

**OFFICIAL PLAN  
of the  
TOWNSHIP of ADJALA-TOSORONTIO**

Adopted November 2, 1998  
Approved with modifications by the County of Simcoe – October 28, 1999

Incorporating OMB Decisions

Consolidated to November, 2000

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# Township of Adjala-Tosorontio Official Plan

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# *Township of Adjala-Tosorontio*

## *Official Plan*

### **Section 1 INTRODUCTION TO THE PLAN**

#### **1.1 Title and Components**

- 1.1.1 On January 1, 1994 the Townships of Adjala and Tosorontio were amalgamated as directed by Bill 51, an Act Respecting the Restructuring of the County of Simcoe (1993), along with a small portion of the former Township of Sunnidale that was oriented to the hamlet of Glencairn.
- 1.1.2 This document constitutes the Official Plan and upon its approval by the Minister of Municipal Affairs and Housing, it shall be known as the "Official Plan of the Township of Adjala-Tosorontio".
- 1.1.3 The following text and schedules constitute the Official Plan of the Township of Adjala-Tosorontio. They are inter-related and should be read in conjunction with one another.

#### **1.2 Purpose of the Plan**

- 1.2.1 This Official Plan establishes, in general terms, the pattern which development within the Township should follow during the planning period. The purpose of the Plan is:
  - a. To implement the direction provided in the Township's Strategic Plan;
  - b. To assist Council in determining future policies and actions in all matters relating to the development of the Township, including in the agricultural, recreational, rural, hamlet and special purpose areas;
  - c. To attempt to ensure that development takes place in a manner whereby a satisfactory ratio between residential and farm assessment and commercial-industrial assessment is achieved;
  - d. To assist public and private agencies concerned with the development of the Township in determining their future needs or requirements;
  - e. To make information available to the public regarding the future development pattern of the Township;
  - f. To ensure that no future public works are undertaken by the Township or by private developers that do not comply with the provisions of this Plan;
  - g. To encourage the development of the hamlets within the Township in accordance with the Growth Policies set out in this Plan. New development is to be regulated in such a way that the amenities and

environment of these communities may be sustained and if possible, enhanced by such development. All new development in the hamlets will be undertaken in such a manner as to prevent any detrimental effects on the groundwater supply or any undesirable sewage disposal conditions;

- h. To recognize that there is an obligation for the development of recreational facilities in areas of the Township that are suitable for this purpose;
- i. To recognize that the preservation of agricultural land continues to be of primary importance to the Township;
- j. To protect and enhance the rural character of the Township;
- k. To respond to the demand for rural residential opportunities within the context of the existing rural character and without degrading the integrity of the agricultural area;
- l. To provide for the preservation of the natural environment of the Township, including the significant ravine, valley, river and stream corridors on an ecosystem management basis;
- m. To ensure that growth and development within the Township occurs in a manner that will minimize public health and safety issues, including the protection of human life and property from water related hazards such as flooding and erosion; and
- n. To ensure that land use planning within the Township contributes to the protection, maintenance and enhancement of water and related resources and aquatic ecosystems, on an integrated watershed management basis.

## 1.3 Organization

- 1.3.1 This Official Plan is the first Official Plan for the amalgamated Township. The policies for the AGRICULTURAL, RURAL, and RURAL RESIDENTIAL designations constitute revised policies applicable to the entire Township, and replace the provisions for these uses found in the previous Adjala, Sunnidale and Tosorontio Official Plans. The policies for Conservation, Hazard and Natural Heritage areas replace the Open Space Conservation policies in the former Tosorontio Official Plan and the Hazard policies in the former Adjala Plan.
- 1.3.2 This Official Plan will replace Official Plans currently in effect in the former Townships of Adjala, Tosorontio and the portion of Sunnidale that is now part of the Township of Adjala-Tosorontio.
- 1.3.3 The Goals and Objectives and Character Policies (Section 3), General Development Policies (Section 4.1 & 4.2), Transportation Policies



(Section 5) and Implementation Policies (Section 8) have been developed and revised, and will apply to most lands in the Township.

- 1.3.4 New and substantially revised policies are proposed for the following land use designations:

Agricultural (Section 4.3)  
 Rural (Section 4.4)  
 Rural Residential (Section 4.5)  
 Open Space Recreation (Section 4.7)  
 Industrial/Commercial Areas (focused on Highway 89, and on Highway 9 at County Road 50) (Section 4.9)  
 Licensed Waste Management Sites (Section 4.10)  
 Environmental Protection Area (Section 4.11)

Simcoe Mod 1

- 1.3.5 This Official Plan review did not include a formal review of hamlets or aggregate resources. These will be undertaken by the Township at a later date. As such, new policies have not been proposed for these areas. However, in order to simplify the wording of the sections, to remove duplication, and to make the policies consistent between the two former townships, minor revisions have been proposed to the following land use designations and policy sections:

Hamlets (Section 4.6)  
 Protected Aggregate Resources (Section 4.8)  
 Community Improvement Policies (Section 7)

- 1.3.6 A revised approach has been established for Conservation, Hazard and Natural Heritage Policies (Section 6), which consists of an “overlay designation” shown on Schedule C. Conservation policies apply in addition to the main (or underlying) designations.
- 1.3.7 Sand and Gravel deposits are shown as an “overlay designation” on Schedule C, and show the areas identified as significant sand and gravel deposits by the County of Simcoe, with adjustments made to remove them from close proximity to the hamlets or within Greenlands.

## 1.4 Numbers

- 1.4.1 Numbers in the Plan should not be interpreted as absolute and rigid. Minor variations from them will be tolerated providing the intent and purpose of the Plan are maintained.

## 1.5 Schedules

1.5.1 The following Schedules are attached to and form part of this Official Plan.

Schedules A1 to A7	Land Use Plans
Schedules B1 to B7	Hamlet Land Use Plans
Schedules C1 to C7	Natural Features and Areas of Aggregate Potential
Schedule D1 and D2	Roads Plans

## 1.6 Boundaries

1.6.1 The boundaries between land uses designated on the Schedules are approximate except where they coincide with major roads, railway lines, rivers, transmission lines or other clearly defined physical features. Where the general intent of the Plan is maintained, minor adjustments to boundaries will not require amendment to this Plan. However, developments within the Nottawasaga Valley Conservation Authority or Toronto Region Conservation Authority registered fill lines or adjacent to hazard areas as shown on the Schedule C overlay plans may require the submission of detailed topographic information before the need for amendment can be fully determined.

## Section 2 BASIS OF THE PLAN

### 2.1 Historical Context

2.1.1 The policies and proposals set out in this Official Plan have been determined by existing circumstances as well as certain fundamental objectives that have been identified during the preparation of the Strategic Plan. The following sections are included to explain the reasoning behind the policies proposed by the Plan.

2.1.2 Since the 1970's, both of the former Townships have had planning programs, the central focus of which has been the protection of the good quality agricultural lands in compliance with the Foodland Guidelines. Policies in effect during the past 20 years have attempted to prevent the loss of good quality agricultural land by directing the majority of non-farm development to the hamlets and by confining small lot severance activity to those areas that do not interfere with on-going farm operations.

2.1.3 Both former Townships have a confirmed background of conserving the open countryside and preventing the urbanization of lands that can be used for the production of food. With the formation of the new Township and

the comparison of land use policies that has occurred during 1994 and 1995, it is appropriate that these protective policies should be continued.

- 2.1.4 Notwithstanding this similarity in the approach to the conservation of farmland, and the emphasis on directing urban growth to the hamlets, considerable development pressure is still being experienced within certain areas of lesser land capability for agriculture.
- 2.1.5 In the former Adjala Township, these areas of lesser agricultural capability occur mainly on the Oak Ridges Moraine land form and in the valley of the Nottawasaga River. The Pine River valley in the former Tosorontio Township marks the southerly boundary of the lesser capability lands that have been designated RURAL by Amendment No. 31 to the former Tosorontio Official Plan. There are several smaller areas of this quality of land located in both of the former Townships.
- 2.1.6 While these lesser quality agricultural lands (now primarily designated as RURAL) have been slowly changing in character from marginal agriculture to rural residential, much of the new Township area, particularly in south Adjala, has yet to be placed under a land use policy that recognizes the past development pattern and actively seeks to recognize the residential nature of these mature rural communities.
- 2.1.7 It is expected that the majority of the population growth will continue to be focused on the existing hamlets. The policies of this Plan are designed to support this initiative. However, recent policy changes by the Ministry of Environment and Energy and the County of Simcoe are having a profound effect on hamlet development. The requirement for communal water supply and sewage treatment facilities in the existing hamlets (now referred to as rural settlements) has severely slowed new development in these areas. As a result, the current growth pressure will continue to be felt outside the existing hamlets, tied in part to lifestyle choices being made by existing and new residents.
- 2.1.8 The Township of Adjala-Tosorontio remains today as a predominantly rural and agricultural community. However, the amount of rural growth that has occurred over the past two decades is contributing to a change in focus with the development of a significant residential community of persons employed outside of the Township.
- 2.1.9 The basis of this plan is to reinforce the preservation of the active agricultural community and the rural character of the Township while recognizing that some forms of development, particularly residential, will have to be accommodated to meet the needs of the community and its residents. The basic thrust of this Plan will continue to direct growth to the hamlets, and to limit development in the rural and agricultural areas to that which meets the updated Goals and Objectives of the Plan.

- 2.1.10 This plan does not contemplate a specific time frame for implementation of the policies. Rather, the relevance of the policies and the suitability of the growth strategy will be reviewed on a five year basis, as provided in the Planning Act.

## 2.2 Strategic Plan

- 2.2.1 Council undertook the preparation of a Strategic Planning process in 1995 in an effort to examine its priorities and discuss its aspirations for the future. A number of the recommendations from the Strategic Plan are of application to the direction taken in the Official Plan.
- 2.2.2 The following Mission Statement forms the basis for the development of the goals, objectives and policies of the Official Plan.

*Adjala-Tosorontio is a municipality where the rural / agricultural / hamlet lifestyle is valued. To protect this lifestyle, growth in all facets will be controllable, sustainable and affordable.*

*Residents are encouraged to participate in decisions and actions that will protect and promote this lifestyle, thereby fostering togetherness and community spirit. The importance of building and maintaining community spirit is recognized and will be an important consideration in decision making.*

*The importance of agriculture to both the economy and to the character of the community is recognized and supported.*

*A variety of economic opportunities which protect the natural environment and contribute to and enhance the rural / agricultural / hamlet lifestyle will be established and promoted. These activities will support sustainable growth that will be consistent with the existing character of the municipality.*

*The natural environment contributes significantly to the positive aspects of the community and must be protected so it continues to dominate. Consideration of the environment will dominate decisions and actions.*

## 2.3 Growth Strategy

- 2.3.1 The Township's growth strategy will have the following characteristics:
- The majority of residential growth will be directed to the existing hamlets within the limits established by servicing constraints;

- Lands in the AGRICULTURAL designation will be preserved primarily for agricultural uses;
  - Development in the RURAL designation will be restricted to a mix of agricultural, recreational, low density residential and appropriate commercial, institutional and industrial uses that are subject to development controls designed to preserve and enhance the existing rural character; and
  - Commercial and industrial growth will occur at a scale that is appropriate to maintaining the existing rural character of the Township.
- 2.3.2 The County of Simcoe, as part of its first Official Plan program completed a report by Hemson Consulting Ltd. in December 1995, entitled: Growth Outlook for Simcoe County. This report attempted to provide population and household projections for the County, with an allocation of that growth among the various municipalities in the County. These projections were updated to reflect actual population figures from the 1996 Census.
- 2.3.3 For purposes of this review, and given the Township's historical growth and development characteristics, the recommendations of the Hemson report have been endorsed as they relate to the Township of Adjala-Tosorontio, with one caveat: that they are viewed as guidelines within which the Township can operate, and not as arbitrary or rigid targets. Should the hamlet servicing problems noted earlier continue to slow hamlet development, it may be necessary for the Township to restrict the rate of rural growth to ensure adherence to the principles of this Plan.
- 2.3.4 It is expected that growth in the Township will fall within the ranges identified in the Hemson report. From a base population of 9,400 people in 1996, the population totals by 2016 (20 years) will fall between 12,500 and 14,900, being a total increase between 3,100 and 5,500 people. This equates to an average annual increase of between 155 and 275 people.
- 2.3.5 Household numbers are expected to increase from an estimated 3000 households in 1996 to between 4,220 and 4,940 by 2016. This represents a total increase of between 1,220 and 1,940 households. This equates to an annual average increase of between 61 and 97 households.
- 2.3.6 Employment projections for the Township are expected to continue to reflect a low activity rate, with most employment opportunities continuing to occur elsewhere. In 1996, the activity rate has been estimated at 17.7%. This is projected to increase to 18.9% over the next 20 years.
- 2.3.7 These figures continue to represent a relatively small but steady increase in population and households. Planning policies for the Township should confirm and recognize this steady increase. These policies will be expected to encourage new lot creation and new housing opportunities that

will meet the projected demand for new development. These projections are consistent with the direction provided in the Strategic Plan.

- 2.3.8 Because of the variables that can influence population and household growth, Council shall continue to develop its planning policies on the basis of an acceptable range of development.
- 2.3.9 The Township encourages economic activities that will increase the overall employment activity rate in the Township.

## **Section 3 TOWNSHIP GOALS, OBJECTIVES, AND CHARACTER**

### **3.1 Goal**

- 3.1.1 To recognize and maintain a rural community composed of a mix of hamlet, rural and agricultural residents; and to direct development in a way that will preserve the active agricultural land base for long term future use in a conflict free environment and that will protect and enhance the rural character of the Township.

### **3.2 Objectives**

#### **3.2.1 Population**

To protect the Township's rural and agricultural character, population growth should be limited. Population must remain consistent with the community's carrying capacity with respect to water supply, waste and effluent and drainage. The present rural / hamlet balance will be preserved and supported by the development of some light industry and home businesses.

#### **3.2.2 Economy**

The strong agricultural sector will be maintained and supported while non intrusive and complementary small businesses are encouraged in appropriate locations. Forms of development that will minimize the short and long term costs to the Township will be encouraged.

#### **3.2.3 Housing**

The character of the community dictates that single detached residential housing will dominate. This should be augmented by smaller units or accessory units appropriate to house seniors and young families. Strip development and very large homes that are not consistent with the character of the area will be discouraged.

#### **3.2.4 Emergency Services**

Residents should have a community in which they feel safe and secure. The level of service provided will be appropriate to the level of need and will be appropriate to the rural nature of the Township.

### 3.2.5 Community Services

A variety of services should be available. The level of servicing will be consistent with the municipality's ability to finance without imposing an undue tax burden. Joint use agreements with other municipalities may be used to secure services.

### 3.2.6 Environment

3.2.6.1 The residents of the Township relate strongly to the natural environment. Protection of the environment will be the main consideration in making decisions that could affect it.

3.2.6.2 The preservation and conservation of the wooded areas, valley and stream corridors and identified fish and wildlife habitat will be encouraged. Development will be directed away from significant natural features such as wetlands and away from environmentally sensitive areas such as floodplains, valleys and stream corridors and areas of natural constraint. Development controls will be established to protect the natural environment.

### 3.2.7 Hard Services

Services will be appropriate to the demand placed on them but will not be at a level that will create an unreasonable tax burden or user costs.

### 3.2.8 Community

Linkages between the agricultural, rural and hamlet communities will foster a strong community spirit in the Township.

### 3.2.9 Character

The demand for residential development will be recognized and accommodated in a way that will enhance the rural character, consistent with the growth strategy. The compatibility of uses will be ensured through the application of controls such as spatial separations, setbacks, screens and buffers.

## 3.3 Agricultural and Rural Character

### 3.3.1 The Meaning of Character

3.3.1.1 The rural character is that which differentiates the rural area from an urban or semi-urban setting. It is the mix of agricultural uses and low density, randomly located dwellings in a predominantly natural setting. It is distinguished by open countryside, fields, hedgerows and wooded areas. It is the predominance of the natural environment over the built environment. Rather than the ordered, repetitive built pattern found in urban areas, the development pattern is discontinuous with generally large lot sizes and frontages, together with setbacks which vary greatly. The impression is one of an open, natural and agricultural landscape rather than one dominated by man-made structures and landscaped yards.

3.3.1.2 The development form which has the largest negative impact on rural character is clusters, or rows of residential development at a density, or under development standards, which allow the built environment to dominate. Smaller lot sizes, frontages and setbacks are not characteristic of the rural area and if allowed, they alter the character. To protect rural character, policies are required that recognize and protect characteristics that define and enhance that character.

### 3.3.2 Agricultural Areas

3.3.2.1 The AGRICULTURAL area is an area in which the predominant constraint to development is the need to protect the active agricultural land base. Rural character is more easily protected in agricultural areas because controls on forms of built development are very strict to protect the agricultural land. The natural, open countryside is maintained for the most part by prohibiting subdivisions and imposing very stringent controls over consents.

### 3.3.3 Rural Areas

3.3.3.1 In the designated RURAL or RURAL RESIDENTIAL areas, the protection of character is not as easily achieved. The policies developed to do so must specifically identify the character that is to be protected and establish controls which will protect the area. These policies should include requirements for a variety of lot sizes, mixed agricultural and rural uses and a discontinuous development pattern. Controls to ensure that development is appropriate can be implemented through zoning provisions, restrictions on subdivision development, site plan control and environmental reviews. Guidelines covering acceptable development standards may be prepared by the Township and made



available to persons contemplating rural development projects following approval of this plan.

### 3.3.4 Hamlet Areas

3.3.4.1 Development in the hamlets is primarily shaped by the ability to provide a safe water supply and sewage treatment system for each property, but lot sizes, set backs, road standards, drainage facilities and woodland preservation do much to affect the character of the neighbourhood. These factors are best controlled by the use of the subdivision process.

### 3.3.5 Making Character Policies Work

3.3.5.1 In the past, attempts to regulate the density of development in agricultural or rural areas have centered on the use of minimum lot size standards and a limit on the number of severances that can be approved in a basic farm unit, usually an original 40 hectare (100 acre) lot. This Plan, while it includes certain policies related to these factors, will attempt to put forward more community design and environmental policies as an aid to applicants and Township officials.

## Section 4 LAND USE POLICIES

### 4.1 Introduction

#### 4.1.1 Land Use Designations

4.1.1.1 Lands in the Township have been divided into the following Land Use Designations:

- Agricultural
- Rural
- Rural Residential
- Hamlet
- Open Space Recreation
- Protected Aggregate Resources
- Industrial/Commercial Areas
- Licensed Waste Disposal Areas
- Environmental Protection Area

Simcoe Mod 3

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4.1.1.2 Specific types of commercial, institutional and light industrial development (as defined elsewhere in this Plan), may be recognized

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in the Township Zoning By-law in all designations except Licensed Waste Management Areas.

#### 4.1.2 Conservation, Hazard and Natural Heritage Lands

- 4.1.2.1 A number of environmentally significant land forms, natural heritage and water resource areas are present in the Township. These include part of the Oak Ridges Moraine, part of the Borden Sand Plain and the valleys of Bailey Creek, Sheldon Creek, Mad River, Pine River, Boyne River and the Nottawasaga River. A small part of the headwater area of the Humber River is located in the southernmost part of the Township.
- 4.1.2.2 The protection, enhancement and restoration, where feasible, of these areas, plus other local hazard areas and natural heritage features will apply to all of the land use designations. Schedules C1 to C7 show the location of these features as an overlay to all of the Schedule A and B maps.
- 4.1.2.3 Any development application in the Township that falls within a Natural Features overlay designation will be subject to the policies outlined in Section 6 of this Plan.
- 4.1.2.4 The Township will undertake the preparation of a Natural Heritage Plan. Once approved by the Township and the County, the Natural Heritage Plan will replace the provisions of this Plan and will be deemed to conform to the policies of the County of Simcoe Official Plan as they relate to development policies within the Greenland designation of the County Plan.

## 4.2 Development Policies

### 4.2.1 Preamble

- 4.2.1.1 It is the intention of this Plan to limit estate residential development to only those areas designated Rural Residential in order to direct the majority of subdivision development toward existing settlement areas, thus minimizing scattered discontinuous subdivision development and maximizing the use and efficiency of existing infrastructure. By minimizing the extent of permitted estate residential housing form, subdivision growth is directed to the hamlets, which maximizes the potential to provide servicing more cost-effectively, and minimizes the potential for estate lots to compete with hamlet residential lots, due to their reduced servicing costs and similar size and form.

Simcoe Mod 6

## 4.2.2 Application

- Simcoe Mod 7 4.2.2.1 The policies in this section apply throughout the AGRICULTURAL, RURAL, and RURAL RESIDENTIAL designations. The policies in this section apply to development in the HAMLET designation only where specifically referenced in the policies.

## 4.2.3 Development Form

- Simcoe Mod 8 4.2.3.1 Development outside of the hamlets will generally proceed on the basis of private individual wells and private individual sewage disposal systems. Communal systems are not anticipated in these areas.

- Simcoe Mod 9 4.2.3.2 In Hamlets, municipal or communal water and sewer services should be developed together. The development of new partial water and sewer services is generally not permitted, except where necessary to address failed services, because of physical constraints or where previous approvals have been granted on the basis of partial services.

- 4.2.3.3 Generally, a new lot shall be similar in area to existing residential properties in the immediate area.

- 4.2.3.4 The location, size, access and siting of buildings on all new lots being created are to be considered in determining compliance with the "character" policies outlined in Section 3 of this plan.

- 4.2.3.5 The design of new lots shall have regard for the natural heritage characteristics of the particular piece of land being subdivided, specifically with respect to topography, vegetation, access and the protection of groundwater resources, valley and stream corridors or wetland areas.

- 4.2.3.6 No lot shall be created which would landlock or restrict full access to lands at the rear of the property.

- Simcoe Mod 10 4.2.3.7 Development will comply with the Minimum Distance Separation formula and will have regard for the current Provincial Policy on Agriculture as well as the agricultural policies of the Simcoe County Official Plan.

## 4.2.4 Servicing

- 4.2.4.1 Development will proceed on the basis of private individual wells and private individual sewage disposal systems. Communal systems of any type are not anticipated. Regard shall be given to the "Reasonable Use Policies" of the Ministry of the Environment and Energy.

4.2.4.2 Uses will generally be limited to low water users or effluent producers.

4.2.4.3 All new development shall front on a public year round maintained road and shall have safe driveway access, to the satisfaction of the Township Public Works Superintendent.

4.2.4.4 Where required by the Township, storm water management facilities that incorporate Best Management Practices shall be provided for new development.

#### 4.2.5 Infilling - Definition

Simcoe Mod 11

4.2.5.1 For the purposes of this Plan, a lot may be considered infilling where a residential lot is created between two non-farm residences which are on separated lots of a similar size and which are situated on the same side of the road and are not more than 100 metres apart.

#### 4.2.6 Nutrient Management

4.2.6.1 The Township may pass by-laws to require the preparation of nutrient management plans for livestock manure storage facilities in the Township. A nutrient management plan is a professionally prepared report that evaluates the relationship between the application of nutrients (liquid and dry manure, commercial fertilizers, biosolids, leguminous crops and plough down crops), management techniques, and land use. Such a plan will include all aspects listed in the Ontario Farm Environment Coalition, Nutrient Management Planning Strategy document and elaborated upon in the Nutrient Management Planning Best Management Practices document.

Simcoe Mod 12

#### 4.2.7 Odour, Noise, Dust & Vibration

4.2.7.1 Where a land use change is proposed that is likely to adversely affect existing uses or be adversely affected by existing uses, a feasibility study that assesses the impacts of odour, noise, vibration, particulates, or other emissions may be required in accordance with provincial government guidelines. Some uses (e.g. residential) may be sensitive to the odour, noise, vibration or other emissions, associated with facilities such as highways, arterial roads, railway corridors, various types of industries and sewage treatment facilities. The feasibility study shall be prepared to the satisfaction of the local municipal council and other appropriate agencies and shall include recommendations on how impacts can be mitigated. The approval of development proposals shall be based upon the achievement of adequate separation distances between land uses and other mitigation recommendations, to the satisfaction of Council.

Simcoe Mod 13

#### 4.2.8 Contaminated Sites

- 4.2.8.1 If the site of a proposed land use is known or suspected to be contaminated, the applicant is required to produce a study, prepared in accordance with provincial government guidelines to determine the nature and extent of the contamination and identify a remedial plan if required. Where the need for remediation is identified, the site shall be restored in accordance with the remedial plan before development occurs to ensure there are no adverse impacts on the proposed use of adjacent lands uses.

## 4.3 Agricultural

### 4.3.1 Location and Definition

4.3.1.1 Lands designated AGRICULTURAL are identified on Schedules A1 to A7 and B1 to B7 to this Plan.

4.3.1.2 The designation generally includes lands in the Township that meet certain of the following criteria:

- Lands which are considered to be prime agricultural lands and which are generally in soil classifications 1, 2 and 3 of the Canada Land Inventory;
- Specialty crop lands which because of a combination of circumstances demonstrate an ability to produce a specialty crop;
- Lands that house operations that in spite of varying market conditions are considered to be viable active agricultural operations;
- Lands that house intensive farming operations such as livestock raising; and
- Lands that are located in an area in the midst of or contiguous with agricultural operations which accommodate uses and facilities that support the agricultural industry.

Simcoe Mod 14

(Original Section 4.3.1.3 DELETED)

### 4.3.2 Principles

4.3.2.1 The long term preservation and maintenance of the agricultural lands in the Township is a basic principle of this Plan and therefore the primary development will be encouraged to take place in higher density urban and rural settlement areas such as HAMLETS.

Simcoe Mod 15

(Original Section 4.3.2.2 DELETED and subsequent policies renumbered accordingly)

4.3.2.2 The boundaries between the AGRICULTURAL AND RURAL designations on Schedules A1 to A7 tend to follow property lines and defined natural and man-made features. As such, there are instances where the actual boundary between prime and non-prime agricultural lands is approximate. The boundary between the AGRICULTURAL AND RURAL designations may be adjusted so that the lands may develop in accordance with the rural policies in Section 4.4 of this Plan without an Official Plan Amendment, where Council has accepted a report from a qualified agrologist indicating that the lands do not satisfy the criteria in Section 4.3.1.2 for Agricultural lands. However, where the amount of land proposed to be developed for non-farm use exceeds ten acres, an Official Plan Amendment is required to reflect the change to the Land Use Schedule of the Official Plan.

4.3.2.3 Farmers are encouraged to employ sound farm practices in their farm operations. Council will support the farmers' "right-to-farm" in dealing with any complaints arising from such operations as prescribed under the Farming and Food Protection Act, S.O. 1998.

#### 4.3.3 Permitted Uses

4.3.3.1 Uses generally permitted in the AGRICULTURAL designation shall include:

- agricultural uses, including intensive animal operations and specialty crop farming;
- forestry, including reforestation plots and managed forests; and
- conservation and land stewardship projects.

4.3.3.2 For the purposes of this Plan, sod farms, tree farms and nursery operations are classified as agricultural uses.

4.3.3.3 Accessory uses permitted in conjunction with an agricultural operation may include:

- A single detached residential dwelling for the farm operator;
- Residential accommodation for farm help employed full time in the farming operation provided that such accommodation is an integral part of the farm operation and cannot be severed;
- Residential accommodation for farm help employed full or part time in the farming operation or for the accommodation of elderly parents;
- Storage facilities for agricultural products, greenhouses and seasonal home grown produce stands;
- agricultural repair facilities;
- Small scale home businesses in farm dwellings;

- Small scale home industries in separate buildings;
- Minor institutional uses when agricultural operations are included in the program;
- Bed and breakfast establishments and rooming or boarding houses; and
- Animal hospitals, veterinary offices and dog kennels.

4.3.3.4 Existing non-farm uses on lots in the AGRICULTURAL designation may be recognized as permitted uses in the zoning by-law provided the general intent of this Plan is maintained.

4.3.3.5 Large scale commercial, institutional, industrial or private recreational uses, including firearm ranges, golf courses and commercial truck or bus storage and repair facilities, may not be permitted in the AGRICULTURAL designation. Applications for official plan and zoning amendments for such uses must include the submission of an Agricultural Impact Study and an Environmental Impact Study.

#### 4.3.4 Development Policies

Simcoe Mod 17

4.3.4.1 Consent applications for residential or non-farm related purposes will generally not be permitted in the AGRICULTURAL designation, except as follows:

- a. A retirement lot for a bona fide farmer or the principal of a corporate farm operation;
- b. A residence which is surplus to a farming operation as a result of farm consolidation; and
- c. Residential infilling in accordance with Section 4.2.5.1.

Simcoe Mod 18

4.3.4.2 Consents for the purpose of agriculture or agriculturally related uses may be considered, provided that it is determined that the proposed and retained parcels are of sufficient area to ensure the long term existence of an operation which can expand, diversify, intensify, or alter commodities to meet the changing economic conditions. To evaluate this, the parcel sizes must be assessed within the context of the following criteria:

- a. the agricultural capability of the soil;
- b. the flexibility to allow economical product change with different land requirements; and
- c. the suitability of the type of agriculture to the area.

4.3.4.3 None of the consents noted above will be permitted where the new lot would adversely affect an existing farm operation.

- Simcoe Mod 19
- 4.3.4.4 For the purposes of this Plan, a bona fide farm operator or principal in a corporate farm operation is an individual who has been farming since January 1, 1994, has owned land in the Township for at least 10 years, and is actively involved with the farming operation on a day to day basis. The farmer shall be of retirement age and be retiring from active working life.
- 4.3.4.5 The provisions of the Agricultural Code of Practice and Minimum Distance Separation calculations apply to any development in the AGRICULTURAL designation, including a lot for a retiring farmer as noted above.
- Simcoe Mod 20
- 4.3.4.6 In order to protect and preserve prime agricultural land in as large parcels as possible, retirement lots shall only be considered if the retained agricultural property is greater than 36 hectares in size or if there has been no lot granted on the original surveyed farm parcel. Further, the maximum lot size for consents for residential use shall generally not exceed .4 hectares (1 acre) in area, unless a larger lot is required to accommodate the principal and accessory uses and structures on the property. Any such parcels should be located so as to cause the least impact possible on the balance of the property.
- Simcoe Mod 21
- 4.3.4.7 The construction or placement of an additional dwelling of a temporary nature on an operating farm, in proximity to the main dwelling, may be permitted for the purpose of accommodating farm help.
- 4.3.4.8 Severances for boundary line adjustments may be considered where the effect of the severance is to improve the viability of a farm operation. This would include the enlargement of a substandard lot, provided the need is demonstrated, the expansion is of a reasonable size, and the viability of the agricultural operation is not materially affected.
- Simcoe Mod 22
- (Original Section 4.3.4.8 DELETED)
- 4.3.5 Special Exemptions
- Simcoe Mod 23
- 4.3.5.1 Part of Lot 32, Concession 4, Adjala (Ceniti Springs bottling operation) (Roll No. 010-003-01300) (Schedule A4)
- This Plan recognizes the existing commercial springwater bottling and distribution use on that portion of the West Half of Lot 32, Concession 4, Adjala, designated as Part 1, Reference Plan 51R-11177. The site will allow the use of a natural resource (springwater) to be marketed, without additional structures to be erected. Further,



there will be no development other than a road for maintenance purposes on the lands, a parking lot and an underground pipeline to the spring area on the property.

- 4.3.5.2 Relocated to Section 4.4.5.5, since property is located in Rural Designation (in accordance with Section 9.2)

## 4.4 Rural

### 4.4.1 Location and Definition

- 4.4.1.1 Lands designated RURAL are identified on Schedules A1 to A7 and B1 to B7 to this Plan.
- 4.4.1.2 The designation generally includes all lands in the Township that do not satisfy the criteria set out in Section 4.3.1.2 above, established to identify AGRICULTURAL lands; are not within any of the HAMLETS; and are not designated either as a PROTECTED AGGREGATE RESOURCE, OPEN SPACE RECREATION, RURAL RESIDENTIAL, ENVIRONMENTAL PROTECTION AREA or INDUSTRIAL/COMMERCIAL AREA.

### 4.4.2 Principles

- 4.4.2.1 The preservation and promotion of the agricultural and rural character of the Township and maintenance of agricultural lands and the open countryside are basic principles applicable to all development in the RURAL designation.
- 4.4.2.2 Agricultural uses are recognized, encouraged and protected as a major land use in the RURAL designation.
- 4.4.2.3 The dominant consideration in addressing development proposals in the RURAL designation will be the impact on the rural character of the Township and on surrounding agricultural operations. Preservation of the open, natural appearance of the countryside will be a priority. To achieve this, a traditional dispersed development pattern will be encouraged. When residential severances are proposed, the zoning amendment process, subdivision approval process and site plan control process may be used to ensure that the development is in keeping with the rural character.

### 4.4.3 Permitted Uses

- 4.4.3.1 Uses generally permitted in the RURAL designation shall include:
- Agricultural uses, including intensive animal operations;
  - A single detached residential dwelling on an existing lot;

Simcoe Mod 24

- A single detached residential dwelling on a lot approved under Section 53 (consents) of the Planning Act, RSO 1990;
- Small scale commercial and industrial uses as defined by Sections 4.4.4.9 and 4.4.4.10;
- existing trailer camps and farm related industries;
- Minor institutional uses such as group homes for a maximum of 6 residents each plus staff or private hospitals and clinics for maximum of 10 patients each plus staff;
- Bed and breakfast establishments and rooming or boarding houses;
- small scale home businesses totally within dwellings,
- small scale home industries in separate buildings,
- animal hospitals, veterinary offices and dog kennels, and
- forestry.

4.4.3.2 Certain other uses may also be appropriate on lands in the RURAL designation but, because their location is not predictable, their potential off site impacts and their potential impact on the rural character cannot be determined in advance, they should only be allowed by site specific zoning amendment. Such uses include but are not limited to:

- One accessory apartment;
- (Original clause DELETED)
- other institutional uses such as public schools, churches, cemeteries, community halls, municipal buildings, works yards; and
- Golf courses.

Simcoe Mod 25

4.4.3.3 Existing non-residential uses on lots in the RURAL designation may also be recognized as permitted uses in the zoning by-law provided the general intent of this Plan is maintained.

#### 4.4.4 Development Policies

4.4.4.1 Lot creation in the RURAL designation is permitted only by consent and when located on an existing year round maintained municipal road.

4.4.4.2 Lot areas and frontages will be sufficient to retain the traditional development pattern and character of the area in which the development is proposed. In this regard, the following provisions apply:

- Lot frontages will not be less than 60 metres or lot areas less than 1 hectare.

- These values are not to be considered as a generally accepted maximum just because other lots of this size or smaller have been created previously in the general area.
- A variety of larger lot areas and frontages will be encouraged in any development proposal to enhance the rural community form required by this Plan.
- Smaller parcels of land (similar to the size noted in Section 4.3.4.6) will be considered in predominantly open agricultural areas and where the existing lot pattern is generally composed of larger farm parcels.
- Larger parcels of land (4 ha to 10 + ha) will be considered where the development pattern, terrain features and wooded vegetation on the property and in the surrounding area is already composed of similar larger parcels.

4.4.4.3 In general, applications for new lot creation will be subject to the following criteria.

- A maximum of 4 lots (including severed and retained parcels) may be created per original  $\pm 40$  hectare parcel, provided that the average lot area is 10 hectares, the average lot frontage is 100 metres and the minimum lot area is not less than 1 hectare.
- On parcels of land that are smaller than 40 hectares, the maximum number of lots created shall be determined on the basis of an average lot area of 10 hectares and average lot frontage of 100 metres, except as provided for limited infilling.
- Infill lots may be considered on smaller parcels of land provided the lot frontage is not less than the average frontage of lots on the same side of the road as the proposal.

4.4.4.4 Consent applications for boundary line adjustments may be considered provided the intent and purpose of this Plan is maintained.

4.4.4.5 Variable setbacks, rights-of-way, larger or smaller frontages, limits to building heights or building envelopes may be required or permitted by amendment to the zoning by-law in order to further the rural community design principles of this Plan.

4.4.4.6 Lot creation by consent should incorporate the following design considerations:

- The lots will maintain the character of the area in which they are being developed;
- The physical features of the property will be maintained and major earth moving projects will be discouraged;

- If the property subject to a consent application is located partially or completely within a Conservation, Hazard or Natural Feature or Environmental Protection area shown on Schedules C1 to C7, specific measures may be required to protect the natural heritage features on or in the vicinity of the site;
- the lots have sufficient area to accommodate on site sewage disposal facilities and potable water supply;
- New lots should not create a traffic hazard; and
- The appearance of a continuous row of residential development will be avoided.

4.4.4.7 Agreements contemplated by Section 51(26) of the Planning Act, RSO 1990, may be used in severance applications to ensure compliance with conditions of approval.

4.4.4.8 Site plan control may be used in severance applications to ensure compliance with detailed siting issues raised by Provincial Ministries and agencies or Council.

Simcoe Mod 26

4.4.4.9 Small scale commercial and light industrial uses are expected to occur primarily as home occupations or home industries as defined in the Zoning By-law. Such uses may be recognized where they would be at a scale consistent with existing uses, and where there would be no nuisance effects on surrounding properties, no significant environmental effects, and no significant increase in traffic generation. Site plan control may be used in cases where any development of this type is approved by Council.

Simcoe Mod 27

4.4.4.10 Generally, small scale commercial or industrial businesses should be:

- a. encouraged to locate on lands which have a low potential for agricultural production;
- b. limited to sites served by roads capable of handling the traffic generated by such uses;
- c. grouped or concentrated in one area to minimize any impacts rather than as stand alone uses.

Notwithstanding a) to c) above, small scale commercial and light industrial uses may be developed as individual uses on separate lots only where a rationale is presented to Council which justifies why the proposed uses cannot meet the criteria noted in a) to c) above, due to the particular nature and requirements of the proposed uses for site size, location, configuration, or other specific matters.

4.4.4.11 Minor institutional uses existing or proposed in the RURAL designation are subject to the following conditions:

- Existing institutional uses will be reviewed by Council to determine if rezoning or site plan control measures are required to minimize or control impacts on the environment or the surrounding community; and
- New institutional uses, other than those expressly permitted by Section 4.4.3.1 will require an official plan amendment, site specific zoning amendment and site plan control.

4.4.4.12 The provisions of the Agricultural Code of Practice apply to any development in the RURAL designation.

#### 4.4.5 Special Exemptions

4.4.5.1 West Pt of Lot 26, Concession 6, Adjala (Highway 50 wrecking yard) (Schedule A4)

The following special policies apply to the lands located in the West part of Lot 26, Concession 6, Adjala, as shown on Schedule A4:

##### Existing Uses

The existing salvage yard, vehicle sales parking lot to a maximum of 15 vehicles, automotive repair and body shop, and residential unit located above the existing office building, as they existed on May 27, 1998, shall be permitted and recognized as legally conforming in the implementing zoning by-law. The existing developed area shall be zoned to an appropriate Light Industrial zone, which will limit the uses to those identified above and recognize the developed area through setback provisions.

##### Future Expansion

Minor extensions to the existing uses and a change in use may be permitted by separate amendment to the municipal zoning by-law, subject to the approval of the Township, County and the Nottawasaga Valley Conservation Authority or the Toronto Region Conservation Authority. Approval shall only be granted when the following have been fulfilled:

- a flood plain analysis, prepared by a qualified engineering professional, illustrating the nature, location and extent of flood plain on the subject property, based on Regional Storm conditions (Timmins Storm of 1961);
- a flood plain impact analysis demonstrating that any expansion to the existing uses including fill placement will not adversely impact on upstream and downstream lands;

- an Environmental Impact Statement, prepared by a qualified ecologist or biologist, demonstrating that the proposed expansion will not negatively impact on the environmental features or functions identified as part of the County Greenlands System;
- an Ecological Restoration Plan identifying the means to restore lost habitat through techniques including tree planting, vegetative buffering and bioengineering; and
- a site plan, under Section 41 of the Planning Act, showing the location of all buildings and structures to be erected, existing and proposed grades including the provision of storm water disposal, and the location of all associated facilities and works required as part of the construction.

#### 4.4.5.2 Pt of Lot 6, Concession 2, Adjala (Camp Reena) (Schedule A1)

This plan recognizes the existing institutional use as children's camp on this property. The Township will regulate the use through appropriate zoning provisions. The zoning by-law will provide regulations respecting the range of permitted uses on the property, and the establishment of appropriate set backs, landscaping and buffering from abutting properties.

Simcoe Mod 28

#### 4.4.5.3 Part of Lot 16, Concession 3, Adjala (Mayer Tool and Die) (Roll No. 010-005-19102) (Schedule A3)

On Part of Lot 16, Concession 3, Adjala, a light industrial use consisting of a tool and die operation is permitted in an enclosed building not to exceed 1115 square metres. The zoning by-law will establish appropriate site development standards.

Simcoe  
Non-Decision No. 2  
(Section 4.4.5.4)

#### 4.4.5.4 South Part of the East Half of Lot 12, Concession 4, Tosorontio (Blue Hills Farm) (Roll No. 020-003-00800) (Schedule A6)

This Plan recognizes the continuing institutional uses within the buildings on the above noted property, including training and education for youths and adults, and recreational uses that do not conflict with the ongoing agricultural uses of the property. The Township will regulate the use of the property and buildings through appropriate zoning provisions.

#### 4.4.5.5 Part of Lot 22, Concession 8, Adjala (DeBruin Woodworking) (Roll No. 010-003-15400) (Schedule A3)

This plan recognizes the existing woodworking manufacturing use on Part of Lot 22, Concession 8, Adjala, designated as Parts 1 and 2, Reference Plan 51-17324. The zoning by-law will establish appropriate site development standards.

## 4.5 Rural Residential

### 4.5.1 Location and Definition

4.5.1.1 Lands designated RURAL RESIDENTIAL are identified on Schedules A1 to A7 to this Plan.

4.5.1.2 The designation includes:

- Lands that have been previously developed for residential purposes;
- Lands in the vicinity of Tioga as shown on Schedule A6; and
- Lands that have previously been approved for residential development in the form of official plan amendments but which have not yet been developed.

Simcoe Mod 29

4.5.1.3 Lands in the vicinity of Tioga have been identified as a settlement area in the County of Simcoe Official Plan. These lands have been designated Rural Residential in this Plan, subject to the provisions of Section 4.5.4.7.

### 4.5.2 Principles

4.5.2.1 The preservation and promotion of the rural character of the Township and the maintenance of the open countryside are basic principles applicable to all development in the RURAL RESIDENTIAL designation.

4.5.2.2 Agricultural uses within and immediately abutting the designation will continue to be recognized, encouraged and protected as permitted uses.

4.5.2.3 The dominant consideration in addressing development proposals within the RURAL RESIDENTIAL designation will be the maintenance of the rural character already established. New development will generally be restricted to infill situations where the impact on adjacent properties is consistent with the present situation.

4.5.2.4 Applications to designate land RURAL RESIDENTIAL to permit plans of subdivision will be considered within the context of the growth management policies of this Plan.

### 4.5.3 Permitted Uses

4.5.3.1 Uses that may be permitted in the RURAL RESIDENTIAL designation include:

- existing agricultural uses;
- single detached residential dwellings on existing lots;
- single detached residential dwellings on lots approved under Section 51 or 53 of the Planning Act, RSO 1990; and
- home businesses conducted entirely within a single detached residential dwelling.

4.5.3.2 Certain other related uses may also be appropriate on lands in the RURAL RESIDENTIAL designation but because their potential off-site impacts cannot be determined in advance, they should only be allowed by minor variance or zoning amendment, whichever is appropriate. Examples of this type of use would include accessory apartments and home businesses in separate buildings.

Simcoe Mod 30

4.5.3.3 New Country residential subdivisions are not permitted on the Oak Ridges Moraine as shown on Schedules A1 to A3.

4.5.3.4 Existing non-residential uses on lots in the RURAL RESIDENTIAL designation may also be recognized as permitted uses in the zoning by-law provided the general intent of this Plan is maintained.

### 4.5.4 Development Policies

4.5.4.1 Lot creation in the RURAL RESIDENTIAL designation will generally be restricted to single residential dwelling lots that meet the infill lot criteria.

4.5.4.2 Where a larger vacant area has been included in the RURAL RESIDENTIAL designation, development by plan of subdivision may be considered in accordance with the policies of Section 6.

4.5.4.3 Development that will extend the municipal road system will be discouraged. However, subdivision development with an internal road may be considered where the topography, vegetation, soil type, drainage characteristics and property shape are such that a subdivision would be more in keeping with the rural development principles of this Plan than would linear development along the existing road network. In such cases, lot sizes would be determined in accordance with Section 6.



4.5.4.4 Agreements contemplated by Section 51(26) of the Planning Act, RSO 1990, may be used in the case of either subdivision or severance applications to ensure compliance with conditions of approval.

4.5.4.5 Site plan control may be used in the case of either subdivision or severance applications to ensure compliance with detailed siting issues raised by Provincial Ministries and agencies or the Council.

4.5.4.6 Small scale home businesses are expected to occur as home occupations. Such uses may be recognized where they would be at a scale consistent with existing uses, and where there would be no nuisance effects on surrounding properties, no significant environmental effects, and no significant increase in traffic generation. Site plan control may be used in cases where any development of this type is approved by Council.

Simcoe Mod 31

4.5.4.7 The Tioga area has developed over the years as a rural residential community. The area has developed primarily by registered plan of subdivision, focused on the existing public school and the recreational and environmental features of the Pine River. A build out of the community is anticipated, and will be subject to the following:

- a. development will consist of residential development and will continue to be serviced on private individual water and sewer facilities;
- b. lot sizes will be determined in accordance with the applicable policies of Sections 6 and 8.11, but will generally reflect the lot size characteristics of the existing development;
- c. appropriate pedestrian, road and open space linkages within and between the subdivisions will be provided; and
- d. where public infrastructure is being provided, development will occur by registered plan of subdivision.

4.5.4.8 Any commercial development in the Tioga area will require the approval of an Official Plan amendment.

#### 4.5.5 Special Exemptions

In effect, OMB  
letter May 1, 2000

4.5.5.1 Part of the West Half of Lot 19, Concession 3, Part of the East Half of Lot 19, Concession 3, and Part of the East Half of Lot 18, Concession 3, Tosorontio (Schedule A6)

This Plan permits a residential/golf course development on the described lands, provided that the design of the development is consistent with the objectives of Council with respect to the approval of the residential component of the development being contingent on

the approval of the golf course and that the design of the development integrate the lotting within the fabric of the golf course fairways, giving the development a unique character consistent with cluster residential/recreational developments. The total number of residential lots permitted on the lands described herein is not to exceed 46.

## 4.6 Hamlet Development Areas

### 4.6.1 General Policies

4.6.1.1 Seven hamlet development areas have been identified in Schedules B1 to B7. Prior to extensive development of these areas, and/or in the event that hamlet's population reaches 300 people, detailed secondary plans (district plans) shall be prepared.

4.6.1.2 No new development with the exception of limited infilling and minor extensions to the north as shown on Schedule B4 will be permitted in the hamlet of Rosemont until such time as a secondary plan covering the whole hamlet is prepared.

4.6.1.3 Secondary plans for these hamlet areas shall generally establish:

- The boundaries of the hamlet;
- The availability of utilities, including piped water, sewage, electricity, etc.;
- The appropriate size and location of required services such as an elementary school and parks;
- The primary road system for safe and convenient local vehicular movement minimizing vehicular-pedestrian conflicts;
- The areas of convenient commercial facilities relative to the local need of the future population; and
- The sites for open space, churches and schools.

Secondary plans will be accompanied by appropriate Settlement Capability and Servicing Options Studies.

4.6.1.4 Priority in the preparation of secondary plans shall be given to those areas where services can most readily be made available. Before development of these areas is permitted, Council shall be satisfied that;

- A valid demand exists for residential development;
- The required public services can be economically extended or provided;
- The necessary expenditures are consistent with the capital works

program; and

- The immediate and long-term additional costs will not strain the financial stability of the Township.

4.6.1.5 Both public and private uses such as schools, churches, cemeteries, convalescent homes and parks shall be permitted in the hamlets according to relevant regulations included in the zoning by-law.

4.6.1.6 Certain neighbourhood commercial uses (retail stores, service shops and ancillary buildings) may be developed in hamlets. These uses shall be grouped in the vicinity of major intersections. In addition, they shall be so located that adequate off-street parking can be provided. Relevant regulations will be included in the Zoning By-law.

4.6.1.7 Certain home occupations and professional offices may be permitted in single detached dwellings in the designated hamlets provided that the zoning by-law regulations pertaining to parking and sign control have been applied.

4.6.1.8 Duplex dwellings, semi-detached dwellings and small apartment buildings will be permitted in the RESIDENTIAL areas, provided approval has been granted by the Simcoe County District Health Unit.

4.6.1.9 The installation of a Township water supply system to serve the hamlets shall be encouraged when the density of the development is sufficient to economically permit the construction of such systems.

4.6.1.10 Where an application for consent is received for lands designated RESIDENTIAL on Schedules B1 to B7 regard shall be given to the policies in the Hamlet Residential land use category and the following policies.

- a. Consents may be permitted within hamlets provided the proposed development is in keeping with the existing development and the lot is suitable for the use proposed.
- b. Where a consent is proposed in an area of the hamlet which is not developed, it shall not prejudice the future orderly development of the area. A predesign of the area may be requested.

4.6.1.11 In the HAMLET areas, residential development by infilling may take place but any development of more than four lots will require a registered plan of subdivision with a subdivision agreement registerable on title. Registered plans of subdivision will only occur following submission and approval of settlement capability and servicing options studies. Such studies may be required to address impacts of the development on the balance of the hamlet. The

servicing options study will review whether private or communal services are required.

- 4.6.1.12 Certain areas shown on Schedules B1 to B7 are designated Rural and Agricultural. The applicable policies of Section 4.3 (Agricultural) or 4.4 (Rural) apply to development applications within those designations.

#### 4.6.2 Hockley and Loretto Secondary Plan

##### 4.6.2.1 Goals for Hockley and Loretto

- a. To safeguard the health, safety, welfare and quality of life of the residents;
- b. To improve the tax base of the communities by encouraging new commercial development in appropriate locations which will prevent adverse impact to the natural environment and which requires minimal services;
- c. To regulate the rate of growth within the hamlets to ensure that the growth is in keeping with the desires of Council and the residents of the hamlets and the Township and within the financial resources of the Township;
- d. To prevent the pollution of land, air and water;
- e. To plan, program and budget public finances to provide services and facilities which will meet the priorities and needs of the residents while attempting to keep taxes to a minimum;
- f. To provide social, cultural, recreational and educational facilities which are within the financial capability of the Township and in a location suitable to the residents;
- g. To encourage commercial, institutional and residential development to be built and maintained in a way as to minimize energy consumption and, whenever possible, to encourage the use of renewable sources of energy (i.e. solar energy);
- h. To provide an efficient transportation network (both roads and walkways) which allows individuals to move with ease between various activities; and
- i. To identify and preserve wherever possible historic and/or significant buildings and landmarks.

##### 4.6.2.2 Land Use Policies - General

- a. The Hamlets of Hockley and Loretto will remain as predominantly low density, residential settlement areas. As the population in each community continues to grow, it is anticipated that their role may change to be more reflective of a small rural

service centre providing a limited range of goods and services to the residents residing in the hamlets and the surrounding areas.

- b. The land use categories are Residential, Commercial, Institutional, Open Space Recreation, Hazard Lands, Rural.

#### 4.6.2.3 Residential Land Use Policies

- a. Schedules B2 and B3 designate several areas in each community for additional residential development. The areas shown are intended to provide some flexibility of lot types and development areas in achieving an average growth rate of 2.5 percent per year.
- b. The following objectives were used in establishing Residential Land Use policies for Hockley and Loretto:
  - To limit future development to infilling and rounding out of the existing designated residential areas to create compact hamlet areas;
  - To ensure a variety of single detached dwellings to accommodate the diverse economic and social needs and desires of the residents;
  - To participate in government programs relating to housing where considered appropriate for the community;
  - To encourage a high standard of design in development particularly to retain the rural atmosphere of the hamlets;
  - To encourage the use of energy conservation; and
  - To protect the existing residential areas adjacent to the commercial areas.
- c. The predominant use of land designated RESIDENTIAL shall be for single detached homes. Secondary uses which are complimentary to and serve the residential uses are permitted such as institutional and public uses including parks and open space and home occupations.
- d. Council shall give consideration to the following guidelines when considering proposals for a secondary use within an area designated as RESIDENTIAL:
  - That the use will have a positive impact upon the residential community;
  - That adequate access, off-street parking, storage requirements and screening be provided on the site where applicable;
  - That the road system be adequate to accommodate the increased traffic volume;
  - That the proposed use be integrated into the residential community by means of the use of site plan control with respect to building location, form, general exterior design features and landscaping of the site; and

- That these uses be adequately regulated by suitable provisions in the implementing zoning by-law.
- e. All development or redevelopment in a RESIDENTIAL designation shall include the provision of the following services; paved roads, storm drainage, on site sewage disposal systems, private wells or piped water supply as determined by the Township and the Simcoe County District Health Unit, street lighting, trees, additional landscaping and any other services as determined by Council.
- f. The following specific policies apply to the Hamlets of Hockley and Loretto.
  - Access to individual lots shall be from Township roads.
  - The number of access points from plans of subdivision to County roads will be limited to the minimum required for the proper development of the property.
  - Plans of subdivision should indicate future road extensions into adjoining lands. The purpose of these extensions is to permit a more flexible and proper road design on the adjoining lands. However, the extension is not to be considered an indication that these abutting lands will ultimately develop nor does it obligate the Township to approve development on the adjoining site.
- g. The Hamlet of Hockley contains several private roads. Any owners of plans of subdivision adjoining these roads which need access to them will be required to reconstruct the private roads to Township standards following which the private roads will be considered for assumption by the Township. The single detached dwellings fronting onto the private roads in the East Half of Lot 15, Concession 1 and the West Half of Lot 16, Concession 2 and existing at the date of adoption of the Secondary Plan should be permitted to expand or construct accessory buildings or structure provided the approvals of the Nottawasaga Valley Conservation Authority and Health Unit are obtained, if necessary, and the proposal meets the requirements of the Township such as the zoning by-law provisions.
- h. In the Hamlet of Loretto, access may be provided to County Roads No. 1 and 50 in accordance with the roads policies of the County of Simcoe in order that the lands in the East Half of Lot 15, Concession 5 can develop.
- i. Individual walkways shall be encouraged in future residential plans of subdivision with the eventual goal of providing an integrated walkway network for both hamlets.
- j. Adequate screening and/or a buffer strip shall be required where a proposed residential development abuts a commercial use or other use which could be non-compatible. Compliance with the

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minimum distance separation requirements of the Agricultural Code of Practice shall be required where residential development is proposed adjacent to an agricultural use.

- k. In order to provide an environment in which small business may be established, the Township supports home occupations being permitted in the RESIDENTIAL designation.
- l. Residential uses in new single detached home areas shall not exceed a density of 5 dwellings per net hectare whether serviced by private wells or a municipal water supply. Local parks and roads shall be excluded in the calculations of the net hectare. Notwithstanding the above, the size of individual lots must meet the requirements of the Simcoe County District Health Unit with respect to the adequate functioning of on-site sewage facilities. The density of proposed plans of subdivision will be subject to the Ministry of the Environment and Energy approval with respect to the cumulative impact of the on-site sewage disposal systems on the groundwater resources.
- m. Development in each community shall be predominantly by plan of subdivision and shall proceed in an order determined and approved by Council taking into consideration the following matters:
  - The need for the proposed type of development in view of other available alternatives or proposals/applications in the community;
  - The need to develop in complete phases which should take into account the logical extensions of road patterns and piped water systems if applicable and the problems associated with partially completed developments such as weed control, drainage, etc.;
  - The routing which development traffic will have to follow in entering and leaving the proposed subdivision and the ability of adjacent roadways to handle the volumes of traffic to be generated;
  - The need for compact development and the general location of the development area relative to commercial and community facilities.
- n. Lands designated RESIDENTIAL on Schedule B2 Hockley Land Use Plan may be located within the floodplain of the Nottawasaga River. The existing residential uses shall have “special” or restricted zoning provisions applied to them if required by the appropriate authorities and these uses shall be recognized as legal conforming uses despite the hazardous characteristics of the land. Expansion of such uses will be discouraged and shall only be permitted subject to the approval of Council, the Nottawasaga

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Valley Conservation Authority and the Simcoe County District Health Unit.

- o. Lands designated RESIDENTIAL on Schedule B2 Hockley Land Use Plan and shown by a dot pattern have the Hazard Land designation as well due to their location within the steep slope areas of Hockley Valley. Residential uses in this area shall only be permitted if a detailed study by a professional engineer is undertaken and approved by the Township, health unit and the conservation authority, indicating that development can proceed in a safe and environmentally responsible manner.

#### 4.6.2.4 Commercial Land Use Policies

- a. It is important to define the role and function that commercial activities will have in relation to the hamlets' land use components. This can be achieved by establishing certain goals, criteria and policies that will regulate the operations of present and future commercial establishments.
- b. The following objectives were used in establishing commercial land use policies for Hockley and Loretto:
  - To retain the predominant rural character of each hamlet by discouraging intensive large-scale commercial activities;
  - To broaden the range of goods and services available to the residents in each community;
  - To encourage compatible high quality building designs for all new commercial development as a means of assimilating it into the existing community; and
  - To broaden the assessment base of the Township.
- c. The predominant use of land designated COMMERCIAL shall be for the purposes of offices, services and the retailing of goods and may include any other uses similar to the foregoing provided they are keeping with the predominant rural character of the two hamlets.
- d. Secondary uses that are complementary to the commercial use are permitted such as public and institutional uses, including parks and open space and a dwelling unit located above commercial establishments except over garages or automobile service stations. Notwithstanding the above, single detached dwellings existing at the date of adoption of the Secondary Plans are recognized as permitted residential uses so long as they continue to be used as such.
- e. Commercial uses will be generally restricted to the core locations along the County Road in areas of Hockley and Loretto with the exception in Hockley of a second node of commercial uses in the West Half of Lot 15, Concession 3.



- f. Adequate off street parking and loading spaces shall be provided in accessible and convenient locations for pedestrians and business served. New commercial development or redevelopment will be required to provide sufficient parking spaces to accommodate its potential needs where feasible.
- g. Access points to and from parking areas shall be limited in number and designed in such a manner as to minimize danger to pedestrian and vehicular traffic.
- h. Where Commercial uses abut residential areas, adequate screening and buffering shall be provided to minimize potential land use conflicts. The Township may require a site plan control agreement to ensure adequate screening will be provided.
- i. Commercial uses shall be placed in a separate category in the zoning by-law.

#### 4.6.2.5 Institutional Uses

- a. Institutional uses such as schools, churches and public administration buildings are essential components in the overall structure of a settlement area. Such uses should be encouraged when required and governed in such a manner that they do not interfere with the character of the community.
- b. The following objectives apply to institutional uses:
  - To provide sufficient land for public administration purposes including public works garages, municipal wells and pumphouses and public administration buildings.
  - To ensure sufficient land is available for educational, medical, religious and government purposes.
- c. The predominant use of land designated INSTITUTIONAL shall be for institutional purposes and shall include schools, hospitals, government buildings, libraries, senior citizens homes, day care centres, places of worship and municipal wells and pumphouses.
- d. Future institutional uses which generate high traffic volumes shall be located on County Roads No. 1 or 50 and have access to a local road.
- e. Institutional uses shall have adequate parking with access points limited in number and designed in a manner which shall minimize the danger to pedestrian and vehicular traffic.
- f. Where Institutional uses abut residential areas, adequate screening and buffering shall be provided to minimize potential land use conflicts. The Township may require a site plan control agreement to ensure adequate screening will be provided.

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- g. Institutional uses shall be placed in a separate category in the zoning by-law.

#### 4.6.2.6 Open Space Recreation Land Use Policies

- a. The anticipated demand of new residential development on recreational facilities must be met in a controlled manner that will not place a heavy burden on the Township. Alternative solutions such as working with and receiving financial support from special interest groups, service clubs and neighbourhood groups should be encouraged.
- b. The following objectives were used in establishing OPEN SPACE RECREATION land use policies for Hockley and Loretto:
- To provide a system of associated neighbourhood and community parks as a total recreational package which can adapt to change, public needs and preferences for all groups, individuals and age classifications;
  - To encourage the support of groups, clubs, and boards etc., for their assistance in the provision of recreational activities;
  - To provide a system of parks that remain within the financial resources of the Township; and
  - To conserve natural areas whenever possible.
- c. The predominant use of land designated OPEN SPACE RECREATION on Schedule B2 and Schedule B3 shall be for publicly and privately owned or operated parks, recreational clubs or facilities, sports fields and playgrounds. The policies within Section 4.8, OPEN SPACE RECREATION shall also apply in addition to the policies contained herein.
- d. Secondary uses which are complimentary to and/or serve the principal uses are permitted such as institutional and public uses, work installations and a residence for the owner or manager or caretaker associated with the primary use provided that the open space and/or recreational character is maintained as the principal use.
- e. The Open Space recreation areas on Schedules B2 and B3 recognize existing land uses and that they should be maintained as such. Additional parks shall be established primarily through the dedication of lands for such purposes when a development proposal is being processed.
- f. One neighbourhood park shall be provided in conjunction with additional residential development in the general location shown on Schedule B2 and one neighbourhood park shall be provided in a general location shown on Schedule B3. The final

determination of the location and size of these parks will be at the discretion of the Township.

- g. Open Space recreation uses may be placed in a separate zoning category.

#### 4.6.2.7 Hazard Lands

- a. Natural environmental areas play a significant role in contributing to attractive communities. These areas are of considerable benefit to the ecosystem within the Township. They reduce soil erosion and flooding through the reduction of surface water runoff, and act as water recharge areas, while the wooded areas act as windbreaks, reducing wind erosion and heating costs.
- b. The following objectives were used in establishing Hazard Lands policies for Hockley and Loretto:
  - The prevention of loss of life, and the minimization of property damage and social disruption from flooding;
  - The conservation of the natural environment particularly those areas of environmental and ecological significance such as the Nottawasaga River;
  - The preservation and enhancement of the inherent and scenic qualities of the environment; and
  - The prevention of development on hazard lands such as areas of steep slopes, unstable and organic soils, etc.
- c. The Hazard Lands designation generally applies to lands exhibiting inherent environmental hazards requiring protective measures such as:
  - Lands susceptible to flooding under Regional Storm Conditions including the floodplain areas of rivers and their tributaries as determined by the Nottawasaga Valley Conservation Authority;
  - Lands susceptible to erosion including banks along watercourses which are actively being eroded or which are subject to erosion during flooding periods;
  - Lands with inherent instability and other unsatisfactory conditions such as steep slopes and poor drainage including organic soils;
  - Lands exhibiting significant environmental qualities as determined by the Nottawasaga Valley Conservation Authority and the Ministry of Natural Resources; and
  - Other areas such as County forests and Conservation lands.
- d. In Hazard Lands areas the uses permitted may include conservation, forestry, wildlife management, agriculture, nurseries and public and private open space. The policies within Section 6 shall apply in addition to the policies contained herein.

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- e. It is possible that lands designated Hazard Lands would have a sufficient area which could meet the regulations of the Nottawasaga Valley Conservation Authority, the Ministry of Natural Resources and the Ministry of Environment and Energy to permit the construction of a dwelling or structure on the existing legally separated lot. The dwelling is permitted subject to a site plan being prepared indicating the location of the dwelling or structure on the property and subject to the regulations of the appropriate authorities.
  - f. Any alteration to a watercourse, floodplain or valley, including the placement of buildings, structures or fill whether originating on the site or elsewhere, or removal of fill, or the provision of access to a valley, is subject to the approval of the Nottawasaga Valley Conservation Authority and in the case of alteration to a watercourse, to the approval of Ministry of Natural Resources pursuant to the Lakes and Rivers Improvement Act.
  - g. The Township may consider permitting Hazard Lands areas to be included in lots which extend into an adjoining RESIDENTIAL area in which the principal buildings or uses may be established in conformity with the provisions of this Plan subject to the regulations of the appropriate public authority.
  - h. For any proposed development within the Hazard Lands designation, an environmental impact study shall be conducted by a qualified professional, approved by the Township and the Nottawasaga Valley Conservation Authority whose principal expertise pertains to environmental assessment studies. The cost of such a study shall be borne by the proponent and may among other matters address the following:
    - The nature and significance of the Hazard Lands area, and the degree and basis of its sensitivity;
    - The proposed development;
    - The various methods of undertaking the development;
    - The effects of the development on the Hazard Lands area;
    - The alternatives available to reduce or eliminate the negative effects and the monetary and environmental costs and benefits of any proposed engineering and/or resource management practices;
    - Any other terms of reference as determined by the Township and/or the Nottawasaga Valley Conservation Authority; and
    - The comments and conditions of the Township and the Nottawasaga Valley Conservation Authority.
  - i. When development proposals are received for lands which act as groundwater recharge areas or are located above a significant aquifer area, design considerations must include the following:

- The latest acceptable engineering and resource management methods to reduce the amount of storm water runoff; and
  - The prevention of groundwater pollution, and maximization of recharge capacity.
- j. Where development is proposed in close proximity to steep slopes, the edge of watercourse valleys or any other lands designated Hazard Lands, a setback from the top of the bank, the established stable slope line or hazard lands area will be required as determined by the Nottawasaga Valley Conservation Authority and/or the Ministry of Natural Resources and the Township having regard to the extent and severity of existing or potential hazards. Such setbacks shall be determined on a site specific basis.
- k. Major public works proposed by any public or private agency shall be discouraged whenever possible from locating or expanding in Hazard Lands areas.
- l. The exact location of the Hazard Lands area shall be determined by the Township, the Nottawasaga Valley Conservation Authority and the Ministry of Natural Resources at such time as a specific application for development of the land is submitted. Where the general intent of this Plan is maintained especially where it is shown that the lands are not hazardous, boundary adjustments to the Hazard Lands delineation will not require an amendment to this Plan.
- m. All lands designated Hazard Lands shall be placed in a separate zoning category in the zoning by-law where appropriate.

#### 4.6.2.8 Rural and Agricultural Land Use Policies

- a. Certain areas within Hockley and Loretto are not expected to develop during the life of the Secondary Plan. These areas are presently utilized for agricultural or rural residential purposes and they should be encouraged to continue as such. The policies within Section 4.3 and 4.4 shall apply to these lands.
- b. The East Half of Lot 13, Concession 1 and the West Half of Lot 13, Concession 2 are designated RURAL. The Ministry of Natural Resources has identified this area as having high potential for sand and gravel resources. Prior to any development taking place, whether by consent or plan of subdivision or under site plan control, adequate testing of the aggregate resource must be undertaken by the applicant to meet the requirements of the Ministry of Natural Resources. Approval must be obtained from the Ministry of Natural Resources along with other pertinent Ministries and agencies and the Township prior to the above development occurring.



### 4.6.3 Development Policies for Everett

#### 4.6.3.1 General Policy

- a. Every possible action will be taken, consistent with the technical advice and with the approval of the Ministry of the Environment and Energy, to secure a safe, reliable water supply for all of the hamlet residents that has the following characteristics:
  - Meets all of the applicable water quality standards for drinking water in Ontario;
  - Is available at adequate pressure for normal household use and is relatively secure from unnecessary or accidental interruption; and
  - Is available at adequate pressure and in suitable quantity to meet the fire protection standards set by the Ontario Fire Marshall.
- b. New development, both by plan of subdivision and by consent will be encouraged within the boundaries of the HAMLET shown on Schedule B5 provided that the detailed policies of this Section and other applicable Sections of the Plan are followed.
- c. The density of new development in Everett is intended to remain low, as would be expected to occur in single detached neighbourhoods serviced with a water supply but not a communal sewage treatment system. However, a limited number of slightly higher density forms of housing will be considered if it can be shown that the proposal can be properly serviced and that it will have a minimal impact on other housing in the vicinity.
- d. Commercial development which has the primary objective of serving the local community, as well as the rural area of the Township, will be welcomed in the HAMLET and will not require an amendment to this Plan. However, all such applications will require an amendment to the zoning by-law and will generally be subject to site plan control.
- e. Industrial development is generally not expected to occur in Everett, but care will be taken to differentiate between those types of businesses that would be compatible with the residential atmosphere of the hamlet and those that will not. Small scale craft operations, service shops or storage facilities will be considered on the same basis as the commercial land uses noted above.
- f. The Township will take full advantage of the park dedications required by the Planning Act when subdivisions are considered and when consents are granted. Public park and recreation facilities developed in the future will be designed to provide service to all Township residents and no amendment to this plan will be required to permit such a development. Where applicable,

the Conservation, Hazard and Natural Heritage and the OPEN SPACE RECREATION policies of this Plan will remain in effect for all private lands.

#### 4.6.3.2 Servicing Policies for New Development

##### a. Water Supply and Distribution

All developers will be required to connect to the municipal water supply system and to construct the watermains, hydrants, service connections and appurtenances to the standards and in the locations required by the Township Engineer.

##### b. Sewage Disposal

All developers will be required to satisfy the Simcoe County District Health Unit, the Ministry of the Environment and Energy, and the Township that full sewage treatment can be provided to current standards for all projects prior to approval being given.

##### c. Storm Water Runoff

All developers will be required to comply with the Storm Water Management Guidelines prepared by the Township Engineer when undertaking any project within the HAMLET.

##### d. Street and Walkways

All developers will be required to comply with the Design Standards for Streets and Walkways prepared by the Township Engineer when undertaking any project within the HAMLET.

#### 4.6.3.3 Urban Service Area

- a. In order to properly and fairly assess the costs of constructing and maintaining certain services in the hamlet, an Everett Urban Service Area will be set up by the Township Council under the provisions of the Municipal Act. As the municipal water supply system is extended throughout the HAMLET Area, the Township will require all occupied dwellings and buildings to connect and be subject to urban service area rates as these are set from time to time.



## 4.7 Open Space Recreation

### 4.7.1 Location and Definition

- 4.7.1.1 Lands designated as OPEN SPACE RECREATION are identified on Schedules A1 to A7 and B1 to B7 of this Plan.
- 4.7.1.2 This designation generally includes those lands in the Township owned by public authorities (e.g. County Forests and Provincial Parks) or used for private recreation activities (e.g. rod and gun clubs, ski clubs, golf courses, etc.).

### 4.7.2 Principles

- 4.7.2.1 The preservation and promotion of the rural and open space character of the Township is a basic principle for development in the OPEN SPACE RECREATION designation.
- 4.7.2.2 Major public lands that have an open space, conservation or recreation focus are identified in the OPEN SPACE RECREATION designation.
- 4.7.2.3 Private lands in the Township that are used for open space or recreational activities, or major private recreational activities shall be located in the OPEN SPACE RECREATION designation.

### 4.7.3 Permitted Uses

- 4.7.3.1 The predominant use of land shall be for public and private outdoor recreation uses. This may include:
- Public parks of all types, including fairgrounds and lands owned by or under the control of the Nottawasaga Valley Conservation Authority or the Toronto Region Conservation Authority;
  - (original clause DELETED)
  - Private parks, including picnic areas, camp grounds, swimming areas, pavilions, eating establishments and other service buildings associated with the park use;
  - Private clubs including those for golf, skiing, fishing, hunting, and snowmobiling;
  - Private lands for hiking trails or wilderness areas involving the use of open lands; and
  - Conservation and forest management uses.

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4.7.3.2 Compatible agricultural uses such as tree or sod farms, nurseries and forestry operations may be developed without any amendment being required to the implementing zoning by-law.

#### 4.7.4 Development Policies

4.7.4.1 One single detached residential use that is accessory to a recreation use may be developed on a property.

4.7.4.2 New lot creation is not permitted on lands designated OPEN SPACE RECREATION.

4.7.4.3 Where lands designated OPEN SPACE RECREATION are under private ownership, this Plan shall not be construed so as to imply that the lands are free and open to the general public, or that the lands are to be acquired by the Township or the Nottawasaga Valley Conservation Authority or the Toronto Region Conservation Authority. At any particular time, if proposals to develop such lands are made and the Township or the Nottawasaga Valley Conservation Authority or the Toronto Region Conservation Authority does not wish to acquire such lands, an application for redesignation of such lands for other purposes will be given due consideration.

4.7.4.4 The standards appropriate for new permitted uses shall be established in the zoning by-law, consistent with the policies of this plan.

4.7.4.5 An Agricultural Impact Study, Environmental Impact Study and Planning Justification Report shall be submitted and approved by the Township prior to Council considering a zoning amendment to permit new large scale private recreational uses (including golf courses) within the Open Space Recreation designation.

4.7.4.6 New private recreational uses located outside the Open Space Recreation designation shall proceed by Official Plan Amendment, with guidelines for appropriate standards established as part of the Amendment.

## 4.8 Protected Aggregate Resources

### 4.8.1 Location and Definition

Simcoe Mod 36

4.8.1.1 Lands that are licensed under the Aggregates Resources Act and designated as LICENSED PIT and as PROTECTED AGGREGATE RESOURCES areas by the Township are identified on Schedules A1 to A7.

- 4.8.1.2 Lands identified by the Township as areas of primary or secondary aggregate resources that are to be protected for future extraction are identified and shown as an overlay on Schedules C1 to C7.

Suitable uses in areas of primary and secondary aggregate potential include agriculture, forestry, and other resource related developments, as well as public utility installations, if their siting does not preclude or hinder aggregate development. When considering development in areas adjacent to or in areas of primary and secondary aggregate potential areas, Council shall ensure that the proposed development does not preclude or hinder the establishment of new operations or access to the aggregate resources unless it has been demonstrated that:

- a. future aggregate resource use is not feasible because of natural, physical or man-made constraints;
  - b. the proposal serves a greater long term public interest; and
  - c. issues of public health, public safety and environmental impact have been addressed.
- 4.8.1.3 Prior to any request for a new or amended aggregate extraction license under the Aggregate Resources Act being considered by the Township for properties identified on Schedules C1 to C7, the applicant shall have submitted specific applications for amendments to this Plan and to the Zoning By-law.
- 4.8.1.4 Any such applications for amendment to the Plan and the Zoning By-law shall be considered, provided that the information submitted by the applicant satisfies the Township and the neighbourhood property owners about all matters pertaining to the proposed operation, including the extent of the resource, the haul routes to be used, the impact on adjacent and nearby property owners, the proposed operating hours and the details of the proposed rehabilitation of the site when excavation has been completed.

## 4.8.2 Permitted Uses

- 4.8.2.1 The primary use of land in the PROTECTED AGGREGATE RESOURCES designation shall be the quarrying and extraction of gravel, sand and other aggregate material. In addition the associated operations of processing by crushing, screening and washing and the storage of processed aggregate material may be permitted. These associated uses may be permitted by the Township if they are judged to be compatible with existing uses on adjoining lands and they will not have a detrimental impact on the rehabilitation of the site. Secondary uses permitted are agriculture, forestry and conservation. Asphalt plants are not permitted uses. Concrete batching plants are a permitted use

subject to the policies outlined in Subsection 4.9.12 - Concrete Batching Plants.

4.8.2.2 After the aggregate material is mined out and rehabilitation has been completed to the satisfaction of the Township and the Ministry of Natural Resources, a single detached dwelling per lot is a permitted use and is subject to an amendment to the zoning by-law.

#### 4.8.3 Grouping of Aggregate Operations

Simcoe Mod 38 4.8.3.1 In order to lessen the number of haul routes within the Township and the impact on the surrounding lands, and to enable a more extensive comprehensive rehabilitation plan to be prepared for a larger area, Council should encourage the grouping of aggregate operations wherever possible.

#### 4.8.4 Official Plan Amendment

Simcoe Mod 39 4.8.4.1 With the exception of wayside pits and quarries, an amendment to this Plan is required where new extraction of sand, gravel or other materials is proposed for lands that are not within the PROTECTED AGGREGATE RESOURCES and LICENSED PIT designations.

Simcoe Mod 40 (Original Section 4.8.4.2 DELETED)

Simcoe Mod 41 4.8.4.2 Prior to amending this Plan, the Township shall have regard to the following:

- a. That the proposed use can be made compatible with the adjoining agricultural operations and existing residential land uses and that the applicant has demonstrated the necessary measures required to mitigate any adverse effects;
- b. That consideration is given to existing development along the proposed haul routes, including the standard of construction of these roads and preventing excessive traffic;
- c. That consideration shall be given to the impact on the natural environment including the quality and quantity of ground and surface water courses; and
- d. That the proposed designated area can meet all of the requirements of the Township, Ministry of Natural Resources, Conservation Authorities, Ministry of Environment and Energy and any other government agency.

#### 4.8.5 Zoning By-law Requirements

4.8.5.1 Prior to passing an amendment to the zoning by-law, the Township will have regard to the following:

- a. The proposed extractive operation will generally be restricted to areas that can be effectively screened from public view in order to preserve the scenic beauty and the rural nature of the environment or that can be effectively screened by berms and/or other landscaping measures from adjoining residential uses or adjacent public roads.
- b. In order to prevent the scattering of a number of small operations throughout the rural area, sufficient lands for an extractive operation must be zoned to enable the extraction of material to practically continue for a reasonable length of time under normal economic conditions.
- c. Council may require the submission of studies paid for by the applicant and prepared by qualified professionals addressing:
  - The preservation of the character of the environment;
  - The availability of the natural environment for the enjoyment of the public;
  - The need for restricting excessively large total pit or quarry output in the locality;
  - The traffic density on local roads;
  - Any possible effect on the water table or surface drainage pattern;
  - The nature and location of other land uses that could be affected by the pit or quarry operation; and
  - The character, location and size of nearby communities.

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4.8.5.2 Prior to passing an amendment to the zoning by-law, the Township shall require a submission of a site plan and rehabilitation plan in accordance with the Aggregate Resources Act.

4.8.5.3 The Township may also require the submission of a landscaping plan prepared by a qualified professional to the satisfaction of the Township. Such a plan may include a seeded earthen berm, constructed on the subject property adjoining a residential use or parallel to the adjacent road with appropriate plantings located on it if required. The berm shall be of sufficient height to effectively screen the pit or quarry operation from the adjacent land uses or passing public. It shall be constructed prior to the operation commencing. The Township may give consideration to alternative screening solutions if they provide more effective screening of the site. The screening may be required to be in place prior to the operation commencing and must provide an immediate screen of the operation if the Township feels it is warranted.

4.8.5.4 The rehabilitation plan is to indicate phasing. The rehabilitation of each phase is to be undertaken as soon as possible. Subsequent extractive phases of similar material shall not be commenced if rehabilitation efforts have not kept pace with the extractive operation.

#### 4.8.6 Distance Separations

4.8.6.1 Distance setbacks for extracting, including wayside pits, blasting or the site of a processing plant shall be in accordance with the Aggregate Resources Act.

4.8.6.2 Existing aggregate operations shall be protected from encroachment within their areas of influence by incompatible land uses. New development proposals occurring in proximity to licensed extraction areas shall be evaluated by the Township in terms of potential incompatibilities and addressed in consultation with the Ministry of Environment and Energy and the Ministry of Natural Resources.

#### 4.8.7 Development Agreement Requirements

4.8.7.1 An applicant who intends to operate an extractive operation is required to enter into a development agreement with the Township. This agreement shall be entered into prior to Council passing the zoning by-law. Among other matters, such agreement shall include the following:

- The route to be used for haulage purposes and provisions for the adequate protection and continual maintenance of municipal and/or county roads to ensure that roads are maintained or reconstructed to an acceptable municipal and/or county standard at all times;
- The provision to be made to guarantee that groundwater reserves, water quality and the level of the water table shall not be adversely affected by the extractive operation;
- The provision to be made that any landscaping used to screen the operation from adjoining residential uses or the passing public shall be maintained to the satisfaction of the Township;
- The protection of the natural environment and other land uses from dust, noise and vibrations both within the site and along the haul routes;
- The hours of operation and the controls and timing of blasting operations if applicable;
- The protection of water courses, ditches, rivers and streams including the control of drainage from the site;
- The intended post-extractive use of the site;
- A performance guarantee in a form and amount satisfactory to the Township to ensure that the operation and subsequent operators

comply with the above provisions;

- The controls to ensure that the rehabilitation of the site shall be an on-going process and not commenced when the extractive operation has been completed; and
- Any other conditions as required by the Township or Ministry or government agency.

#### 4.8.8 Site Plan Revisions

Simcoe Mod 43

- 4.8.8.1 Any subsequent proposed changes to the site plan after the licence has been issued may be circulated by the Ministry of Natural Resources to the Township for comment. The Ministry may discuss these comments with the Township prior to approval being granted.

#### 4.8.9 Ceasing of an Operation

- 4.8.9.1 When any surface operation ceases and there is no intention to reopen operations due to the working out of the material concerned, all temporary buildings and machinery shall then be removed from the site and any steep or hazardous working places shall be left in safe and tidy conditions. Consideration should be given by the Council to the rehabilitation of abandoned gravel pits for alternate land use such as a residential use provided such land use is compatible with adjoining land uses. Where an operation is ceased, haul roads may also need to be rehabilitated and reconstructed.

#### 4.8.10 Concrete Batching Plants

- 4.8.10.1 Concrete batching plants may be permitted as accessory uses to a licensed extractive operation on a minimum lot area of 20 hectares wherein the extraction of gravel, sand, and other aggregate material is carried out subject to the following:

- The concrete batching plant is a non-permanent use and will cease to operate as soon as the aggregate material has been completely mined out or the operators are not removing the material on a regular basis;
- The site must be located on and have direct access to a paved road;
- The applicants provide evidence acceptable to the Township that there is a market for a product;
- Council is of the opinion that the location proposed is appropriate, that it is not felt there are already sufficient concrete batching plants in the area, that the natural environment will not be adversely affected by any dust, noise or vibrations and that appropriate screening is provided; and
- A site plan agreement under Section 41 of the Planning Act is signed between the applicants and the Township.



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Simcoe Mod 44    **4.9 Industrial/Commercial Area**

Simcoe Non Decision  
No. 3 – All of Section 4.9

**4.9.1 General**

4.9.1.1 These areas are recognized as areas of limited access which have developed for a variety of residential, commercial and industrial uses, along Highway 89 and within close proximity to Alliston and Earl Rowe Provincial Park, and along Highway 9 in the vicinity of County Road 50.

4.9.1.2 No new private entrances will be allowed from Highway 89 or Highway 9. Existing entrances may be upgraded, and may be converted to commercial entrances, provided the necessary approvals are obtained from the Ministry of Transportation. Access from intersecting public roads or new service roads may be appropriate.

4.9.1.3 New commercial or industrial development will be permitted on existing lots. Limited infilling of commercial and industrial development, including the creation of new lots for commercial or industrial use, may be permitted provided there are no new entrances developed. Joint entrances may be considered to provide safe access to properties.

Simcoe Mod 45

4.9.1.4 Within the Industrial/Commercial Area, highway commercial strip development will be avoided through control of entrances, and use of berms and landscaping.

4.9.1.5 No outdoor storage shall be permitted within 30 metres of the Highway. All outside storage shall be screened with fencing or natural planting so as to create a visual screen.

Simcoe Mod 46

4.9.1.6 All development in the Industrial/Commercial Area will be serviced with private, on site sewage disposal and potable water facilities unless agreements have been entered into with the adjoining municipality to obtain full municipal services.

4.9.1.7 Any new public road entrances on to Provincial Highway shall meet the minimum MTO spacing requirements between intersections of 365 metres.

**4.9.2 Light Industrial Park**

4.9.2.1 On 8.8 hectares of land in Part of the East Half of Lot 1, Concession VI at the northwest corner of the 7th Line and Highway No. 89, the following policies will apply:

- a. The primary use of land shall be for light industrial uses within enclosed buildings for the manufacturing, processing, fabricating and assembly of materials, warehousing, servicing, repair and distribution. Heavy industrial uses, salvage or wrecking yards, slaughter houses, or industrial uses which generate extensive heavy truck traffic or extensive outdoor storage are not permitted uses. In addition, given the facilities, uses that generate noise and/or air emission that cannot meet the Ministry of the Environment and Energy Standards are not permitted. Commercial uses which are permitted are retail, offices, services, recreation facilities, financial institutions and restaurants.
- b. Secondary uses which are complementary to the light industrial and commercial uses are permitted such as public uses and open space areas.
- c. In assessing an application for light industrial or commercial development, consideration shall be given to the following:
  - Access to be from the internal paved road;
  - Adequate access, off-street parking and loading facilities to be provided;
  - Adequate landscaped buffering and setbacks, appropriate lighting, external design and signs to minimize conflict with other uses;
  - Fencing shall be required where necessary to ensure safety and screening; and
  - Developments to be encouraged to provide suitable design standards, site layout and landscaping in order to contribute to an attractive light industrial and commercial development.
- d. All storage and disposal of industrial wastes and all emissions to the environment including dust, noise and vibration must satisfy the requirements of the Ministry of the Environment.

## 4.10 Licensed Waste Management Areas

### 4.10.1 Location and Identification

4.10.1.1 Lands designated as LICENSED WASTE MANAGEMENT AREAS are shown on Schedules A1 to A7 of this Plan.

4.10.1.2 This designation includes sites presently owned and operated by the County of Simcoe or enhanced recycling and composting plants should such development be approved in the future.

#### 4.10.2 Principles

4.10.2.1 It is a principle of this Plan that all identified waste management sites, whether owned by the County of Simcoe or private owners, should be operated in a manner that safeguards the environment and protects nearby residents from undue impact.

#### 4.10.3 Permitted Uses

Simcoe Mod 47 4.10.3.1 All waste management sites shall be covered by a current certificate of approval (if required), issued by the Ministry of the Environment under the provisions of the Environmental Assessment Act.

4.10.3.2 Facilities for recycling and resource recovery may be established on existing waste management sites or on other municipally owned land.

#### 4.10.4 Development Policies

4.10.4.1 No residential use is permitted in conjunction with a licensed waste management site.

Simcoe Mod 48 (Original Section 4.10.4.2 DELETED and subsequent policies renumbered accordingly)

Simcoe Mod 49 4.10.4.2 Any development application within 1000 metres of a waste management site shall require a study to be submitted to the County of Simcoe for review and approval prior to being considered by the Township. This will allow the County to review the impact of the site on the proposed development and to provide comments to the Township. The study shall be completed in accordance with Ministry of the Environment's Guideline D4, as amended.

Simcoe Mod 50 4.10.4.3 If a new waste management site is proposed to be opened in the Township, an amendment to this Plan will be required. The proponent will be required to submit complete documentation including an approved Environmental Assessment document, where required by Legislation.

### Simcoe Mod 51 4.11 Environmental Protection Area

4.11.1 Lands designated ENVIRONMENTAL PROTECTION AREA on Schedule "A" have been identified as significant natural areas that require protection from development.

4.11.2 Permitted uses within this designation will be limited to conservation and sustainable forestry uses and existing agricultural operations.

- 4.11.3 Development and site alteration, including new lot creation and agriculture will not be permitted within Provincially Significant Wetlands.
- 4.11.4 Development and site alteration may be permitted on areas adjacent to lands designated as Environmental Protection Areas, provided it can be demonstrated that there will be no negative impacts on the natural feature itself, or on its ecological functions. Development and site alteration on adjacent lands shall only be permitted when supported by an Environmental Impact Statement (EIS). The EIS shall be prepared by a qualified professional to the satisfaction of the Township, County of Simcoe and the Conservation Authority, and be approved prior to development occurring.
- 4.11.5 The issues to be addressed within an EIS shall include, but not be limited to, those listed in Section 6.4.11, and apply to a minimum of 120 metres of land adjacent to Provincially Significant Wetlands and to a minimum of 50 metres adjacent to the habitat of endangered or threatened species. The functions of the feature shall determine the boundaries of the area considered to be adjacent to the feature and representative of the area of study for the EIS, as well as the range of issues to be addressed within the EIS, as determined by the Township and the Conservation Authority.
- 4.11.6 As additional natural areas requiring protection are identified through the Natural Heritage Plan and other studies, the schedules and policies of this Plan will be updated.

## **Section 5 TRANSPORTATION POLICIES**

### **5.1 Classification**

- 5.1.1 Schedules D1 and D2 - Roads Plan, identify the present and anticipated status of roads in the Township.
- 5.1.2 Roads are classified by their jurisdiction, function and level of service, into five categories:

MTO	Provincial Highway
County Roads:	Arterial Roads
Township Collector Roads:	Collector Roads maintained year round
Township Roads:	Local Roads maintained year round
Township Roads:	Local Roads maintained seasonally

## 5.2 Public Road Access

- 5.2.1 Direct public year round maintained road access is required for all uses in the Township, with the exception of forestry or agricultural uses.
- 5.2.2 No development is permitted on private roads or on seasonally maintained public roads.
- 5.2.3 The Township will require permit applications for new entrances and for the upgrading of existing entrances to all local roads.

## 5.3 General Policies

- 5.3.1 Entrances shall only be considered where adequate sight lines can be maintained. New entrances are discouraged on hills or curves.
- 5.3.2 Development will only be permitted on roads that have the capacity to accommodate the increased traffic generated by that development.
- 5.3.3 The principal function of Provincial Highways and County Roads is to carry traffic into, out of and through the Township. This important purpose will be protected by the Township. Any application leading to the intensification of existing land uses or the establishment of new ones along these corridors will be considered in conjunction with Provincial and County policies and guidelines.
- 5.3.4 The Township will consult with the Ministry of Transportation and the County of Simcoe as appropriate.
- 5.3.5 Efforts will be made to seek alternate access locations or to improve existing access points before approving any such application. Traffic studies or intersection plans may be required from the applicant.
- 5.3.6 In the design of new subdivisions, the Township will encourage the development of through roads and will avoid the creation of cul-de-sacs, except where the scale of development or the natural features of the site preclude the reasonable construction of a through road.

Simcoe Mod 52

## 5.4 Provincial Highways

- 5.4.1 Provincial Highways are designed to carry large volumes of traffic at high speed. Therefore, access to these roads is restricted.
- 5.4.2 Development adjacent to Provincial Highways is subject to the requirements and permits of the Ministry of Transportation.

- 5.4.3 Home based industries will only be permitted access onto Provincial Highways where safe access can be provided and where such uses will not negatively impact upon the highway corridor.

## 5.5 County Roads

- 5.5.1 Entrances onto County Roads shall be in conformity with the roads policies and by-laws of the County of Simcoe.

Simcoe Mod 53 (Original Section 5.5.2 DELETED)

## 5.6 Road Widths

- 5.6.1 Schedules D1 and D2 indicate the minimum rights-of-way width for roads in the Township. Where existing rights-of-way do not meet the standard established in this plan, road widening may be acquired through various means, including through approval of consents and registered plans of subdivision, and site plan control.

## 5.7 Upgrading of Unopened Road Allowances

- 5.7.1 Some road allowances shown on Schedules D1 and D2 have not been "opened" by the Township in accordance with the provisions of the Municipal Act. The Township will not upgrade, maintain or repair such roads for vehicular traffic unless and until a by-law has been enacted and passed by the Council to open any one of the roads so designated for public vehicular use, and the road is upgraded to the standards of the Township.
- 5.7.2 The responsibility to upgrade a roadway as contemplated above will generally rest with the proponent of the development.

## 5.8 Road Needs Planning

- 5.8.1 The amalgamation of the former Townships has necessitated a detailed review of roads needs planning. A five year Road Needs Plan has been prepared under the direction of the Road Superintendent. This Plan will be reviewed and updated each year and will form the basis for road improvement project scheduling.

Simcoe Mod 54

## 5.9 Traffic Impact Study

- 5.9.1 Development applications may require a Traffic Impact Study (TIS) to address safe access/egress, turning lanes and other issues identified by the Township, the County or by the Ministry of Transportation.

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## **Section 6 CONSERVATION, HAZARD AND NATURAL HERITAGE POLICIES**

### **6.1 Location and Identification**

6.1.1 The areas affected by this section are identified on Schedules C1 to C7. Lands fall into one or more of four groups:

- Lands that are within the fill lines set out under the Conservation Authorities Act;
- Significant Wetlands as identified by the Ministry of Natural Resources;
- Environmentally Significant Areas (ESA's) as identified by either the NVCA or the TRCA;
- Areas of Natural and Scientific Interest as identified by the Ministry of Natural Resources; and
- County of Simcoe Greenlands.

6.1.2 Together these designations cover the specific areas where constraints to development and significant natural features requiring protection are found.

6.1.3 Schedules C1 to C7 are intended as overlays to the Land Use Schedules A1 to A7.

6.1.4 The policies of this section apply in addition to the land use policies in Section 4.

### **6.2 Principles**

6.2.1 Development and site alteration should be directed away from hazardous lands and sites and significant natural heritage features. Such lands, due to their environmental constraints to development and significance to the ecosystem, should be conserved. These lands may include:

- Areas with physical constraints to development such as areas of poor drainage, areas inundated by the Regional Storm, organic soil deposits or erosion susceptible areas;
- Areas for accommodating existing or future conservation projects such as flood control, bank stabilization, or erosion protection;
- Lakes, ponds, rivers and streams, including all natural and man-made surfaces, any areas adjacent to surface waters such as wetlands, and fill areas and flood plains as established by the Conservation Authority on mapping;

- Significant natural areas such as wetlands or wildlife habitat as determined by the Nottawasaga Valley Conservation Authority or the Toronto Region Conservation Authority or the Ministry of Natural Resources; and
- County of Simcoe Greenlands that indicate on a County wide level, the features and elements of a natural heritage system designed to ensure the long term protection and management of ecologically important features and functions.

## 6.3 Effect of the Designation

- Simcoe Mod 56
- 6.3.1 The effect on lots of record of being included within a conservation overlay on Schedules C1 to C7 will be to ensure that the construction of buildings or structures, or the use of lands will be accomplished in a way that protects the environment.
- 6.3.2 There will be cases where the impact of a proposal cannot be sufficiently reduced by siting, buffering or altering the terrain. In such cases uses may be limited to conservation and hazard protection uses.

## 6.4 Policies

- Simcoe Mod 57
- 6.4.1 It is intended that Official Plan policies, subdivision control procedures, zoning by-laws and site plan control will be used by the Township where necessary to ensure that conservation requirements are met. It is not intended, however, that areas identified on the overlay will be prevented from being included in lots that are appropriate in the particular designation in which the development is to occur, provided the development meets the requirements of the County, Nottawasaga Valley Conservation Authority or the Toronto Region Conservation Authority and/or the Ministry of Natural Resources. In the case of draft plans of subdivision, lot lines should not extend into wetlands, the regional flood plain, or erosion areas below the top-of-bank of steep slopes in association with a watercourse.
- 6.4.2 No buildings nor the placing nor removal of fill of any kind, whether originating on the site or elsewhere, shall be permitted in areas subject to regional storm flooding or physical limitations of any kind except in accordance with the requirements of the Nottawasaga Valley Conservation Authority or the Toronto Region Conservation Authority pursuant to regulations made under the Conservation Authorities Act. In addition, any works proposed in association with a watercourse will require permit approval under the Act.



Simcoe Mod 58

- 6.4.3 Building setbacks may be imposed from the margin of the area identified on Schedules C1 to C7, or from the limit of the natural feature. Such setbacks may be established by the Township, County and the Nottawasaga Valley Conservation Authority or the Toronto Region Conservation Authority.
- 6.4.4 The Township may, in its zoning by-law, establish a separate zone category in which no development with the exception of conservation uses is permitted.
- 6.4.5 Where new development is proposed on a site which includes lands identified on Schedules C1 to C7, such lands shall not necessarily be acceptable as part of the parkland dedication provisions of the Planning Act. Such lands, may however, be dedicated for erosion and flood control. Storm water management facilities, such as detention ponds, will not be permitted within the Regional flood plain or watercourses or within erosion areas below the top-of-bank of steep slopes.
- 6.4.6 This Plan does not contemplate Township acquisition of lands identified on Schedules C1 to C7, nor shall it be construed as implying that such areas are free and open to the general public.

Simcoe Mod 59

- 6.4.7 Development may occur on lands identified on these Schedules where the Township and the Nottawasaga Valley Conservation Authority or the Toronto Region Conservation Authority are satisfied that such development will not create a hazard, or where the Township and the Nottawasaga Valley Conservation Authority or the Toronto Region Conservation Authority are satisfied that the potential hazards can be overcome in a manner consistent with accepted engineering practice and resource management techniques. In general however, development and site alteration will not be permitted within the regional flood plain of watercourses and within erosion areas below the top-of-bank of steep slopes. Development and site alteration shall also be set back from the top-of-bank or watercourse, a distance determined on-site in consultation with the conservation authority. A reduction of the setback distance will only be considered when supported by a geotechnical investigation prepared by a soils expert. The geotechnical investigation shall be prepared to the satisfaction of the Township and the conservation authority.
- 6.4.8 Development will not be permitted on lands which have significant wildlife habitat which would be adversely affected by such development. Fish and wildlife habitat is recognized as a valuable resource in the Township. Development will be regulated to prevent the destruction or degradation of such habitat, in consultation with the Ministry of Natural Resources and the conservation authority.

- 6.4.9 Setbacks shall be established along watercourses to preserve natural corridors for the movement of wildlife and to help maintain and improve water quality. In general, development and site alteration should be set back a minimum of 30 metres from the high water mark of a watercourse. Development shall maintain the principle of no negative impacts on fish habitat in accordance with the Federal Fisheries Act of Canada as demonstrated through an EIS.
- Simcoe Mod 60
- 6.4.10 No development or site alteration shall be permitted within or adjacent to lands identified as County of Simcoe Greenlands, Environmentally Sensitive Areas (ESAs) or Areas of Natural and Scientific Interest (ANSIs), except in accordance with the results and recommendations of an Environmental Impact Statement (EIS) approved by the Township, County and Conservation Authority, which demonstrates that there will be no negative impacts on the natural features or the ecological functions of the areas. Adjacent lands shall be considered to be all lands within a minimum of 50 metres from the boundaries of the above features.
- Simcoe Mod 61
- 6.4.11 Generally an Environmental Impact Statement (EIS) shall include the following:
- a. description of the study area and the natural heritage system context;
  - b. description of the development proposal;
  - c. identification of those natural features and ecological functions likely to be affected by the development;
  - d. assessment of the potential impacts of the proposed development on key natural features and ecological functions;
  - e. identification of potential mitigation requirements and monitoring requirements;
  - f. consider opportunities for remediation and enhancement where impairment has occurred; and
  - g. results and recommendations.

## 6.5 Agency Comments

- 6.5.1 Application for the development or change of use of any parcel of land that is wholly or partially within a conservation overlay, as illustrated on Schedules C1 through C7, are subject to policies 6.4.10 and 6.4.11 of this Plan.
- Simcoe Mod 62

## 6.6 Forest Management

- 6.6.1 Studies undertaken by the Ministry of Natural Resources (Midhurst District Office) using Landsat (satellite) imagery, have resulted in the preparation of digital mapping that defines the forest covered lands in the Township. In Adjala-Tosorontio 23.8% of the total area is forest covered. This amounts to a total forested area of 319 square kilometres (123 square miles).
- 6.6.2 Land owners are encouraged to protect existing forest lands and plant new areas, with the objective of:
- Providing habitat for wildlife;
  - Providing protection against flooding and erosion;
  - Providing protection of ground water supplies;
  - Developing compatible recreation opportunities; and
  - Supplying wood and wood products.
- 6.6.3 To encourage forest management practices that will protect and enhance the environment on private woodlands, the Ministry of Municipal Affairs and Housing in cooperation with the Ministry of Natural Resources, has been operating the Managed Forest Tax Rebate Program during 1996 and 1997. This program has been replaced by the Managed Forest Tax Incentive Program (MFTIP). In the interests of enhancing and protecting the forested lands in the Township, land owners are encouraged to determine the eligibility of their forested lands under the MFTIP and undertake specific measures designed to enhance their forested lands.

## 6.7 County of Simcoe Tree Cutting By-law

- 6.7.1 The County of Simcoe maintains in force a Tree Cutting by-law which pertains to any wooded area in the County of .8 hectares (2 acres) or more in size.
- Simcoe Mod 63 6.7.2 In wooded areas of .8 hectares (2 acres) or more, prior to any trees being cut down or removed, a Notice of Intent must be filed with Simcoe County to ensure compliance with the County's tree-cutting by-law.
- 6.7.3 When consent applications are under review in wooded areas of less than .8 hectares (2 acres) and prior to any clearing for construction, the policies of this Plan with respect to conservation, hazard and natural heritage protection are to be considered.
- Simcoe Mod 64 6.7.4 For those landowners operating a managed forest under MFTIP, and having a management plan prepared by a registered professional forester, any cutting to be done will require that a Notice of Intent be filed with the

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County and a by-law exception be approved (where required), prior to cutting. Such an operator, working under the MFTIP will be endeavouring to observe good and approved forest practices.

## **Section 7 COMMUNITY IMPROVEMENT**

### **7.1 Community Improvement Goals**

7.1.1 Council in deciding to encourage and participate in community improvement, adopts the following goals:

- To safeguard the health, convenience and enjoyment of Township residents and visitors by improving social and recreational facilities and services;
- To improve the Township's physical environment by participating in and/or encouraging programs which improve municipally owned physical services and facilities and by encouraging private property owners to upgrade the condition of their land and buildings; and
- To protect and improve the economic well-being of the Township and its residents by encouraging and/or participating in programs that will promote new jobs, new capital investment in the Township and the surrounding area.

### **7.2 Community Improvement Objectives**

7.2.1 The Township will attempt to achieve the goals by meeting the following objectives, where feasible, by:

- Selecting areas for community improvement within the Township where improvements to private property will be encouraged at the same time as public improvement projects are undertaken;
- Upgrading the water supply system, street lighting, sidewalk and surface and storm drainage services in the hamlets and other residential areas in the Township;
- Providing assistance toward the improvement of existing community halls, recreation areas and parks, as well as establishing new social; and
- Encouraging the redevelopment, re-use, rehabilitation and upgrading wherever possible, of existing industrial and commercial areas located along the major highways in the Township.

## 7.3 Criteria for the Selection of Community Improvement Areas

7.3.1 Community Improvement Areas shall be selected on the basis of deficiencies related to the following criteria.

7.3.1.1 The condition of buildings and property in selected Community Improvement Areas in relation to the Township's Property Maintenance Standards by-law.

7.3.1.2 Condition and adequacy of municipal hard services such as:

- roadways
- sidewalks
- storm drainage
- street lighting
- public utilities

7.3.1.3 Condition and adequacy of soft services such as:

- recreational facilities
- open space areas
- community meeting facilities
- libraries, craft rooms, youth & seniors centres

## 7.4 Delineation of Community Improvement Areas

7.4.1 The following areas have been delineated as Community Improvement Areas:

- a. Hamlets: Colgan           Lisle  
                   Everett           Loretto  
                   Glencairn       Rosemont  
                   Hockley

b. Residential Areas:

Plan BA 941 (W1/2 Lot 7 Con. 1: E1/2 Lot 8, Con. 1) Tosorontio  
 Highway 89 (Lot 1, Con. VI and VII) Tosorontio  
 Highway 89 (Lot 32 Con. VI and VII) Adjala  
 Keenansville

c. Industrial & Commercial Areas:

In the HAMLETS and along Highways 89, 9 and County Road 50

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## 7.5 Phasing of Improvements

7.5.1 The following considerations shall be taken into account in the phasing of improvements.

7.5.1.1 The improvement which will most substantially increase the safety, stability and aesthetic quality of the community shall be undertaken first.

7.5.1.2 In determining the importance of the projects, Council shall take into account the comments received from the landowners/residents at advertised public meetings.

7.5.1.3 The disruption to the community shall be limited wherever possible.

7.5.1.4 When undertaking improvements in residential areas, attempts will be made to maintain the positive characteristics of the area and a sense of neighbourhood.

7.5.1.5 Prior to undertaking any improvements, Council shall be satisfied that it can reasonably finance and afford the Township's share of costs associated with the required improvement.

## 7.6 Means of Implementation

7.6.1 The Township shall attempt to use all possible means to implement the community improvement policies and these shall include:

- Participation in and support for Federal and Provincial community improvement programs;
- Use of Municipal authority granted under Section 28 of The Planning Act, RSO 1990 as amended to designate a Community Improvement Project Area, adopt community improvement plans and acquire and redevelop land;
- Encouragement of infill development prior to more new development;
- Support of historical preservation through the application of the Ontario Heritage Act where applicable;
- Cooperation with school boards, service clubs, businessmen, industrialists, etc., to provide new facilities, efficient utilization and/or refurbishing of existing facilities to provide new services to the community; and
- Encouragement of the rehabilitation of private buildings by advising owners of government subsidies and programs and assisting, where possible, the private owners to obtain grants and loans.

- 7.6.2 The community improvement section will be implemented by the preparation of community improvement plans by Township participation in Provincial and Federal Funding Programs that encourage private or public rehabilitation and by the adoption of a Property Maintenance Standards by-law.

## **Section 8 IMPLEMENTATION**

### **8.1 Zoning By-law**

- 8.1.1 Council will enact a comprehensive zoning by-law under the provisions of the Planning Act. This by-law shall zone land in compliance with the provisions contained within the Plan and will establish regulations to control the use of land and the character, location and use of buildings and structures.

### **8.2 Other By-laws**

- 8.2.1 The Township may review existing legislation governing such uses as automobile wrecking yards, dog kennels, gravel pits, quarries, trailers and signs, and, where necessary, amend existing by-laws or pass new by-laws as may be required to ensure such uses are properly regulated and controlled.

### **8.3 Temporary Use By-laws**

The Planning Act authorizes use of Temporary Use By-laws where Council may permit a use for specific periods of time, and where the use must be discontinued when the by-law expires. Provision is made for the extension of temporary use by-laws.

- 8.3.1 The following guidelines may be used in determining the appropriateness of using temporary use zoning on a particular property:
- consideration that the use is, in fact, temporary;
  - the use is compatible with the surrounding area and its impact will not adversely affect surrounding properties; and
  - the use is in general conformity with the Official Plan.

### **8.4 Garden Suites**

- 8.4.1 The Planning Act authorizes use of Temporary Use By-laws for the establishment of “garden suites”, that may be passed for a period up to 10 years with the ability to extend the period beyond 10 years.

8.4.2 Temporary Use zoning for garden suites may be utilized by the Township to recognize retirement dwellings or farm help dwellings in the Township.

8.4.3 Council may require the owner to enter into an agreement with the Township as provided in Section 39(1.2) of the Planning Act.

## **8.5 Holding By-laws**

### **8.5.1 Objectives in Using Holding Provisions**

8.5.1.1 In areas of the Township where development is anticipated, but certain conditions such as financial or servicing requirements have not been met, the lands may be placed in a Holding zoning category, as provided in the Planning Act, RSO 1990.

8.5.1.2 The objective is to prevent or limit the use of land in order to achieve orderly, phased development and to ensure that the servicing and design criteria established in the Plan have been met prior to removing the Holding symbol.

### **8.5.2 Use and Removal of Holding Provisions**

8.5.2.1 The removal of the holding symbol is contingent upon the developer satisfying certain municipal conditions that might include, but not be limited to, meeting the financial and servicing requirements of the Township, as well as the availability of a municipal potable water supply. Such financial and servicing requirements may be specified in a subdivision or development agreement entered into between the developer and the Township.

8.5.2.2 Prior to the removal of any Holding symbol, Council shall be satisfied that any and all conditions have been or will be met, and that the policies of this Plan have been fulfilled such as amenity and design, services, schools, parks and open space.

### **8.5.3 Implementation of Holding By-laws**

8.5.3.1 Holding By-laws shall be implemented by use of the symbol "H" in conjunction with the land use zones of the implementing zoning by-law. The Holding zone category which is applied to lands may include provisions for interim permitted uses of the land while the Holding zone is in effect. Such uses may include existing uses of land and minor extensions thereto, as well as other uses which are deemed compatible with surrounding land and will not adversely affect the future development potential of the land.



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## 8.6 Site Plan Control

### 8.6.1 Goal

- 8.6.1.1 To ensure safe, orderly and functional development throughout the Township, particularly with respect to both the man made and natural environments.

### 8.6.2 Objectives

- a. To improve the implementation of site plan control and maintain a consistent municipal standard in a site plan control area.
- b. To ensure safety and efficiency of vehicular and pedestrian access.
- c. To optimize land use compatibility between new and existing development.
- d. To provide functional and attractive on-site amenities and facilities such as landscaping, fencing and lighting.
- e. To control the placement and provision of required services such as driveways, parking, loading facilities and garbage storage and collection.
- f. To secure easements or grading and alterations necessary to provide for public utilities and site drainage.
- g. To ensure that the development proposed is built and maintained as approved.
- h. To ensure compatibility of the conceptual design of the development with surrounding buildings and area.

### 8.6.3 Proposed Site Plan Control Areas

- 8.6.3.1 The total land area within the corporate limits of the Township of Adjala-Tosorontio is hereby designated as a proposed site plan control area. All uses may fall under site plan control.

### 8.6.4 General Policies

- 8.6.4.1 The Township shall not approve a site plan agreement until the County Engineer, or his designate, has been advised and afforded a reasonable opportunity to require the owner of the land to meet County requirements where County interests would be affected.
- 8.6.4.2 Where a proposed development is within the described site plan control area, the dedication free of all charge and encumbrance to the appropriate authority for the following road improvements may be required.

Simcoe Mod 65

- a. Land for a widening of the road allowance to the respective Township or County standards along the abutting or immediately adjacent lot line or part thereof. The road allowance standards of any highway under the jurisdiction of the County of Simcoe may be widened, as required, and the road allowance standards of any highway under the jurisdiction of the Township may be widened, as required. Any road widening obtained under this policy must be taken equally on both sides of the centre line of the existing travelled surface of the road. However, in circumstances where a road widening must be taken unequally, or in its entirety from one side of the road, only one-half will be taken through site plan control.
- b. A dedication for sight triangles and turning lanes at the intersection of public roads, to meet engineering standards as described in the site plan control may be required to meet applicable Ministry of Transportation or County of Simcoe standards where such dedication would extend beyond the road allowance widths as stated above.
- c. A dedication may be required for an area necessary to construct grade improvements or separations where the proposed development requires such improvements respecting traffic volume or hazards to the road onto which the proposed development abuts or is immediately adjacent to, which extends beyond the road allowance widths as stated above. Such dedication may only be to the requirements prescribed to meet applicable Ministry of Transportation requirements.

## 8.7 Alternate Notice Requirements

### 8.7.1 Official Plan Amendments

- 8.7.1.1 Council may provide by resolution that the setting of a public meeting date and the giving of notice thereof may be delegated to a Committee of Council or an appointed official.
- 8.7.1.2 Where Council proposes to convene any subsequent public meeting or meetings pursuant to Section 17(15) of the Planning Act, RSO 1990, such meetings shall be held not sooner than 10 days after compliance with the requirements for the giving of notice.
- 8.7.1.3 Where it is found necessary to make a technical amendment to the plan which does not change the effect of the plan, such as correcting clerical, grammatical or typographical errors or the numbering of provisions, Council may forego the public meeting required pursuant to Section 17(15) of the Planning Act, RSO 1990.

8.7.1.4 If, following the giving of notice, a member of the public or an agency advises that there is insufficient time to respond, Council may proceed with the public meeting, but will defer any decision on the application until a subsequent meeting, such subsequent meeting not to be held sooner than 30 days after the giving of the original notice for the public meeting.

#### 8.7.2 Zoning By-law Amendments

8.7.2.1 Where Council proposes to convene a subsequent public meeting or meetings pursuant to Section 34 (12), of the Planning Act, RSO 1990 such meetings shall be held not sooner than 10 days after compliance with the requirements for the giving of notice.

8.7.2.2 Where it is found necessary to make a technical amendment to a by-law, such as correcting clerical, grammatical or typographical errors or the numbering of provisions, Council may forego the public meeting required pursuant to Section 34(12) of the Planning Act, RSO 1990.

8.7.2.3 Council may provide by resolution that the setting of a public meeting date and the giving of notice thereof may be delegated to a Committee of Council or an appointed official.

#### 8.7.3 Community Improvement Plans and Amendments

The public meeting required pursuant to Section 28(4) of the Planning Act, RSO 1990, shall be held not sooner than 20 days after compliance with the requirements for the giving of notice.

8.7.3.1 Where Council proposes to convene a subsequent public meeting or meetings pursuant to Section 28(4), such meetings shall be held not sooner than 10 days after the compliance requirements for the giving of notice have been met.

### 8.8 Property Maintenance Standards Policy

8.8.1 The Township will encourage the participation of the citizens of the Township in achieving the long range objectives of improving the quality of housing and the appearance and livability of the residential neighbourhoods in all areas of the Township.

8.8.2 The Township may consider adopting a Maintenance and Occupancy By-law to assist in implementing the policies of this Plan.

## 8.9 Park Dedication

- 8.9.1 In considering land division by registered plan of subdivision or consent application, the Township may require the applicant to dedicate up to 5% of the gross area for residential development or 2% for commercial/industrial development to the provision of public open space other than roads. This dedication may take the form of land or as a cash payment under the provisions of the Planning Act.
- 8.9.2 Land judged by the Nottawasaga Valley Conservation Authority or the Toronto Region Conservation Authority to be hazard areas will be set aside as permanent open space and shall not necessarily constitute part of the dedication for public open space use.

## 8.10 Recreation Trails

- 8.10.1 In order to enhance the potential for a network of linked trails throughout the Township regard will be had for the creation and preservation of such a network when evaluating development proposals.
- 8.10.2 Where deemed appropriate by the Township, the parkland dedication may be used to acquire or develop land for a linked trail system.
- 8.10.3 Township road allowances which could become a link in a trail system will not be conveyed out of public ownership.
- 8.10.4 Where application is made to close and convey a road allowance, if the road allowance would not contribute to a trail system, regard shall be had for the possibility of conducting an exchange for alternative land that could become part of a trail system.
- 8.10.5 Any such trails will have regard for the protection of the surrounding agricultural operations, and will not interfere with such operations.

## 8.11 Subdivision Development and Consent Standards

- 8.11.1 The following standards apply to all subdivision development and to all consent applications that propose the creation of 3 or more lots.

### 8.11.1.1 Groundwater Availability and Protection

- a. Since the supply of safe drinking water and the disposal of sanitary sewage in a safe manner are fundamental to all forms of rural and hamlet development, all applications must be accompanied by a hydrogeology report which addresses the suitability of the property from a servicing perspective.
- b. The hydrogeological report must demonstrate clearly that neither the water quality of neighbouring wells nor the potential water supply on land designated but not built on will be affected by the proposal. The hydrogeological report must also demonstrate, in accordance with Ministry of the Environment and Energy guidelines, that the impact from the sewage disposal systems on ground and surface waters will be acceptable. The report must state the professional opinion of the hydrogeologist as to the minimum size of lot that should be permitted in the proposed development, which will ensure groundwater protection in accordance with provincial guidelines, regardless of the minimum lot size standards provided in the Township zoning by-law.
- c. For developments not on a municipal water supply, an aquifer evaluation report is required to be completed which confirms that a suitable water supply can be obtained for all dwellings through wells drilled into a lower aquifer and cased to prevent shallow aquifer or surface water contamination.

### 8.11.1.2 Storm Water Management

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- a. All applications must be accompanied by preliminary storm water management reports. The preliminary storm water management reports shall be prepared by a qualified professional to the satisfaction of the Approval Authority(ies), the Conservation Authority and the Township, in accordance with the following criteria:
  - A storm water management system that considers the most appropriate storm water practices as may be deemed appropriate by the Township and the conservation authority;
  - A storm water quality system that meets the appropriate level of protection as may be set out by the Township, the Ministry of Environment, or the conservation authority;
  - A storm water quantity system which ensures that post-development run-off rates will not be greater than the pre-development run-off rates;
  - A storm water management scheme that identifies and minimizes the impacts of development on watershed flow regimes, including the relationship between groundwater,

- infiltration, discharge and interflow;
- A storm water management scheme that promotes the use of centralized facilities, where practical; and
  - A storm water management scheme which identifies that the placement of facilities such as detention ponds will be directed away from stream corridors and hazardous areas such as steep slopes and lands susceptible to flooding.
- b. Where granular soils and topographic conditions permit, post development storm water flow from a 2 year frequency storm should be completely contained and allowed to infiltrate back to the groundwater.
- c. All storm water management facilities, such as detention ponds, in a plan of subdivision may be placed in a restrictive zone category in the implementing zoning by-law, in order to reflect the potential flood hazard and to maintain their long term function.
- d. All industrial, commercial and institutional development proposals shall also be accompanied with a storm water management report. The storm water management report shall be prepared in accordance with the standards noted above.

#### 8.11.1.3 Road Access

- a. Applications should be accompanied by the written approval of the appropriate road authority to the proposed access points to the development. In the case of a County road or a Provincial highway, confirmation of any road allowance widening and reserves requirements will also be provided at the time of application for development.

#### 8.11.1.4 Environmental Constraints

- a. All areas of environmental constraint and significance, such as wetlands, streams, steep slopes and existing wooded areas, including those shown on Schedules C1 to C7, should be investigated and reported on by a qualified professional. The approved results and recommendations of the environmental reports shall be implemented through conditions of draft plan approval or conditions of consent.

#### 8.11.1.5 Development Constraints

- a. Each application in the RURAL designation is to be accompanied by a professional opinion from a planning consultant experienced in rural development setting out a reasoned opinion on the suitability of the land for agricultural purposes, and the degree of

compliance with both the Provincial Policy Statement on Agriculture and the Township Official Plan policies. The report will address the issues identified in "Agricultural Assessment requirements for major projects", prepared by the Ministry of Agriculture, Food and Rural Affairs.

- b. If the parcel contains a woodlot, the loss of the woodlot must also be justified on planning principles.

## Simcoe Mod 67 8.12 Servicing Standards for Hamlet Development

8.12.1 Infilling applications for individual lots may be permitted within the existing built-up area of a hamlet on existing partial services, provided that it can be clearly shown that no interference with neighbouring lots will be caused.

8.12.2 Applications to extend development of a partially serviced hamlet beyond the present built-up area by more than five lots will generally be discouraged. Any such proposals must be supported by a Servicing Feasibility Study, at the developer's cost, which addresses the following matters:

- a. The capability of an existing piped water supply system to fully serve all of the existing development in the hamlet whether or not all of the dwellings are now connected, as well as the new proposed dwellings. The Study will also cover the well supply, distribution and fire protection aspects of the system;
- b. The capability of the soils throughout the hamlet to sustain the sewage loading from all of the dwellings and other facilities in the hamlet in accordance with all current Ministry of Environment standards, as well as the new proposed dwellings or facilities;
- c. The storm water management conditions throughout the hamlet with special emphasis on the outlet from the area being proposed for development; and
- d. The existing situation in the hamlet with regard to the supply of hydro, natural gas, telephone service and cable television service (if available).

8.12.3 In the event that partial services are determined to be appropriate and that there will be no negative impact on ground or surface water quality, soils, natural features, and drainage, the developer will then prepare a Settlement Capability Study to determine:

- a. The appropriate limits of hamlet expansion that can be accommodated on partial services over the long term;

- b. The level of development that can be sustained within the hamlet before full water supply and sewage treatment services must be installed;
- c. The relation of the proposed level of development to the growth and settlement policies of this Plan;
- d. The appropriate density and community design parameters for the development and evaluate the impact of the development on the local traffic patterns and the existing community structure;
- e. The impact of the proposal on natural features and functions, cultural heritage, agriculture, institutions, social and recreational facilities and other land uses; and
- f. The most appropriate phasing of the total development in relation to the servicing infrastructure requirements and the social impact of the development.

8.12.4 It should be clearly understood that the failure to prove that a development on partial services can be safely undertaken means that any extension of the subject hamlet beyond the present limits of the built-up area will require additional consideration of the ability to develop full services for the entire hamlet.

## 8.13 Existing Land Uses

8.13.1 Certain uses of land which exist at the date of adoption of the implementing zoning by-law may be deemed to conform with the intent of this Plan. Such uses may be zoned specifically in accordance with their present use and performance standards, provided:

- The zoning will not permit any change of use or performance standard that will aggravate any situation detrimental to adjacent complying uses;
- They do not constitute a danger to surrounding uses and persons by virtue of their hazardous nature or the traffic they generate;
- They do not pollute air or water to the extent of interfering with the ordinary enjoyment of property; and
- They do not interfere with the desirable development or enjoyment of the adjacent area.

8.13.2 Alternatively, such uses may be placed in a development zone in the zoning by-law under which only the existing use is permitted. Any future change of use to one of compliance with this Plan will require the adoption by Council of a site plan amendment to the zoning by-law.

8.13.3 Any land use existing at the date of the approval of the implementing zoning by-law that does not conform with the land use designations shown on Schedules A1 to A7 to this Plan, should cease to exist in the long term. In special instances, however, it may be desirable to permit the extension



or enlargement of the non-conforming use on the property owned on the above noted date, in order to prevent unnecessary hardship. Such extensions or enlargements will require the approval of the Committee of Adjustment under Section 45 of The Planning Act.

- 8.13.4 Any land use which is illegal under the existing approved official plans or zoning by-laws of the former Townships of Adjala, Tosorontio, or Sunnidale do not become legal by virtue of the adoption of this Plan.

## 8.14 Utilities

- Simcoe Mod 68
- 8.14.1 Public authorities shall be permitted to locate all work defined by Provincial Statute in any land use designation without amendment to this Plan, subject to acceptance by the regulatory agencies.
- 8.14.2 Public utility authorities shall advise Council of their plans for new works within the Township before any relevant permit is requested and shall meet with the appropriate requirements of the Zoning By-law.
- 8.14.3 Public utility works that are undertaken under the Environmental Assessment Act shall be approved before any applications for permits are made to the Township.

## 8.15 Mobile Homes

- 8.15.1 New mobile home developments are prohibited in the Township.

## 8.16 Second Dwelling Unit in a Single Detached Dwelling

- 8.16.1 Applications for one additional accessory dwelling unit may be considered and approved by the Chief Building Official provided that the following conditions are met:
- The applicant must submit current evidence that the Simcoe County District Health Unit or other approval authority inspected and approved the sewage disposal system on the property as being suitable for the number of persons proposed to be housed.
  - The dwelling is inspected by the Township's Chief Building Official and any required changes or additions to meet the local Building, Plumbing and Fire Codes have been made, and there is an adequate water supply.
  - If the new unit is to be created by an addition to the existing dwelling, applicants shall meet all of the provisions of the existing zoning by-law regarding minimum yards, maximum height and the minimum lot area.
  - The space for any additional parking that may be required (minimum of one space) for the new unit is available, using the same driveway and in a convenient location on the lot where it does not directly impact adjacent dwellings.

- The entrance to the new unit or basement apartment will preferably be located through an existing building entrance. However, if a new doorway must be constructed, it shall not be located on a wall of the building that is adjacent to a street.

## 8.17 Heritage and Archaeological Resources

- Simcoe Mod 69 8.17.1 The Township's cultural heritage and archaeological resources should be identified. As such, the Township shall develop and maintain an inventory of designated cultural resource features within the Township, and encourage local groups, with Council's endorsement, to develop and inventory other cultural heritage resources, and to determine their local significance based on criteria developed with, and supported by, the local Council.
- 8.17.2 The Township may encourage the restoration and retention of heritage properties through the use of bonusing and density transfers and other means as permitted by the Planning Act.
- 8.17.3 The Township recognizes that there may be archaeological remnants of prehistoric and early historic habitation as well as archaeological potential areas within the Township. Council may require archaeological impact assessments, survey and the preservation or rescue excavation of significant archaeological resources which might be affected in any future development, in cooperation with the Ministry of Citizenship, Culture and Recreation.
- Simcoe Mod 70 8.17.4 New development should occur in a manner that conserves and enhances cultural heritage and archaeological resources. Cultural heritage resources include archaeological sites, buildings and structures remains of identified historical and architectural value, heritage landscapes and rural and settlement areas of identified value.
- 8.17.5 Archaeological assessments may be required in support of development applications including consents and zoning amendments as determined by the Township.

## 8.18 Wayside Pits and Quarries

- Simcoe Mod 71 8.18.1 A wayside pit or wayside quarry means a temporary pit or a quarry opened and used by a public authority or their agent, solely for the purpose of a particular project or contract of road construction.
- Simcoe Mod 72 8.18.2 Wayside pits and quarries are permitted throughout all land use designations, except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction associated activities, without the need for amendment of this Plan or the zoning by-law.

## 8.19 Portable Asphalt Plants

8.19.1 For the purposes of this Plan, "Portable Asphalt Plant" means a facility 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, which is not of permanent construction, but is designed to be dismantled and moved to another location as required.

Simcoe Mod 73

8.19.2 Portable asphalt plants, used by a public authority or their agent, shall be permitted throughout all land use designations, except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction associated activities, without the need for amendment of this Plan or the zoning by-law.

8.19.3 Sites used for portable asphalt plants in the agricultural areas will be rehabilitated back to their former agricultural use.

8.19.4 Portable asphalt plants must comply with the Ministry of the Environment and Energy's minimum separation distance and must obtain a certificate of approval from that Ministry. A minimum distance of 300 metres from a residential use shall be maintained.

8.19.5 Portable asphalt plants shall be removed from the site upon completion of the public project.

## 8.20 Monitoring and Review

8.20.1 Council will establish a tracking system to monitor land use changes, new lot creation, new construction, population and household changes throughout the Township to ensure that the underlying principles and growth management guidelines of this plan are being respected.

8.20.2 Council will have prepared a summary report on an annual basis outlining:

- Development activity in the Township;
- The success of the policy to encourage the preservation of the rural character of the Township; and
- The predicted degree of compliance with the growth management policies of this Plan for each category of land use due to the number of new lots approved.

8.20.3 Council will make the summary reports available to the public and consider the need to update and review its policies every five years, by convening a public meeting to solicit public input on such changes to its policies.

- 8.20.4 The Township, in consultation with the County, conservation authorities, provincial ministries, and the interested groups and organizations, will encourage the establishment of environmental monitoring programs in order to measure the effectiveness of the environmental policies within this Plan.

## **Section 9 INTERPRETATION**

- 9.1 The boundaries of the land use classifications and the natural heritage areas shown on the Schedules shall be considered as approximate, and absolute only where bounded by roads, railways, rivers, or streams or other similar geographical barriers. Similarly, the location of roads as indicated on the Schedules to the Plan are approximate and not absolute. Therefore, amendments to the Official Plan will not be required in order to make minor adjustments to the approximate land use boundaries or to the location of roads, provided the general intent of the Plan is preserved. Such minor deviations will not be reflected on the land use schedules. The Township will consult the conservation authorities for assistance in determining the boundaries of natural hazard lands and natural heritage features.

- Simcoe Mod 74 9.2 This Plan may be altered to correct errors in the text or schedules or to update factual information with amendment to the Plan provided the alterations do not change the effect of the goals, objectives and policies of the Plan.