflecting the policies of this Section.
5. Priority for **development** shall be given to those Neighbourhood Areas which already have draft plan approval, and/or are an extension of existing **development** and do not require undue extension of municipal services.

5.3.4 STORMWATER MANAGEMENT

It is a policy of the Town that:

1. Prior to **development** approval of subdivisions or applications involving **significant lot** creation and/or **development**, the Town shall require the preparation and approval of a stormwater management plan, which is acceptable to the Town on a sub-**watershed** basis.
2. Stormwater Management Facilities, shall be permitted in all land use designations except Environmental Protection Areas. However, stormwater pond outflows and stormwater pond infiltration trenches may be allowed within Environmental Protection Areas subject to approval of an **EIS**.
3. Stormwater Management Facilities shall be designed to take into account the potential impacts from climate change to minimize damage, with a preference toward practices of better stewardship and protection of nature, naturalized areas, greenspaces and water resources.
4. No new **development**, or work on existing lands, shall have a negative effect on the drainage characteristics of adjacent land.
5. The Town shall apply best management practices in dealing with stormwater management and shall meet the following criteria:
 - a. No net reduction in aquifer recharge and discharge;
 - b. Minimize potential for contamination of ground water and **surface water**;
 - c. Minimize alterations to the natural drainage boundaries;
 - d. No creation of new flood or erosion problems or aggravation of existing flood or erosion problems;

- e. Minimize pollutant loadings to the watercourses, including phosphorus, in accordance with the water quality targets that are established from time to time;
 - f. Net gain of **fish habitat**;
 - g. Minimize changes to base flow quality and quantity in receiving watercourses;
 - h. Where possible enhance natural vegetation along stream corridors; and
 - i. Incorporate enhanced stormwater management design including **Low-Impact Development (LID)** measures.
6. In addition to Section 5.3.4.4, the Town shall require the consideration of **Low-Impact Development (LID)** measures for all **development applications**.
 7. Stormwater management facilities shall be designed to manage stormwater quality and quantity, at an appropriate level, as defined by the most current Provincial Stormwater Planning and Design Manual, and the statutory approval authority for the stormwater works being proposed. The integration of natural vegetative features adjacent to and within new facilities shall be encouraged where appropriate, and the naturalization of the periphery of the existing stormwater management facilities is encouraged.
 8. The Town shall support and may give priority to **development applications** that propose innovation and alternative technologies in their approach to stormwater management.
 9. Prior to **development** approval, the **development** proponent shall consider, where appropriate, enhancing the vegetation, **wildlife habitats** and corridors in and along the stormwater management system and the receiving watercourses.
 10. Prior to **development** approval, the proponent shall provide, where appropriate, public access to and along the stormwater management system and the receiving watercourse where such areas can be used to form part of a natural trail or open space system.
 11. The Town shall ensure that the design of stormwater management facilities considers long-term maintenance and safety requirements.
 12. Lands required for stormwater management facilities shall be dedicated, at no cost, to the municipality.
 13. The Town shall incorporate stormwater management requirements as a component of the **development** approvals process.

5.4 WASTE MANAGEMENT

It is a policy of the Town that:

1. Waste management shall include waste diversion (composting and recycling), waste disposal, transfer stations, processing sites and waste as a potential resource. The Town recognizes and supports the Provincial initiative of reducing waste through a diversion action plan, and may initiate its own diversion plan.



2. The County is responsible for the **development**, operation, monitoring, maintenance, and rehabilitation of County-owned and operated municipal waste management sites, in accordance with applicable legislation.
3. The Town is responsible for the monitoring, maintenance, and rehabilitation of Town-owned waste disposal sites, in accordance with applicable legislation.
4. The Town's former waste disposal site at Ojibway Landing has been evaluated and its D-4 Assessment Area or Waste Disposal Influence Area reduced to the size of the former licensed fill area.
5. In accordance with Section 3.9 of this Plan, the Town shall contribute to and show leadership by considering reductions in material consumption and waste production and increases in diversion and reuse within its municipal culture, decision-making, and operations.
6. The Town shall promote the creation of a household and commercial recycling program and improve efforts for waste-diversion in addition to the target of 14.5% for clean wood waste, tires, scrap metal, and white goods.
7. Residential composting shall be encouraged within self-contained containers that do not attract animals or vermin.
8. The Town shall co-operate with all levels of government and other agencies in promoting public awareness of waste issues and in promoting waste diversion strategies as well as other alternative waste management techniques.
9. The Town shall emphasize the responsibility of the municipality, developers, residents, and commercial, institutional, and industrial establishments to minimize environmental impact as a result of solid waste and to bear the costs of doing so.
10. Wherever possible, methane or other greenhouse gas emissions from waste management operations shall be captured and used as an alternative energy source.

5.5 UTILITIES AND TELECOMMUNICATIONS

It is a policy of the Town that:

1. The Town shall facilitate the coordination between growth management and the maintenance and expansion of the telecommunication sector, both in terms of technological advancement and service provision.
2. Through the Town's planning activities, existing communication and transmission corridors and networks shall be protected and enhanced.
3. The Town shall support the service providers and business community in the establishment of a modern telecommunications network.
4. The Town shall work to ensure that communication and transmission corridors are constructed, maintained and operated to minimize their impact on the community.
5. The Town shall promote and encourage the shared and multiple use of telecommunications towers and corridors for **utility** uses. Additionally, the Town shall support the use of corridors for transportation and trail uses.

6. The Town shall implement the policies of this Plan by cooperating with both private and public telecommunication companies and **utilities** responsible for the regulation, transmission and delivery of telecommunication and **utility** services within the Town in planning the future **development** and staging of networks.
7. Public and private **utilities** shall be permitted in all land use designations and shall be installed, where possible, within public road allowances or within appropriate easements. **Utilities** shall minimize fragmentation of, and impacts on, Natural Heritage Features, Areas, and their functions.
8. The Town shall ensure that adequate **utility** networks, are or shall be, established to serve the anticipated **development** and that these networks can be phased in a manner that is cost-effective and efficient.
9. The Town shall promote all **utilities** and telecommunications, to be planned for and installed on a coordinated and integrated basis in order to be more efficient, cost effective and minimize disruption.
10. The Town shall ensure that all large, above-ground **utility infrastructure** is located and designed to be compatible with its surroundings and consistent with the urban design policies of this Plan.
11. The Town shall support the coordinated planning and installation of **utilities** in initial common trenches, wherever possible, to avoid unnecessary over-digging and disruption of municipal rights-of-way.
12. The Town shall plan for **utilities** and telecommunications **infrastructure** in all stages of planning for growth, including Official Plan and Zoning By-law amendments, draft plans of subdivision, consent and site plan approvals.
13. The Town shall confirm that **utility** and telecommunication providers are all able to provide services to support the proposed **development** and that appropriate locations for large **utility** equipment and **utility** cluster sites have been determined.
14. The Town shall promote and encourage innovative telecommunications systems in the Town.

5.6 CAPITAL INFRASTRUCTURE AND PUBLIC WORKS

It is a policy of the Town that:

1. The extension or construction of capital or public works shall be undertaken in accordance with the policies of this Plan. Council may prepare and adopt without amendment to this Plan, a capital works program in accordance with the policies of this Plan and the requirements of the Municipal Engineers Association Class Environmental Assessment. This program shall be cognizant of changing conditions of supply and demand for services, and **significant** changes in economics and technology.



2. Public buildings, structures, **infrastructure**, easements or rights-of-way may be considered within any designated area if suitable buffering and screening from adjacent uses are provided.
3. Implementing the Plan this Official Plan shall be implemented by means of the powers conferred upon the Town by the *Planning Act*, the *Municipal Act* and other statutes as may be applicable. In particular, the Official Plan shall be implemented by the enactment of zoning, property standards and occupancy by-laws, the planning tools available to the Town, **development** control under the *Planning Act*, and the undertaking of public works.



IMPLEMENTING THE PLAN

6

Page intentionally left blank

6. IMPLEMENTING THE PLAN

This Section is intended to outline tools to implement the policies of the OP. many of these tools are in accordance with the *Planning Act*, such as secondary plans, zoning by-laws, **Site Plan Control**, plans of subdivision, interim control by-laws, temporary use by-laws, consents , etc. The *Municipal Act* and other statues provide the basis for additional implementation tools that are discussed in this Section.

6.1 THE PLANNING HORIZON

This Plan is based on a planning horizon to the year 2031, which principally relates to the population and employment projections and designated land supply, identified in the SCOP and Schedule 7 of the 2019 Growth Plan. The effect of most of the land use policy shall have implications well beyond the 2031 timeframe and shall accordingly represent a long-term or permanent commitment and may be planned and protected beyond the 2031 horizon.

Policies protecting **Natural Heritage Features and Areas** and resources require an indefinite timeframe to be effective. Buildings, water and sewer servicing, and other similar facilities also have a relatively long life span, and therefore require a long-term commitment beyond the scope of a 2031 planning horizon.

6.2 MONITORING & REVIEWING THE PLAN

Changing conditions may necessitate amendments to this Plan. The policies are based on an interpretation of the Provincial policies and plans, and the vision and strategic goals and objectives developed through the extensive public consultation undertaken during the preparation of this Official Plan. Furthermore, the policies of the Plan are based on a set of assumptions and a regulatory environment that are subject to change over time. Therefore, Plan monitoring and review is required to identify trends in planning issues in the Town, to analyze the effectiveness of the policies of the Plan, to allow for adjustments and updating, and to identify the statutory requirements on how and when the Plan is to be reviewed.

It shall be the policy of the Town:

1. As provided for in the *Planning Act*, the Town shall undertake a new Official Plan every 10 years and update their Plan every 5 years thereafter, unless it has been replaced by another new Plan. Through this process, the Town shall determine the need to amend the Plan to ensure that the policies: remain realistic and appropriate with regard to changing social, economic and environmental circumstances; conform or do not conflict with provincial plans; have regard to matters of provincial interest; and are consistent with any policy statements issued under subsection 3(1) of the *Planning Act*.
2. Monitoring of specific policies is prescribed in the policies of the Plan, and shall be undertaken in accordance with those policies.



3. In response to any changes in the regulatory environment, changes to the planning policies of the Province of Ontario, County of Simcoe or other planning initiatives, the Town may initiate an amendment process at any time.
4. Where judicial or quasi-judicial decisions, including those of the Ontario Municipal Board, materially impact the Town's interpretation or intent in the policies of this Plan, Council may choose to initiate a review of any or all of the policies at any time.
5. Additional monitoring of this Official Plan and the monitoring of sewer and water servicing capacity in the Town may be included in:
 - a. annual briefings or status reports;
 - b. annual reports, such as reports prepared for capital and/or operational budgeting purposes; and
 - c. Provincial performance measures reporting.

6.2.1 AMENDMENTS TO THE PLAN

The Town shall consider all **complete applications** to amend this Official Plan, and shall notify the public, the County of Simcoe and other agencies in accordance with the requirements of the *Planning Act*.

It shall be the policy of the Town:

1. Applications to amend this Plan shall include a planning rationale report for the proposed change, prepared by the proponent. This shall include, but not be limited to, information regarding the proposed use, servicing, density if applicable, **floor area** if applicable, **lot** layout, site plans as appropriate and applicable, and the criteria outlined in Section 6.2.3 of this Plan.
2. Any specific Official Plan amendment procedures and supporting information requirements as outlined in the policies of this Plan shall apply in the consideration of the application and the completeness of the application, in accordance with the requirements of the *Planning Act*.
3. The Town shall consider the following criteria when reviewing applications to amend this Plan:
 - a. the manner in which the proposed amendment is consistent with Provincial Policy issued under the Planning Act, and prevailing Provincial policy and regulations, and the policies of this Plan;
 - b. the impacts of the proposed amendment on the provision of and demand for municipal services, **infrastructure** and facilities;
 - c. the impact of the proposed amendment on surrounding land uses, the **transportation system**, municipal services and community amenities and services;
 - d. the impact of the proposed amendment on **cultural heritage resources** and/or **Natural Heritage Features and Areas**;
 - e. the impact of the proposed amendment on the financial **sustainability** of the Town; and

- f. any other information determined by the Town, in consultation with the appropriate agencies, to be relevant and applicable.

6.3 PLANNING ADMINISTRATION

6.3.1 SECONDARY PLANS

The following Sections outline the requirements for the preparation of a Secondary Plan, including the contents of the Secondary Plan and the supporting study requirements.

6.3.1.1 Secondary Plan Preparation

Secondary Plans may be prepared to plan for growth and **development** on large areas of land within the Town or existing portions of the Town that require special land use policies.

The following policies shall apply to the preparation of Secondary Plans:

1. The preparation of a Secondary Plan shall account for any **existing uses** within the defined area boundary.
2. The establishment of a Secondary Plan Area or the preparation of a Secondary Plan shall be approved by resolution of Town Council.
3. Secondary Plans may be used to establish unique or more detailed land use policies or land use designations than that of this Plan and shall establish the location of key community services and amenities including schools, **parks** and open space and related uses.
4. Secondary Plans shall be adopted as amendments to this Plan and read in conjunction with this Plan in its entirety. The Goals, objectives, and policies of this Plan shall be maintained in the Secondary Plan. Any specific policy guidance resulting from the preparation of a Secondary Plan shall be consolidated into this Plan and the relevant schedules to this Plan shall be amended or new schedules may be added as technical.
5. The costs of preparing a Secondary Plan shall be borne by the affected landowners, and not the Town.
6. A Secondary Plan may be undertaken simultaneously with an undertaking under the *Environmental Assessment Act* to satisfy the Environmental Assessment requirements in a comprehensive and integrated process.

6.3.1.2 Secondary Plan Contents

Secondary Plans shall generally include the following:

1. A statement of the basis or rationale for the preparation of the Secondary Plan;
2. A description of the area under study and the role and relationship of the area to the Town as a whole;
3. A description of the current land use, ownership, built and **natural environment**, and **infrastructure** in the area;



4. A statement of the desired land use arrangement for the area;
5. Goals and objectives appropriate for the area including a statement of how they are in keeping with the Planning Goals and Objectives in Section 1.4.2;
6. Concept plan(s) showing, where appropriate, the following:
 - a. land use designations of the desired type and pattern of **development** with due consideration to the community design policies of this Plan;
 - b. the nature and location of public facilities;
 - c. the desired transportation network for the area and its links to the existing transportation network of the Town;
 - d. the nature and location of municipal services including but not limited to sanitary sewage, stormwater management and potable water facilities;
 - e. the identification, protection and integration of **significant** cultural, built and **Natural Heritage Features and Areas**; and
 - f. the phasing of **development** and **infrastructure**.
7. Specific policies and strategies for achieving the goals and objectives established for the area that complement the policies of this Plan; and
8. Implementation measures to ensure the orderly delivery of the planned **development**.

6.3.1.3 Secondary Plan Supporting Requirements

It shall be a policy of the Town that:

1. The Town, in order to provide the appropriate background information for the Secondary Plan, may require the undertaking of a number of background reports at the Town's sole discretion at the cost of the proponent. These reports may include, but shall not be limited to:
 - a. A sub-**watershed** stormwater management study;
 - b. An **environmental impact study (EIS)** to determine environmental protection and **natural heritage features and areas**;
 - c. A master **servicing plan**;
 - d. A traffic impact analysis;
 - e. An urban design strategy;
 - f. A **parks** and open space study;
 - g. A community services and facilities study;
 - h. A cultural heritage and **archaeological resource study**; and
 - i. A planning rationale report. The planning rationale report shall address the following:
 - i. The integration of proposed new **development** with the existing **development**;
 - ii. The distribution of proposed land uses;
 - iii. The range of housing styles and densities;
 - iv. Commercial uses to service the residential and **employment areas**;

- v. Confirmation of how pupil accommodation is addressed; and
- vi. Linkages between the residential and **employment areas**, **parks**, schools, recreational areas, and institutional facilities.

6.3.2 ZONING BY-LAW

The Zoning By-law is the regulatory tool that implements the policies of the Official Plan. A Zoning By-law contains provisions that regulate the use, size, height, density and location of buildings on properties within the Town. The basic purpose of a Zoning By-Law is to regulate what can be built on a property, its **character**, and how it will be configured on the **lot**.

It is a policy of the Town that:

1. The Town shall prepare, and Council shall adopt within 3 years after the adoption of this Plan, a Comprehensive Zoning By-law that shall be in conformity with the principles, policies and land use designations contained in this Plan.
2. The By-law shall include adequate **development** standards consistent with the policies of this Plan.
3. The By-law shall establish specific zones and permitted uses that reflect the policies and land use designations of this Plan and may regulate minimum and maximum height and density requirements.
4. Within each land use designation, more than one zone may be established to ensure that the policies of this Plan are properly implemented.
5. It is not the intent of this Plan to necessarily zone all land for uses designated in this Plan.
6. **Existing uses** may be recognized in the implementing Zoning By-law, notwithstanding the policies of this Plan.
7. The Town shall consider all applications to amend the Zoning By-law and shall provide notice of such application in accordance with the provisions of the Planning Act.

6.3.2.1 Holding Zones

It is a policy of the Town that:

1. Holding zones may be incorporated into the Town's Zoning By-law in order to achieve orderly **development** and ensure that policies established in this Plan have been met.
2. The Town may place a holding symbol on the zone that prevents **development** from occurring until the Town is satisfied that certain conditions have been met, allowing the Town to indicate support for the **development** in principle, while identifying the need for additional actions prior to **development** proceeding.
3. Specific actions or requirements for the lifting of the holding provision shall be set out in, or within an amendment to, the Town's Zoning By-law.



4. Once the required conditions are met, a by-law removing the holding symbol shall be passed.
5. These actions or requirements include, but are not necessarily limited to, the following:
 - a. The timing of the provision of municipal services;
 - b. The phasing and logical progression of **development**;
 - c. The provision of adequate service or road **infrastructure** and works;
 - d. The required land assembly;
 - e. The installation of noise attenuation measures, where required;
 - f. The completion and confirmation that environmental contamination remediation has occurred on site, or that satisfactory verification of suitable environmental site condition is received by the Town;
 - g. The completion of the appropriate supporting study(ies) to the satisfaction of the Town, in consultation with other agencies, as required;
 - h. Confirmation that the requisite permits and approvals from external authorities have been received;
 - i. The completion of a **development** or the subdivision of land, including the negotiation of a **development** or subdivision agreement;
 - j.
 - k. That site plan approval has been granted by the Town, and a site plan agreement has been entered into, pursuant to the provisions of the *Planning Act*;
 - l. That the specific policies of this Plan have been complied with; and/or
 - m. Additional actions or requirements may be identified in the Official Plan through a site-specific or general amendment, at the discretion of the Town.

6.3.2.2 Temporary Use By-laws

The Town may pass a temporary use by-law to allow the temporary use of land, buildings or structures for a purpose otherwise not permitted by the Zoning By-law for a specific period of time not to exceed three years.

It shall be a policy of the Town that:

1. A temporary use by-law shall define the land to which it applies, and shall prescribe the period of time during which it is in effect.
2. The Town may authorize a temporary use on a one-time basis or for a short period of time on a periodic basis, where it is considered inappropriate by the Town to permit the proposed use on a permanent or continuing basis, and where alternatives such as relocation are not practical.
3. The Town may pass subsequent by-laws granting extensions of up to three years.
4. The Town may extend this period by passing further by-laws, subject to the specific policies of this Plan.

5. In enacting a temporary use by-law, the Town shall consider the following:
 - a. the proposed use shall conform to the policies of this Plan. Where the proposed temporary use may not conform in its entirety with the Official Plan, the Town shall consider what is in the best interests of the public;
 - b. the proposed use shall be of a temporary nature, and shall not entail major construction or investment on the part of the owner so that the owner shall not experience undue hardship in reverting to the original uses upon the termination of temporary use provisions;
 - c. the proposed use with the surrounding land uses and **character** of the surrounding area;
 - d. the proposed use shall be properly serviced and not require the extension or expansion of existing municipal services;
 - e. the proposed use shall not create any traffic problems within the surrounding area, or adversely affect the volume and/or type of traffic commonly found on the areas roads; and
 - f. the proposed use shall provide parking facilities entirely on-site;
 - g. the proposed use shall generally be beneficial to the surrounding community.

6.3.2.3 Interim Control By-laws

It is a policy of the Town that:

1. The Town may establish interim control by-laws in accordance with the relevant Sections of the *Planning Act*, in order to control the use of land, buildings or structures within specifically identified areas for a specified period of time not exceeding one year, plus a permissible one-year extension in length.

6.3.3 BONUS/ DENSITY INCREASES

In accordance with the *Planning Act*, the Town may pass, at its sole discretion, a site-specific Zoning By-law amendment to authorize increases in the height and density of **development** above what is permitted in the Zoning By-law, in return for, which may include, but not be limited to, the following:

- i. The provision of **affordable** or rental housing;
- ii. The preservation of built or cultural heritage features;
- iii. The provision of sustainable design features;
- iv. The enhancement of **Natural Heritage Features and Areas** and their functions;
- v. Parkland greater than that required by this Plan;
- vi. The provision of community centres, child care facilities or other **community facilities**;
- vii. The provision of public urban open space on private **development** sites in the Downtown and Waterfront Area or along the waterfront; and/or



viii. Public art.

It is a policy of the Town that:

1. Since no two **development** proposals are the same, the benefit of providing additional height or density provisions will be reviewed on a case-by-case basis to consider whether the overall benefit exceeds the costs associated with permitting a taller or larger building.
2. Bonuses shall only be approved:
 - a. where the urban design of a site may accommodate additional density and height with no undue impact on adjacent properties;
 - b. where the additional density and/or height is respectful of the existing **character** of the adjacent neighbourhood; and
 - c. if the benefits and bonused density and/or height meet the objectives of this Plan.
3. The following criteria shall be used to evaluate eligible benefits:
 - a. benefits shall remain in public control/ownership as part of ensuring their longevity.
 - b. bonuses shall not be provided for that which is already required in this Plan.
 - c. benefits shall be enduring. Buildings have long life spans and the resulting contribution shall have a long-term effect.
 - d. benefits shall preferably remain on site or in close proximity to the site.
 - e. benefits shall have community support and respond to a real need.
 - f. benefits shall fit with the priorities and interests of the Town.

6.3.4 MINOR VARIANCES

A minor variance is a small variation from the requirements of the zoning by-law. A minor variance approval is a certificate of permission, because it allows the property owner to obtain a building permit even though their property does not comply precisely with the zoning by-law. Under Section 45(1) of the *Planning Act* there are four tests a minor variance must meet:

- » Is the application minor?
- » Is the application desirable for the appropriate **development** of the lands in question?
- » Does the application conform to the general intent of the Zoning By-law?
- » Does the application conform to the general intent of the Official Plan?

The Committee of Adjustment shall deal with all applications for minor variances to the provisions of the Zoning By-law and other by-laws, as delegated by Council. The Committee of Adjustment shall deal with such applications in accordance with the relevant provisions of the *Planning Act*. The decisions of the Committee of

Adjustment shall also comply with the general intent of this Plan and the Zoning By-law.

6.3.5 LAND DIVISION

6.3.5.1 Draft Plan Approval (Subdivisions and Condominium)

Applications for approval of a draft plan of subdivision or condominium shall be considered on the basis of the underlying land use designation and the associated policies of this Plan. The Town has the approval authority for draft plans and, as such, shall deal with applications for draft plan approval in accordance with the relevant provisions of the *Planning Act*, Growth Plan, the Provincial Policy Statement, and SCOP. Applications that do not conform to the policies of this Plan shall not be adopted by Council.

It shall be a policy of the Town that:

1. The provisions of the *Planning Act* relating to subdivision control, including subdivision agreements and part-lot control, shall be used to ensure that the land use designations and policies of this Plan are complied with, and that a high standard of design is maintained in all **development**.
2. Any application for a Plan of Subdivision shall be evaluated to ensure consistency with the Provincial Policy Statement.
3. Prior to approval of an application for plan of subdivision or plan of condominium, the confirmation of the availability of adequate servicing **infrastructure** and allocation in accordance with Section 5.3, waste management, and roads and pedestrian pathways in accordance with Sections 5.1 and 5.2.9, and community facility capacity, including schools.
4. Applications for plan of subdivision or plan of condominium shall be considered premature if appropriate services and servicing capacity are not available. Additionally, other criteria may be considered as reason to deem an application for plan of subdivision or plan of condominium approval to be premature.
5. The review of plans of subdivision or plans of condominium shall be based in part on the consideration of the Plan's Land Use and Built Form policies included in each of the Plan's Land Use designations.
6. All **lots** within a plan of subdivision shall have frontage on a public road maintained on a year round basis, constructed to an acceptable Town standard. Plans of condominium shall have access to a public road maintained on a year round basis; however, it is recognized that **development** within the condominium plan may occur on private roads.
7. **Natural Heritage Features and Areas** and functions shall be protected and preserved in the design of any plan of subdivision or condominium.
8. Plans of subdivision or condominium shall be appropriately phased to ensure orderly and staged **development**.



9. All plans of subdivision shall be subject to a subdivision agreement between the Town and the **development** proponent.
10. All plans of condominium shall be subject to a development agreement between the Town and the **development** proponent.
11. Parkland dedication shall be provided pursuant to Section 6.3.11.2 of this Plan. Land to be dedicated for **park** purposes must be acceptable to the Town. Under no circumstances shall the Town be obligated to accept parklands being offered in a proposed plan of subdivision.
12. In approving a draft plan of subdivision, it may be required that the approval lapses at the expiration of a specified time period, being not less than 3 years. The approval time period may be extended, prior to its expiration.
13. The Town may consider passing a By-law under the provisions of the *Planning Act* deeming old registered, undeveloped plans which are inadequate due to matters such as **lot** size, unsuitable access or undesirable location, not to be registered.
14. Where lands have been identified to accommodate a school in a plan of subdivision, the lands shall be reserved for that use until confirmation from the appropriate School Board is obtained that it is no longer required.
15. The policies of this Plan shall be considered in their totality to determine the information required by an applicant to form a **complete application** for approval of a plan of subdivision.

6.3.5.2 Consents

It shall be a policy of the Town that:

1. A consent should only be considered where a plan of subdivision is deemed to be unnecessary, where the application conforms with the policies of this Plan, is consistent with the Provincial Policy Statement, and generally, the consent shall not result in the creation of more than five new **lots** in a single application. Where feasible and applicable, the Town should limit strip **development** (linear **development** along a road) and require the clustering of **lots** to minimize the use of land.
2. Notwithstanding any other provisions of this Official Plan, a consent for technical or legal purposes may be permitted where a separate **lot** is not being created (such as a boundary adjustment, easement or right-of-way). The **lots** that are the subject of that type of application and any retained lands shall comply with the Zoning By-law, or the By-law shall be amended or a minor variance granted as a condition of the consent.
3. The following policies shall be used to evaluate consent applications in all designations of this Official Plan, in addition to other provisions of this Plan, which may be applicable to a particular application.
 - a. Road Access

- i. The **lot** to be retained and the **lot** to be severed shall have frontage on and access to an open, improved public road which is maintained on a year-round basis.
 - ii. **Lots** shall not be created which would create a traffic **hazard** due to limited sight lines on curves or grades.
 - iii. Any required road widenings, improvements or extensions to existing rights-of-way may be required as a condition of severance approval.
 - iv. Notwithstanding subsection i., the **lot** to be retained and the **lot** to be severed may have frontage on and access to a Private Road where the consent is to separate two existing dwellings on a **lot** of record.
- b. **Lot Size**
 - i. The **lot** area and frontage of both the **lot** to be retained and the **lot** to be severed shall be adequate for existing and proposed uses and shall allow for the **development** of a use which is compatible with adjacent uses by providing for sufficient setbacks from neighbouring uses and, where required, the provision of appropriate buffering.
 - ii. The proposed **lots** shall comply with the provisions of the Zoning By-law. Where it is not possible to meet the standards of the Zoning By-law, the Town may amend the standards in the By-law or a minor variance may be granted as a condition of approval, where that action is considered appropriate.
- c. Proper **Development of Adjacent Lands**
 - i. The proposed **lot(s)** shall not restrict the **development** of other parcels of land, particularly the provision of access to allow the **development** of remnant parcels in the interior of a block of land.
- d. Parkland Dedication
 - i. Where a consent is approved, the parkland dedication policies of Section 6.3.11.2 shall apply.
- e. Municipal Services
 - i. Connection shall be made to municipal services provided they are available. Where they are not, individual water and sewage services may be permitted provided that site conditions are suitable for the long-term provision of such services with no **negative impacts**.
- f. The Town may require the following conditions of approval of a consent application for the severed **lot** and/or retained **lot** where such a condition is appropriate:
 - i. payment of taxes;
 - ii. payment of development charges;



- iii. payment of drainage and local improvement charges;
 - iv. provisions for connection to the municipal water or sanitary sewage systems;
 - v. provisions for stormwater management;
 - vi. road dedications and improvements;
 - vii. parkland dedications or payment-in-lieu;
 - viii. approval of Zoning By-law amendment or minor variance;
 - ix. approval of a Site Plan; and
 - x. other technical matters deemed appropriate by the Town under the specific circumstances of the Consent.
- g. Consents for building purposes shall not be permitted under the following circumstances:
- i. the land is located within any **Natural Heritage Features and Areas**, and a suitable building site cannot be found through the evaluation completed in an Environment Impact Study;
 - ii. the land is located in a **floodway**;
 - iii. the land is located on or within 300 metres of an area ,as identified by the Province;
 - iv. Provincial or Town transportation objectives, standards or policies cannot be maintained; or
 - v. the created and retained parcels cannot be provided with an adequate level of service.

6.3.6 SITE PLAN CONTROL

It shall be a policy of the Town that:

1. Subject to the policies of this Plan, the **Site Plan Control** area shall apply to the entire Town.
2. Where **development** consists of single detached, duplexes or semi-detached dwellings, **Site Plan Control** shall not apply, except in cases where specifically required by this Plan, such as in cases where **development** is proposed on identified Natural Hazard lands or **Natural Heritage Features and Areas**.
3. The Town may require proponents to execute a site plan agreement under circumstances where there is construction of one or more buildings or structures, where the size of a building is to be substantially increased, where the intensity of a use is to increase, where there is the **development** of a parking lot, and/or in other circumstances deemed appropriate by the Town.
4. The Town may require consultation with neighbouring landowners or a public meeting, when considering applications for site plan approval, where applicable.
5. The Town may apply certain conditions to site plan approval, and may require that a certain standard of design be applied that are consistent with the urban design policies of this Plan including: exterior design controls to regulate external

building, site, and boulevard matters such as **character**, scale, appearance, and sustainable design. Examples of site plan design elements include:

- a. active and transparent street front design to create accessible, safe and attractive buildings and **streetscapes**;
 - b. façade elements that complement adjacent buildings to better reflect community **character**;
 - c. curb cuts to improve universal accessibility and mobility;
 - d. permeable surfaces to reduce stormwater runoff;
 - e. bicycle parking to facilitate **active transportation** choices; and
 - f. street furniture, tree planting, energy-efficient lighting and landscaping for sustainable and vibrant and public spaces.
6. The Town shall require financial security through bonding letters of credit or other financial arrangement prior to **development**.

6.3.7 COMMUNITY PLANNING PERMIT SYSTEM

The Town may, at an appropriate time, choose to enact a by-law to implement a Community Planning Permit System, relating to the streamlining of zoning by-law amendments, minor variances, and **Site Plan cControl**.

If it has been determined that a Community Planning Permit System (CPPS) is appropriate for the Town, an Official Plan Amendment, approved by the County of Simcoe, shall be prepared that:

1. identifies the area as a proposed community planning permit area;
2. sets out the scope of the authority that may be delegated and any limitations on the delegation, if the Town intends to delegate any authority under the community planning permit by-law; and
3. for each proposed community planning permit area identified,
 - a. contains a statement of the Town's goals, objectives and policies in proposing a CPPS for the area,
 - b. sets out the types of criteria that may be included in the CPPS by-law for determining whether any class of **development** or any use of land may be permitted by community planning permit, and
 - c. sets out the types of conditions that may be included in the community planning permit by-law in accordance with the *Planning Act*.

Upon approval of the official plan amendment, a by-law shall be passed for any area in the town outlining where the CPPS shall be applied.

6.3.8 EXISTING USES

It is a policy of the Town that:



1. Nothing in this Plan shall affect the continuance of uses legally existing on the date this Plan was adopted by Council.
2. The Town may recognize the **existing use** of land in the Zoning By-law. However, the Town in co-operation with residents shall attempt to reduce the number of non-conforming uses whenever and wherever possible according to the policies of this Plan.
3. An application for the enlargement or extension of an **existing use** shall be evaluated on the basis of the following criteria:
 - a. the proposed expansion does not increase the size of the **existing use**;
 - b. the proposed expansion does not require an adjustment to the boundary between two areas of different land use;
 - c. the proposed expansion does not increase its incompatibility with the surrounding area;
 - d. conditions that may minimize any potential nuisances can be imposed, including but not limited to, landscaping, screening, and setbacks; and
 - e. factors such as traffic safety, parking, loading, and municipal services are not adversely affected.
4. **Existing uses** destroyed by fire or natural disaster may be rebuilt provided that the dimensions of the building or structure are not significantly increased.

6.3.9 NON-CONFORMITY

The Town recognizes that some **existing uses** shall not be consistent with all of the policies of this Plan. Notwithstanding the policies of this Plan to the contrary, such uses may be permitted in the Zoning By-law in accordance with the legally existing standards on the date of adoption of this Plan.

It is a policy of the Town that:

1. To recognize non-conforming uses, the Town may also develop suitable zone categories with appropriate standards in the Zoning By-law, provided that:
 - a. the specific zone category will not permit a change of use that would aggravate any situation detrimental to adjacent uses;
 - b. the use or uses permitted shall not constitute a danger to surrounding uses and persons by creating any hazardous situations;
 - c. the use or uses do not interfere with the desirable **development** of adjacent areas; and
 - d. minor adjustments to the boundaries of sites, or minor extensions of sites containing non-conforming uses that are recognized in the Zoning By-law shall be deemed to conform to this Plan.
2. An application for the enlargement or extension of a legal non-conforming use shall be evaluated on the basis of the following criteria:
 - a. the proposed expansion does not significantly increase the size of the non-conforming use;

- b. the proposed expansion does not require an adjustment to the boundary between two areas of different land use;
 - c. the proposed expansion does not increase its incompatibility with the surrounding area;
 - d. conditions that may minimize any potential nuisances can be imposed, including but not limited to, landscaping, screening, and setbacks; and
 - e. factors such as traffic safety, parking, loading, and municipal services are not adversely affected.
3. Legal non-conforming uses destroyed by fire or natural disaster may be rebuilt provided that the dimensions of the building or structure are not increased.

6.3.10 NON-COMPLYING USES

It is a policy of the Town that:

- 1. Where an **existing use** of land is permitted within the applicable zone in the Zoning By-law, but the **lot**, buildings or structures located on the property do not meet one or more of the provisions or regulations of the applicable zone, the use shall be considered to be legal non-complying.
- 2. Applications for the expansion, alteration or addition of the non-complying use shall be considered by way of Zoning By-law amendment or minor variance, depending on the nature of the proposal.

6.3.11 LAND ACQUISITION

The Town may acquire land to implement any element of this Plan in accordance with the provisions of the *Municipal Act*, the *Planning Act*, or any other Act. Municipal land assembly shall be permitted for residential, commercial, industrial, institutional, natural heritage feature or open space uses, provided such activity complies with the policies of this Plan.

It is a policy of the Town that:

- 1. The Town shall consider all options for the acquisition of land, including:
 - a. dedication;
 - b. donations;
 - c. assistance from other levels of government, agencies and charitable foundations;
 - d. the bonusing provisions of the *Planning Act*, subject to the other relevant policies of this Plan;
 - e. land exchange;
 - f. long-term lease;
 - g. easement agreements;
 - h. purchase agreements;
 - i. partnerships;



- j. land trusts;
 - k. placing conditions on development approval; and
 - l. expropriation;
2. To work with School Boards and other appropriate public agencies to maintain lands for public purposes as they deem necessary.
 3. To acquire and hold land within the Town for the purpose of implementing any feature of this Plan, in accordance with Section 25(1) of the *Planning Act*. Any land so acquired may be sold, leased, or otherwise disposed of when no longer required.
 4. That lands conveyed to the Town shall be in an acceptable condition and shall include suitable access and an environmental clearance based on the appropriate level of site assessment as established in Provincial guidelines.

6.3.11.1 Road Widening

1. That when acquiring lands for widening the right-of-ways for roads, it may not be necessary, in all cases, to achieve the widths identified in Section 5.2.
2. That as a condition of development approval, the owner may be required to dedicate lands for:
 - a. mid-block crossings;
 - b. new roads including pedestrian and cycling facilities;
 - c. widening of existing road allowance to its planned width including pedestrian and cycling facilities; and
 - d. public transit right-of-ways and lands for related facilities where such a system has been implemented by the County and/or Town.
3. That only one-half of the width identified in Section 5.2 will be taken on either side of the road through development approval.
4. That additional widths may be required for elements such as sight triangles, cuts, fills, streetscaping, extra turn lanes at intersections, and enhanced pedestrian and/or cycling facilities and/or other improvements at no expense to the Town or the appropriate authority.
5. That unequal or reduced widening may be required where topographic features, public lands, historic buildings or other **cultural heritage resources** such as archaeological features, **significant** environmental concerns or other unique conditions necessitate taking a greater widening or the total widening on one side of the existing street right-of-way.
6. That in the case of roads under the jurisdiction of the County, the provision of land for the additional right-of-way width shall be based on the requirements established in the County Official Plan.

6.3.11.2 Parkland Dedication

1. The Town shall secure the maximum benefit of the *Planning Act* with respect to land dedication for **park development** and shall strive to meet the policies of this Plan relating to **park development**.

2. Parkland dedication shall be calculated based on the total gross area of the land within the plan of subdivision and/or site plan.
3. Where land is to be developed for residential purposes, the Town may require the conveyance of land for **park** purposes or the equivalent cash-in-lieu in accordance with the maximum of the following criteria or combination thereof:
 - a. five percent (5%) dedication of the gross area of the land proposed for **development**; and/or
 - b. dedication at a rate of one (1) hectare per 300 units.
4. Where land is developed or redeveloped for industrial or commercial purposes, the Town may require conveyance of land for **park** purposes or equivalent cash-in-lieu at a rate of two percent (2%) of the gross area of the land proposed for **development**.
5. Where land in a draft plan of subdivision is to be used for any use other than residential, industrial or commercial purposes, the Town may require conveyance of land for **park** purposes or equivalent cash-in-lieu at a rate of five percent (5%) of the gross area of the land proposed for **development**.
6. The Town shall only accept parkland dedication land resources under the following circumstances:
 - a. the lands meet the park and open space classification and hierarchy standards and provision requirements of the policies of this Plan;
 - b. the lands effectively support the **development** of park and open space based facilities and amenities in accordance the policies of this Plan; and
 - c. the lands are not identified as **hazard** lands, **wetlands**, **significant woodlands**, ravine lands, stormwater management ponds and related undevelopable lands.
7. The Town may accept cash-in-lieu of the parkland dedication to be paid into a special account and used as specified in the *Planning Act*. The Town shall consider cash-in-lieu of parkland dedication under the following circumstances:
 - a. where the required land dedication fails to provide an area of suitable shape, size or location for **development** as public; parkland to meet the intended park and opens space requirements in accordance with the policies of this Plan
 - b. where the required dedication of land would render the remainder of the site unsuitable or impractical for **development**;
 - c. the area is well served with park and open space lands and no additional parks and open spaces are required; and/or
 - d. where the Town is undertaking broader land acquisition strategies for larger **parks** and it is preferable to have consolidated parkland of a substantial size servicing a wide area.
8. Where new **development** is proposed on a site, part of which has physical limitations or **hazards**, then such land shall not necessarily be acceptable as part of the land dedication under the *Planning Act*. All land dedicated to the Town will be conveyed in a physical condition satisfactory to the Town, and will meet



minimum standards in terms of drainage, grading and general condition. The lands will also be in full compliance in regards to any environmental **hazards**, contamination or related requirements.

9. Designated school sites do not comprise part of the net developable area of a **development** with respect to parkland dedication or cash in lieu of parkland. **Redevelopment** of designated school sites for non-school related purposes is subject to parkland dedication.
10. As a condition of development approval, a proponent shall be required to provide a **park** facilities design satisfactory to the Town for any **park** within the **development**. The **park** facility design shall have regard to all **park** standards and urban design policies of this Plan. However, in order to ensure that the size, configuration and orientation of the **park** is such that it can be programmed in an efficient manner, it may be necessary to prepare a **park** facilities design prior to development approval.
11. Where park and open space dedicated lands are insufficient in size or shape for the intended uses and needs, the Town shall consider acquisition of additional lands for park and open space purposes.
12. Notwithstanding the above, the Town shall not be obligated to acquire or purchase any land, save and except for where specifically required to do so in order to obtain necessary Federal and/or Provincial statutory approvals.

6.3.12 PROPERTY STANDARDS

Council has enacted a by-law pursuant to the *Building Code Act*, setting out minimum standards for the maintenance and occupancy of all buildings and properties. This by-law applies to the entire Town. This by-law, or others passed to regulate property standards, may have regard for any or all of the following matters or related items and set appropriate standards or conditions for:

1. The physical conditions of vacant land, yards and passageways including the accumulation of debris and rubbish;
2. The adequacy of sanitation including drainage, waste disposal, garbage and pest control;
3. The physical condition of **accessory buildings**;
4. The physical conditions of dwellings or **dwelling units**, institutional, commercial and/or industrial buildings, structures and properties; and
5. The protection of **cultural heritage resources**.

Any such by-law may require that substandard properties be repaired and maintained to comply with the standards, prohibit the use of a substandard property and require the demolition and clearing of such property which the owner does not intend to repair and maintain.

6.3.13 SUPPORTING STUDIES, INFORMATION AND MATERIALS FOR DEVELOPMENT APPLICATIONS

It is a policy of the Town that:

1. The Town shall pass a by-law requiring that pre-consultation occur prior to the submission of any Official Plan amendment, Zoning By-law amendment, Plan of Subdivision/Condominium or consent application and to identify the studies, information and materials to be submitted in support of a **complete application** as referenced in this Section.
2. Certain supporting studies, information and materials shall be required as part of a development approval process or as part of a detailed planning study as identified throughout this Plan. The need and timing of such supporting studies, information and materials shall be determined by the Town on a site-specific basis in consideration of the site's land use context and regard to the policies of this Plan.
3. Applicants seeking development approval shall be advised of the required supporting studies, information and materials as part of the pre-application consultation process or, if subsequently deemed necessary, prior to scheduling a prescribed public meeting.
4. At the time of the submission of an application for an Official Plan Amendment, Zoning By-law Amendment, plan of subdivision/condominium, minor variance, or consent, the applicant may be required to submit any of the following information, as applicable:
 - a. Deed and/or Offer of Purchase
 - b. Topographic Plan of Survey
 - c. Site Plan (Conceptual)
 - d. Floor Plan and/or Elevations
 - e. Record of Site Condition (RSC)
 - f. Functional Servicing Report
 - g. Approved Class Environmental Assessment
 - h. Geotechnical Study
 - i. Tree Survey
 - j. Draft Plan of Subdivision
 - k. Condominium Description
 - l. Public Consultation Strategy
 - m. Other materials relevant to the **development** and lands impacted by the proposed development approval application.
5. During the pre-application consultation process for an Official Plan amendment, Zoning By-law amendment, draft plan of subdivision/condominium, or consent application, the applicant may be required to submit any of the following supporting studies at the time of the submission of an application, in accordance



with the policies outlined in this Plan and/or accepted professional standards and/or guidelines as applicable:

- a. **Retail Market Impact Study**, as described in Section 4.3.
 - b. Municipal Financial Impact Assessment
 - c. Urban Design Strategy
 - d. Archaeological Assessment
 - e. Hydrogeological Study
 - f. Groundwater Impact Assessment
 - g. **Environmental Impact Study (EIS)**
 - h. Record of Site Condition (RSC)
 - i. Phase I Environmental Site Assessment (ESA)
 - j. Site Screening Questionnaire, where a Phase 1 Environmental Site Assessment is not required
 - k. Noise and/or Vibration Study
 - l. Transportation Impact Study
 - m. Parking Study
 - n. Servicing Feasibility Study
 - o. Stormwater Management Plan
 - p. Planning Rationale Report
 - q. Heritage Impact Assessment
 - r. Photometric Study
 - s. Other studies relevant to the **development** and lands impacted by the proposed development approval application.
6. Support Studies may vary in scope, depending upon the size, nature and intent of the development approval application and the site's land use planning context. Applicants of development approval applications shall be advised by the Town of the required supporting study contents during the pre-application consultation process.
 7. When the pre-application consultation process for a proposed development approval application identifies the need for one or more support studies, the application shall not be considered complete for processing purposes until the required supporting studies, information and materials are prepared and submitted to the satisfaction of the Town. Notification of a **complete application** shall be given to the applicant and all other parties by the Town in accordance with the *Planning Act*.
 8. The Town shall ensure that supporting studies, information and materials provided by an applicant of a development approval application that has submitted a **complete application** for development approval shall be made available to the public for review.

6.4 PUBLIC CONSULTATION & PARTICIPATION IN THE PLANNING PROCESS

It is a policy of the Town that:

1. The Town shall provide the opportunity for residents, property owners, and Indigenous Communities to become involved and participate in the planning process related to the implementation of this Plan in accordance with the policies of this Plan and the requirements of the *Planning Act*. The following policies shall apply to public consultation and participation:
 - a. The Town shall use a variety of techniques to encourage the participation of the public when changes to this Plan are being considered. Subject to the requirements of the *Planning Act*, the Town may establish the public consultation program it feels shall best deal with the matters before it.
 - b. The Town shall provide notification of any amendment to this Plan in accordance with the requirements of the *Planning Act*, and may consider additional notice to ensure that the potentially affected residents in the Town and adjacent Indigenous Communities are aware of the amendment.
 - c. The Town shall pass a by-law requiring pre-submission consultation on privately-initiated applications processed under the *Planning Act*.
 - d. Council recognizes that the provisions of the *Planning Act* require it to take action on a **development application** within a prescribed period of time, subject to the application being complete and the provision of adequate information regarding the proposal being available to the public and Council so that informed decisions can be made.
2. The Town shall actively seek the views and participation of the public prior to making any decisions regarding amendments to this Plan or the Zoning By-law. In each case involving such planning matters, at least one public meeting shall be called and the public shall be encouraged to offer their opinions and suggestions.
3. Depending on the complexity of the application and potential impacts on adjacent uses, the Town may consider a pre-consultation meeting held in a public forum to review and hear preliminary input on the proposal. All additional fees for such meetings shall be borne by the applicant.

6.5 CROSS-JURISDICTIONAL COORDINATION

It shall be the policy of the Town:

1. The Town shall ensure that a coordinated, integrated and comprehensive approach is used when dealing with planning matters that transcend the Town's boundary, Indigenous Community boundaries, and jurisdictions including:
 - a. managing and/or promoting growth and **development**;



- b. managing natural heritage, water, agricultural, mineral, cultural heritage and archaeological resources;
- c. managing **infrastructure**, transportation, **public service facilities** and **waste management systems**;
- d. managing ecosystem, shoreline and **watershed** related issues; and
- e. managing natural and human-made **hazards**.

6.6 FINANCIAL MANAGEMENT

It shall be the policy of the Town:

1. The Town may use the population, dwelling and employment targets in the Plan in budget planning, and to coordinate public works and related initiatives.
2. The Town shall diligently seek the maximum revenues possible from other levels of government to compensate it for any federal or provincial responsibilities transferred to it in relation to the provision of public **infrastructure**, community soft services, and land use planning.
3. Where possible, the Town shall use financial mechanisms available to it under any legislative authority, including the *Municipal Act*, *Development Charges Act*, *Planning Act* and any other applicable legislation.
4. The Town may choose to recover all **growth-related capital costs** through development charges, in accordance with Provincial legislation. The Town may pass development charges by-laws that apply to the Town, as a whole and/or that apply to specific geographic areas within the Town.
5. The Town reserves the right to request a Municipal Financial Impact Assessment from the proponent of any **development application**. The contents of such a study shall be determined by the Town at the time of the request. The Study shall be prepared and shall be peer reviewed at the cost of the **development** proponent. **Development applications** or proposals that otherwise comply with the relevant policies of this Plan may be refused on the basis of financial impact and burden on the Town, if suitable mitigation measures are not available.



**TERMS USED IN
THE PLAN**

7

Page intentionally left blank

7. TERMS USED IN THE PLAN

The following terms are intended to assist in the interpretation of the policies and land use schedules of this Plan. Where definitions are taken directly from Provincial documents, they are cited.

Access standards means methods or procedures to ensure safe vehicular and pedestrian movement, and access for the maintenance and repair of protection works standards, during times of **flooding hazards, erosion hazards** and/or other water-related **hazards**. (Source: Provincial Policy Statement, 2014)

Accessory building or structure means a detached building or structure, the use of which is naturally and normally incidental to, subordinate to, or exclusively devoted to a principal use or building and located on the same lot and that is not used for human habitation. **Accessory buildings or structures** may also be referred to as accessory dwellings or accessory units.

Accessory use means the use of any land, building or structure which is subordinate to and exclusively devoted to the principal use located on the same lot.

Active transportation means any form of human-powered travel, including but not limited to, walking, cycling, in-line skating and travel with the use of mobility aids, including motorized wheelchairs and other power-assisted devices moving at a comparable speed. (Source: Provincial Policy Statement, 2014)

Adjacent lands means:

- » Those lands contiguous to a specific natural heritage feature or area where it is likely that **development** or **site alteration** would have a **negative impact** on the feature or area. The extent of the **adjacent lands** may be recommended by the Province or based on municipal approaches which achieve the same objectives; and
- » those lands contiguous to a **protected heritage property**, or located within a vista or viewshed of, a designated heritage property or heritage feature.

Adaptive reuse means the renovation of a building or site to include elements that allow a particular use or uses to occupy a space that originally was intended for a different use.

Adverse effects - as defined in the *Environmental Protection Act*, means one or more of:

- a. Impairment of the quality of the **natural environment** for any use that can be made of it;
- b. Injury or damage to property or plant or animal life;
- c. Harm or material discomfort to any person;
- d. An adverse effect on the health of any person;
- e. Impairment of the safety of any person;



- f. Rendering any property or plant or animal life unfit for human use;
- g. Loss of enjoyment of normal use of property; and
- h. Interference with normal conduct of business.

(Source: Provincial Policy Statement, 2014)

Affordable means:

1. In the case of ownership housing, the least expensive of:
 - a. 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
 - b. 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.
2. In the case of rental housing, the least expensive of:
 - a. a unit for which the rent does not exceed 30 per cent of gross annual household income for low and moderate income households; or
 - b. a unit for which the rent is at or below the average market rent of a unit in the regional market area.
3. For the purposes of this definition:
 - a. 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.

(Source: Provincial Policy Statement, 2014)

Alternative energy systems means a system that uses sources of energy or energy conversion processes to produce power, heat and/or cooling that significantly reduces the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems. (Source: Provincial Policy Statement, 2014)

Amenity area means an interior area within a residential building or an outdoor area exterior to the residential building which is designed and intended primarily for the leisure and **recreation** of the occupants of the dwelling.

Ancillary Use means a subsidiary or secondary use or operation connected to the main use of a building or piece of land. For example, an **ancillary use** may be an office supply store (retail) in an area otherwise identified for office,

Archaeological resources includes artifacts, archaeological sites, and marine archaeological sites as defined under the *Ontario Heritage Act*. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the *Ontario Heritage Act*. (Source: Provincial Policy Statement, 2014)

Areas of Natural and Scientific Interest (ANSI) means areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education. (Source: Provincial Policy Statement, 2014)

Assisted housing means housing that is available to low and moderate income households for rent or purchase where part of the housing cost is subsidized through a government program.

Barrier means anything that prevents a person with a disability from fully participating in all aspects of society because of his or her disability, including a physical **barrier**, an architectural **barrier**, an information or communications **barrier**, an attitudinal **barrier**, a technological **barrier**, a policy or a practice. (Source: Accessibility for Ontarians with Disabilities Act, 2005)

Bed and breakfast establishment means a single detached dwelling in which the owners currently hold as a primary residence with the primary purpose of providing short-term overnight accommodations, including the provision of meals.

Brownfield sites (brownfields) means undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant. (Source: Provincial Policy Statement, 2014)

Built heritage resource means a building, structure, monument, installation or any manufactured remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Aboriginal community. **Built heritage resources** are generally located on property that has been designated under Parts IV or V of the *Ontario Heritage Act*, or included on local, provincial and/or federal registers. (Source: Provincial Policy Statement, 2014)

Carbon Footprint means the total amount of greenhouse gases produced to directly and indirectly support human activities, usually expressed in equivalent tons of carbon dioxide (CO₂).

Character means the collective qualities and characteristics that distinguish a particular area or neighbourhood.

Coastal wetland means:

- a. any **wetland** that is located on one of the Great Lakes or their connecting channels (Lake St. Clair, St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers); or
- b. any other **wetland** that is on a tributary to any of the above-specified water bodies and lies, either wholly or in part, downstream of a line located 2 kilometres upstream of the 1:100 year floodline (plus wave run-up) of the large water body to which the tributary is connected. (Source: Provincial Policy Statement, 2014)



Complete application means all supporting studies required by this Plan must be submitted at the time of submitting the application in order to deem the application complete.

Complete Streets means streets planned to balance the needs of all road users, including pedestrians, cyclists, transit-users, and motorists. (Source: Growth Plan, 2019)

Comprehensive rehabilitation means rehabilitation of land from which **mineral aggregate resources** have been extracted that is coordinated and complementary, to the extent possible, with the rehabilitation of other sites in an area where there is a high concentration of **mineral aggregate operations**. (Source: Provincial Policy Statement, 2014)

Conservation means the wise management of resources in a way to maintain, restore, enhance and protect their quality and quantity for sustained benefit to man and the environment.

Conserved means the identification, protection, management and use of **built heritage resources, cultural heritage landscapes and archaeological resources** in a manner that ensures their cultural heritage value or interest is retained under the *Ontario Heritage Act*. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment. Mitigative measures and/or alternative **development** approaches can be included in these plans and assessments. (Source: Provincial Policy Statement, 2014)

Cultural heritage landscape means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Examples may include, but are not limited to, heritage **conservation** districts designated under the *Ontario Heritage Act*, villages, **parks**, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways, viewsheds, natural areas and industrial complexes of heritage significance; and areas recognized by federal or international designation authorities (e.g. a national Historic Site or District designation, or a UNESCO World Heritage Site). (Source: Provincial Policy Statement, 2014)

Cultural Heritage Resources means **built heritage resources, cultural heritage landscapes and archaeological resources** that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people. While some **cultural heritage resources** may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation. (Source: Greenbelt Plan)

Delineated Built Boundary means the limits of the developed **urban area** as defined by the Minister in consultation with affected municipalities for the purpose of measuring the minimum **intensification** target in the Growth Plan. (Source: Growth Plan, 2019)

Delineated Built-up Area means all lands within the **Delineated Built Boundary**.
(Source: Growth Plan 2019)

Designated Greenfield Area means lands within settlement areas but outside of **delineated built-up areas** that have been designated in an official plan for **development** and are required to accommodate forecasted growth to the horizon of this Plan. **Designated greenfield areas** do not include excess lands. (Source: Growth Plan, 2019)

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

- a. activities that create or maintain **infrastructure** authorized under an environmental assessment process; and
- b. works subject to the *Drainage Act*.
- c. within **significant wetlands**, underground or surface mining of *minerals* or advanced exploration on mining lands in **significant areas of mineral potential**, where advanced exploration has the same meaning as under the *Mining Act*. (Source: Provincial Policy Statement, 2014)

Development application means a formal request for an Official Plan Amendment, change in zoning, site plan approval, land conveyance, part lot control, minor variance approval, plan of subdivision, and/or condominium.

Dry use means a use that generates less than 10,000 litres per day of domestic waste and uses less than 4,500 litres/day/lot.

Dwelling unit means a room or suite of rooms designed and intended for use by one household in which full culinary and sanitary facilities are provided for the exclusive use of that household.

Ecological function means the natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes. These may include biological, physical and socio-economic interactions. (Source: Provincial Policy Statement, 2014)

Employment Area means those areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities. (Source: Provincial Policy Statement, 2014)

Environmental Impact Study (EIS) means an analysis of the potential effects on the **natural environment** from a project.

Existing use means the use of any land, building or structure legally existing on the day of adoption of the Plan.

Endangered species means a species that is listed or categorized as an “**Endangered Species**” on the Ontario Ministry of Natural Resources’ official species at risk list, as updated and amended from time to time. (Source: Provincial Policy Statement, 2014)



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. (Source: Provincial Policy Statement, 2014)

Excellence in Urban Design and/or Architecture means enhanced building articulation through the use of distinguishable architectural elements (i.e. cornices, mouldings, etc.), materials, and colours consistent with the architectural character of the surrounding neighbourhood.

Farm Vacation Enterprise means the act of visiting a working farm or any agricultural, horticultural or agribusiness operation for the purpose of enjoyment, education or personal involvement in the activities of the farm or operation where visitors would stay overnight in an existing dwelling.

Fish means **fish**, which as defined in the *Fisheries Act*, includes **fish**, shellfish, crustaceans, and marine animals, at all stages of their life cycles. (Source: Provincial Policy Statement, 2014)

Fish habitat, as defined in the *Fisheries Act*, means spawning grounds and any other areas, including nursery, rearing, food supply, and migration areas on which *fish* depend directly or indirectly in order to carry out their life processes. (Source: Provincial Policy Statement, 2014)

Flood plain for river stream, and small inland lake systems, means the area, usually low lands adjoining a watercourse, which has been or may be subject to **flooding hazards**. (Source: Provincial Policy Statement, 2014)

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 the Great Lakes - St. Lawrence River System and large inland lakes, the **flooding hazard** limit is based on the one hundred year flood level plus an allowance for wave uprush and other water-related hazards;
- b. Along river, stream and inland lakes, 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 and Forestry;

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). (Source: Provincial Policy Statement, 2014)

Floodproofing standard means the combination of measures incorporated into the basic design and/or construction of buildings, structures, or properties to reduce or eliminate **flooding hazards**, wave uprush and other water-related hazards along the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes, and **flooding hazards** along river, stream, and small inland lake systems. (Source: Provincial Policy Statement, 2014)

Floodway for *river, stream and small inland lake systems*, means the portion of the **flood plain** where **development** and **site alteration** would cause a danger to public health and safety or property damage. (Source: Provincial Policy Statement, 2014)

Floor area, gross means the total floor area in a building or structure measured between the exterior faces of the exterior walls of the building or structure at the level of each storey below, at and above grade, excluding the area used for off-street unloading, parking and mechanical.

Garden suite means 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. (Source: *Planning Act*, 1990)

Green Building means a building designed to conserve resources and reduce **negative impacts** on the environment - whether it is energy, water, building materials or land.

Green infrastructure means natural and human-made elements that provide ecological and hydrological functions and processes. **Green infrastructure** can include components such as natural heritage features and systems, parklands, stormwater management systems, street trees, urban forests, natural channels, permeable surfaces, and green roofs. (Source: Provincial Policy Statement, 2014)

Gross Hectare means an area that includes local roads, but excludes parks and open space.

Ground water features means 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. (Source: Provincial Policy Statement, 2014)

Growth-related capital costs means costs incurred or proposed to be incurred by the Town or by others on behalf of, and as authorized by, the Town. These costs include (but are not necessarily limited to):



- a. Costs to acquire land or an interest in land, including a leasehold interest;
- b. Costs to improve land;
- c. Costs to acquire, lease, construct or improve buildings and structures;
- d. Costs to acquire, lease, construct or improve facilities including:
 - ii. rolling stock with an estimated useful life of seven years or more,
 - iii. furniture and equipment, other than computer equipment, and
 - iv. materials acquired for circulation, reference or information purposes by a library board.

e. Costs of the development charge background study. (Source: Adapted from the *Development Charges Act*)

Hazards means property or lands that could be unsafe for **development** due to naturally occurring processes. Along **river, stream and small inland lake systems**, this means the land, including that covered by water, to the furthest landward limit of the **flooding hazard** or **erosion hazard** limits. **Hazards** also include property or lands that could be unsafe for **development** and **site alteration** due to naturally occurring **hazards**. These may include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography). (Source: Adapted from Provincial Policy Statement, 2014)

Hazardous forest types for wildland fire means forest types assessed as being associated with the risk of high to extreme wildland fire using risk assessment tools established by the Ontario Ministry of Natural Resources, as amended from time to time. (Source: Provincial Policy Statement, 2014)

Hazardous lands means property or lands that could be unsafe for **development** due to naturally occurring processes. Along the shorelines of the Great Lakes - St. Lawrence River System, this means the land, including that covered by water, between the international boundary, where applicable, and the furthest landward limit of the **flooding hazard**, **erosion hazard** or **dynamic beach hazard limits**. Along the shorelines of **large inland lakes**, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit of the **flooding hazard**, **erosion hazard** or **dynamic beach hazard** limits. Along **river, stream and small inland lake systems**, this means the land, including that covered by water, to the furthest landward limit. (Source: Provincial Policy Statement, 2014)

Hazardous sites means property or lands that could be unsafe for **development** and **site alteration** due to naturally occurring **hazards**. These may include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography). (Source: Provincial Policy Statement, 2014)

Hazardous substances means substances which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological. (Source: Provincial Policy Statement, 2014)

Heavy industrial means employment uses associated with **significant** land use impacts such as odour, noise, dust, smoke, vibration, the potential for fire and explosive **hazards**, etc. Examples of such uses may include manufacturing facilities, the storage, processing, refinement or production of hazardous, toxic or substances, etc.

See also **Light Industrial** and **Prestige Industrial**.

Heritage attributes means the principal features or elements that contribute to a **protected heritage property's** cultural heritage value or interest, and may include the property's built or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (including **significant** views or vistas to or form a protected heritage property). (Source: Provincial Policy Statement, 2014)

Heritage resources means a feature of the landscape which by itself, or together with its associated environment, is unique or representative of past human activities or events. Such feature may include a site or area of archaeological or historical value and it may include a building or structure of cultural heritage value or interest.

Hydrologic function means the functions of the hydrological cycle that include the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment including its relation to living things. (Source: Provincial Policy Statement, 2014)

Individual on-site sewage services means sewage systems, as defined in O. Reg. 332/12 under the *Building Code Act*, 1992, that are owned, operated and managed by the owner of the property upon which the system is located. (Source: Provincial Policy Statement, 2014)

Individual on-site water services means individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located (Source: Provincial Policy Statement, 2014)

Infill means the **development** of additional buildings on a property, site or area to support **intensification**, create higher densities, and fill **development** gaps in existing neighbourhoods.

Infrastructure means physical structures (facilities and corridors) that form the foundation for **development**. **Infrastructure** includes: sewage and water systems, septage treatment systems, stormwater management systems, waste management systems, electric power generation and transmission, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities. (Source: Provincial Policy Statement, 2014)

Intensification means the **development** of a property, site or area at a higher density than currently exists through:

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



(Source: Provincial Policy Statement, 2014) See also **Small-Scale Intensification**.

Key Hydrologic Areas means **significant** groundwater recharge areas, highly vulnerable aquifers, and **significant** surface water contribution areas that are necessary for the ecological and hydrologic integrity of a **watershed**. (Source: Growth Plan 2019)

Key Hydrologic Features means permanent streams, intermittent streams, inland lakes and their littoral zones, seepage areas and springs and **wetlands**. (Source: Growth Plan 2019)

Key Natural Heritage Features means habitat of **endangered species** and **threatened species**; **fish habitat**; **wetlands**; life science **areas of natural and scientific interest (ANSIs)**, **significant** valleylands, **significant woodlands**; **significant wildlife habitat** (including habitat of special concern species); sand barrens, savannahs, and tallgrass prairies; and alvars. (Source: Growth Plan 2019)

Legal or technical reasons means severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot. (Source: Provincial Policy Statement, 2014)

Light industrial means employment uses associated with little or no **significant** land use impacts including odour, noise, dust, smoke, vibration, the potential for fire and **explosive hazards**, etc. Examples of such uses may include light and **small-scale** manufacturing facilities, warehouses, wholesale establishments, offices and business services such as printing establishments. See also **Heavy Industrial** and **Prestige Industrial**.

Locational criteria means a set of criteria, such as (but not limited to) accessibility, environment, catchment area, **infrastructure**, **public service facilities** and costing, used to identify suitable site(s) for a given active or passive land use or type of **development**.

Lot means a parcel or tract of land which is recognized as a separate parcel of land under the provisions of the *Planning Act*.

Low Impact Development (LID) means an approach to stormwater management that seeks to manage rain and other precipitation as close as possible to where it falls to mitigate the impacts of increased runoff and stormwater pollution. It includes a set of site design strategies and distributed, **small-scale** structural practices to mimic the natural hydrology to the greatest extent possible through infiltration, evapotranspiration, harvesting, filtration, and detention of stormwater. **Low impact development** can include: bio-swales, permeable pavement, rain gardens, green roofs, and exfiltration systems. **Low impact development** often employs vegetation and soil in its design, however, that does not always have to be the case.

Marine facilities means ferries, harbours, ports, ferry terminals, canals and associated uses, including designated lands for future marine facilities. (Source: Provincial Policy Statement, 2014)

Mineral aggregate operation means:

- a. lands under license or permit, other than for **wayside pits and quarries**, issued in accordance with the *Aggregate Resources Act*;

- b. for lands not designated under the *Aggregate Resources Act*, established pits and quarries that are not in contravention of municipal zoning by-laws and including **adjacent land** under agreement with or owned by the operator, to permit continuation of the operation; and
- c. associated facilities used in extraction, transport, beneficiation, processing or recycling of **mineral aggregate resources** and derived products such as asphalt and concrete, or the production of secondary related products.

(Source: Provincial Policy Statement, 2014)

Mineral aggregate resources means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the *Aggregate Resources Act* suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the *Mining Act*. (Source: Provincial Policy Statement, 2014)

Minimum distance separation formulae means formulae and guidelines developed by the Province, as amended from time to time, to separate uses so as to reduce incompatibility concerns about odour from livestock facilities. (Source: Provincial Policy Statement, 2014)

Mixed use means development that includes a range of uses, including commercial and residential uses, that provides a variety of housing opportunities, retail, office, leisure, **recreation** and social opportunities.

Multimodal transportation system means a **transportation system** which may include several forms of transportation such as automobiles, walking, trucks, cycling, buses, rapid transit, rail (such as commuter and freight), air and marine. (Source: Provincial Policy Statement, 2014)

Municipal Comprehensive review means a new official plan, or an official plan amendment, initiated by an upper- or single-tier municipality under section 26 of the Planning Act that comprehensively applies the policies and schedules of the Growth Plan 2019..

Municipal sewage services means a sewage works within the meaning of Section 1 of the *Ontario Water Resources Act* that is owned or operated by a municipality. (Source: Provincial Policy Statement, 2014)

Municipal water services means a municipal drinking-water system within the meaning of Section 2 of the *Safe Drinking Water Act*, 2002. (Source: Provincial Policy Statement, 2014)

Natural environment means the land, air or water or any combination or part thereof.

Natural heritage features and areas means features and areas, including **significant wetlands**, **significant coastal wetlands**, other **coastal wetlands** in Ecoregions 5E, 6E and 7E, **fish habitat**, **significant woodlands** and **significant valleylands** in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River), habitat of **endangered species** and **threatened species**,



significant wildlife habitat, and **significant areas of natural and scientific interest**, which are important for their environmental and social values as a legacy of the natural landscapes of an area. (Source: Provincial Policy Statement, 2014)

Natural heritage system means a system made up of **natural heritage features and areas**, and linkages intended to provide connectivity (at the regional or site level) and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species and ecosystems. These systems can include **natural heritage features and areas**, federal and provincial **parks** and **conservation** reserves, other natural heritage features, lands that have been restored, areas that support **hydrologic functions**, and working landscapes that enable **ecological functions** to continue. The Province has a recommended approach for identifying **natural heritage systems**, but municipal approaches that achieve or exceed the same objective may also be used. (Source: Provincial Policy Statement, 2014)

Negative impacts means:

- a. in regard to **developments** on private or **partial services**, degradation to the **quality and quantity of water**, sensitive **surface water features** and sensitive **ground water features**, and their related **hydrologic functions**, due to single, multiple or successive **development**. **Negative impacts** should be assessed through environmental studies including hydrogeological or water quality impact assessments, in accordance with provincial standards;
- b. in regard to water quality and quantity, degradation to the **quality and quantity of water**, *sensitive surface water features* and *sensitive ground water features*, and their related **hydrologic functions**, due to single, multiple or successive **development** or **site alteration** activities;
- c. in regard to **fish habitat**, any permanent alteration to, or destruction of **fish habitat**, except where, in conjunction with the appropriate authorities, it has been authorized under the *Fisheries Act*; and
- d. 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.

(Source: Provincial Policy Statement, 2014)

Neighbourhood Commercial Use means a land use, including personal service shops, that serves the needs of the neighbouring residential area and which may sell or rent merchandise which constitutes general dry goods and household articles and grocery items, and provided that such business is conducted within a wholly enclosed building, but excludes food preparation and service, meaning preparation, cooking, or any form of restaurant.

Neighbourhood Park means a public facility or open space that provides passive and/or active recreational opportunities for local residents.

Net Hectare means an area that excludes local roads, parkland, and any commercial facilities.

On-farm diversified uses means uses that are secondary to the principal agricultural use of the property, and are limited in area. **On-farm diversified uses** include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products.

One hundred year flood for river, stream and small inland lake systems, means that flood, based on an analysis of precipitation, snow melt, or a combination thereof, having a return period of 100 years on average, or having a 1% chance of occurring or being exceeded in any given year. (Source: Provincial Policy Statement, 2014)

One hundred year flood level means

- a. for the shorelines of the Great Lakes, the peak instantaneous stillwater level, resulting from combinations of mean monthly lake levels and wind setups, which has a 1% chance of being equalled or exceeded in any given year;
- b. in the connecting channels (St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers), the peak instantaneous stillwater level which has a 1% chance of being equalled or exceeded in any given year; and
- c. for large inland lakes, lake levels and wind setups that have a 1% chance of being equalled 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.

(Source: Provincial Policy Statement, 2014)

Outdoor Storage means the stockpiling or storage of goods or a commodity required in association with the main use in an open yard not housed in any permanent building or structure but does not include the storage of vehicles for sale or repair or the display of finished merchandise for sale to the general public.

Park means a public facility or open space that provides sufficient passive and/or active recreational opportunities to accommodate the recreational needs of residents within the municipality and where applicable, the District as a whole.

Partial services means:

- a. **Municipal sewage services** or private communal sewage services and **individual on-site water services**; or
- b. Municipal water services or private communal water services **and individual on-site sewage services**.

(Source: Provincial Policy Statement, 2014)



Portable asphalt plant means a facility:

- a. with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and
- b. which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

(Source: Provincial Policy Statement, 2014)

Portable concrete plant means a building or structure:

- a. with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and
- b. which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

(Source: Provincial Policy Statement, 2014)

Preserve means to maintain the quality or condition of a resource in its current form, and to slow down the deterioration of the resource.

Prestige industrial means only non-noxious office employment uses and associated **accessory uses** such as restaurants, parking facilities and business services.

Private club means a building or any part of a building used as a meeting place for members of an organization not operated for profit or of an athletic, social or recreational club not operated for profit.

Protected heritage property means property designated under Parts IV, V or VI of the *Ontario Heritage Act*; property subject to a heritage **conservation** easement under Parts II or IV of the *Ontario Heritage Act*; property identified by the Province and prescribed public bodies as provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties; property protected under federal legislation, and UNESCO World Heritage Sites. (Source: Provincial Policy Statement, 2014)

Protection works standards means the combination of non-structural or structural works and allowances for slope stability and flooding/erosion to reduce the damage caused by **flooding hazards**, **erosion hazards** and other water-related **hazards**, and to allow access for their maintenance and repair. (Source: Provincial Policy Statement, 2014)

Public service facilities means land, buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and educational programs, and cultural services. **Public service facilities** do not include **infrastructure**. (Source: Provincial Policy Statement, 2014)

Quality and quantity of water is measured by indicators associated with **hydrologic function** such as minimum base flow, depth to water table, aquifer pressure, oxygen levels, suspended solids, temperature, bacteria, nutrients and

hazardous contaminants, and hydrologic regime. (Source: Provincial Policy Statement, 2014)

Recreation means leisure time activity undertaken in built or natural settings for purposes of physical activity, health benefits, sport participation and skill development, personal enjoyment, positive social interaction and the achievement of human potential.

Redevelopment means the creation of new units, uses or lots on previously developed land in existing communities, including **brownfield sites**. (Source: Provincial Policy Statement, 2014)

Regulatory flood means the approved standard(s), being a regional flood or a one-in-one-hundred-year flood, used in a particular **watershed** to define the limit of the **flood plain** for regulatory purposes.

Rehabilitate means the treatment of land, buildings or structures so that their use or condition is restored to its former use or condition, or may be changed to another use or condition that is or will be compatible with **adjacent land** uses.

Renewable energy project means the construction, installation, use, operation, changing or retiring of a renewable energy generation facility. (Source: *Green Energy Act*, 2009)

Renewable Energy Generation Facility means a generation facility that generates electricity from a renewable energy source and that meets such criteria as may be prescribed by regulation and includes associated or ancillary equipment, systems and technologies as may be prescribed by regulation, but does not include an associated waste disposal site, unless the site is prescribed by regulation for the purposes of this definition. (Source: *Green Energy Act*, 2009)

Renewable energy systems means a system that generates electricity, heat and/or cooling from a *renewable energy source*. (Source: Provincial Policy Statement, 2014)

Renewable Energy Testing Facility means devices or structures to be used to gather information about natural conditions at the location of the structures or devices and related **infrastructure** and that meet such criteria as may be prescribed by the regulations. (Source: *Green Energy Act*, 2009)

Renewable Energy Testing Project means the construction, installation, use, operation, changing or retiring of a **renewable energy testing facility**. (Source: *Green Energy Act*, 2009)

Renewable Energy Undertaking means a renewable energy generation facility, a renewable energy project, a **renewable energy testing facility** or a **renewable energy testing project**. (Source: *Planning Act*, 1990)

Reserve sewage system capacity means design or planned capacity in a centralized waste water treatment facility which is not yet committed to existing or approved **development**. Reserve capacity for private communal sewage services and **individual on-site sewage services** is considered sufficient if the hauled sewage from the **development** can be treated and land-applied on agricultural land under the *Nutrient Management Act*, or disposed of at sites approved under the



Environmental Protection Act or the *Ontario Water Resources Act*, but not by land-applying untreated, hauled sewage. (Source: Provincial Policy Statement, 2014)

Retail Market Impact Study means an analysis of the retail sector and the **development**, economic and environmental impacts associated with proposed retail development.

River, stream and small inland lake system means all watercourses, rivers, streams, and small inland lakes or waterbodies that have a measurable or predictable response to a single runoff event. (Source: Provincial Policy Statement, 2014)

Sensitive land uses means buildings, **amenity areas**, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more **adverse effects** from contaminant discharges generated by a nearby major facility. **Sensitive land uses** may be a part of the natural or built environment. Examples may include, but are not limited to: residences, child care centres, and educational and health facilities. (Source: Provincial Policy Statement, 2014)

Servicing Plan means an analysis of the municipality's provisioning and phasing of water and wastewater and other **infrastructure** to service future growth and **development**.

Settlement areas means **urban areas** and rural **settlement areas** within municipalities (such as cities, towns, villages and hamlets) that are:

- a. built-up areas where **development** is concentrated and which have a mix of land uses; and
- b. lands which have been designated in an official plan for **development** over the long-term planning horizon. In cases where land in designated growth areas is not available, the **settlement area** may be no larger than the area where **development** is concentrated.

(Source: Provincial Policy Statement, 2014)

Significant means:

- a. In regard to **wetlands, coastal wetlands and areas of natural and scientific interest**, an area identified as provincially **significant** by the Ontario Ministry of Natural Resources and Forestry using evaluation procedures established by the Province, as amended from time to time;
- b. in regard to **woodlands**, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history. These are to be identified using criteria established by the Ontario Ministry of Natural Resources and Forestry;
- c. in regard to other features and areas, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or **natural heritage system**;

- d. In regard to mineral potential, means an area identified as provincially **significant** through evaluation procedures established by the Province, as amended from time to time, such as the Provincially Significant Mineral Potential Index; and
- e. In regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people.

(Source: Adapted from the Provincial Policy Statement, 2014)

Site alteration means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

Within **significant wetlands**, **site alteration** does not include underground or surface mining of *minerals* or advanced exploration on mining lands in **significant areas of mineral potential**, where advanced exploration has the same meaning as in the *Mining Act*. (Source: Provincial Policy Statement, 2014)

Site Plan Control means a process which requires the preparation of detailed site specific **development** plans, and enables the review of such matters as building location, and massing, access, **outdoor storage**, amenity space, walkways, landscaping, loading and parking facilities, accessibility, lighting, grading and external non-design features. **Site Plan Control** can only be used to establish on-site physical conditions such as setbacks and layout as well as road widening and intersection improvement.

Small-scale, when used in the context of businesses, offices and industries, means those commercial or industrial uses that do not exceed the following:

- a. Employs no more than the equivalent of five (5) full time employees in addition to the owner;
- b. Occupies a structure not exceeding 250 square metres in area; and
- c. **Outdoor storage** and display is limited to an area not greater than 750 gross square metres.

Small-scale intensification means **intensification** (as defined by this Plan) where there is no need to expand existing water or sewer **infrastructure** to accommodate the new lot(s) or unit(s). See also **Intensification**.

Source protection means the act of protecting drinking water sources from contamination or overuse. These sources of water can include surface water, such as lakes, rivers, streams, or groundwater.

Source protection plan means a plan that protects drinking water sources from contamination or overuse. These sources of water can include surface water, such as lakes, rivers, streams, or groundwater.

Special needs housing means housing for the physically and developmentally challenged and disabled, chronically mentally ill, youth and children with emotional difficulties, seniors, those requiring emergency shelter, **assisted housing** accommodating individuals, and households with low to moderate incomes.



Streetscape means the visual appearance of a roadway formed by the location of physical features such as buildings, pedestrian, cycling and vehicular facilities and landscaping.

Surface water feature means water-related features on the earth's surface, including headwaters, rivers, stream channels, inland lakes, seepage areas, recharge/discharge areas, springs, **wetlands**, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics. (Source: Provincial Policy Statement, 2014)

Sustainability means meeting the needs of people today without jeopardizing the ability to meet the needs of future generations.

Threatened species means a species that is listed or categorized as a "Threatened Species" on the Ontario Ministry of Natural Resources' official species at risk list, as updated and amended from time to time. (Source: Provincial Policy Statement, 2014)

Transportation Systems means a system consisting of facilities, corridors and rights-of-way for the movement of people and goods, and associated transportation facilities including transit stops and stations, sidewalks, cycle lanes, bus lanes, high occupancy vehicle lanes, rail facilities, parking facilities, park'n' ride lots, service centres, rest stops, vehicle inspection stations, inter-modal terminals, harbours, airports, **marine facilities**, ferries, canals and associated facilities such as storage and maintenance. (Source: Provincial Policy Statement, 2014)

Urban Area means lands within the Town's developed **Delineated Built-up Area**, which have been designated for urban **development** on Schedule A to this Plan. (Source: Adapted from the Provincial Policy Statement, 2014 and the Growth Plan))

Utility means a water supply, storm or sanitary sewage, gas or oil pipeline, the generation, transmission and distribution of electric power, steam or hot water, towers, communications/ telecommunications lines and other cabled services, waste collection or disposal or management, a public **transportation system**, licensed broadcasting receiving and transmitting facilities, or any other similar works or systems necessary to the public interest.

Walkability means the extent in which the built environment is friendly to the presence of people in that area, factors include are land use mix, street connectivity and residential density.

Watershed means an area that is drained by a river and its tributaries. (Source: Provincial Policy Statement, 2014)

Waste management system means sites and facilities to accommodate solid waste from one or more municipalities and includes landfill sites, recycling facilities, transfer stations, processing sites and waste depots. (Source: Provincial Policy Statement, 2014)

Wayside pits and quarries means a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way. (Source: Provincial Policy Statement, 2014)

Wetlands means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the

presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of **wetlands** are swamps, marshes, bogs and fens.

Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit **wetland** characteristics are not considered to be **wetlands** for the purposes of this definition. (Source: Provincial Policy Statement, 2014) See also the definition for significant.

Wildland fire assessment and mitigation standards means the combination of risk assessment tools and environmentally appropriate mitigation measures identified by the Ontario Ministry of Natural Resources to be incorporated into the design, construction and/or modification of buildings, structures, properties and/or communities to reduce the risk to public safety, **infrastructure** and property from wildland fire. (Source: Provincial Policy Statement, 2014)

Wildlife habitat means areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific **wildlife habitats** of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species. (Source: Provincial Policy Statement, 2014) See also the definition for significant.

Woodlands means treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of **wildlife habitat**, outdoor recreational opportunities, and the sustainable harvest of a wide range of **woodland** products. **Woodlands** include treed areas, woodlots or forested areas and vary in their level of significance at the local, regional and provincial levels. **Woodlands** may be delineated according to the *Forestry Act* definition or the Province's Ecological Land Classification system definition for "forest." (Source: Provincial Policy Statement, 2014)

